STATE OF NEW YORK

S. 7505--B A. 9505--B

SENATE - ASSEMBLY

January 22, 2020

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

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

AN ACT to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 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

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

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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 A); intentionally omitted (Part B); intentionally omitted (Part C); intentionally omitted (Part D); to amend the state finance law, in relation to establishing the criminal justice discovery compensation fund; to amend the criminal procedure law, in relation to monies recovered by county district attorneys before the filing of an accusatory instrument; and providing for the repeal of certain provisions upon expiration thereof (Part E); in relation to the closure of correctional facilities; and providing for the repeal of such provisions upon expiration thereof (Part F); to amend the correction law and the executive law, in relation to moving adolescent offenders to the office of children and family services; to repeal paragraph (a-1) of subdivision 4 of section 70.20 of the penal law and section 77 of the correction law relating thereto; to repeal paragraphs (a) through (e) of section 508 of the executive law relating to a technical correction; and providing for the repeal of certain provisions upon expiration thereof (Part G); intentionally omitted (Part H); to amend the tax law, in relation to suspending the transfer of monies into the emergency services revolving loan fund from the public safety communications account (Part I); intentionally omitted (Part J); intentionally omitted (Part K); intentionally omitted (Part L); to amend the criminal procedure law and the family court act, in relation to establishing the safe homes and families act (Part M); to amend the penal law and the executive law, in relation to firearm licenses (Part N); intentionally omitted (Part O); intentionally omitted (Part P); to amend the criminal procedure law, in relation to determining whether certain misdemeanor crimes are serious offenses under the penal law (Part Q); to amend the penal law and the criminal procedure law, in relation to enacting the "Josef Neumann Hate Crimes Domestic Terrorism Act" (Part R); intentionally omitted (Part S); intentionally omitted (Part T); intentionally omitted (Part U); intentionally omitted (Part V); to amend the civil service law, in relation to continuing to protect and strengthen unions (Part W); intentionally omitted (Part X); to amend the state finance law and the state technology law, in relation to defining the term technology to include computer information, electronic information, interconnected systems and related material thereto (Part Y); to amend section 1 of part S of chapter 56 of the laws of 2010, relating to establishing a joint appointing authority for the state financial system project, in relation to statewide financial system procurements (Part Z); to amend chapter 95 of the laws of 2000 amending the state finance law, the general municipal law, the public buildings law and other laws relating to bonds, notes and revenues, in relation to extending the effectiveness thereof (Part AA); intentionally omitted (Part BB); intentionally omitted (Part CC); intentionally omitted (Part DD); intentionally omitted (Part EE); to amend the alcoholic beverage control law, in relation to establishing the hours during which alcoholic beverages may be sold in certain international airport property (Part FF); intentionally omitted (Part GG); intentionally omitted (Part HH); intentionally omitted (Part II); to amend the election law, in relation to conducting a full manual recount on all ballots (Part JJ); intentionally omitted (Part KK); intentionally omitted (Part LL); intentionally omitted (Part MM); to amend the tax law and the public authorities law, in relation to AIM-related sales tax payments in the counties of Nassau and Erie (Part NN); intentionally omitted (Part OO); to amend the domestic relations law, in relation to including acts of domestic violence in the criteria the court shall consider in

determining the equitable disposition of property during divorce proceedings (Part PP); to amend the public authorities law, in relation to ensuring pay equity at state and local public authorities (Part QQ); intentionally omitted (Part RR); intentionally omitted (Part SS); intentionally omitted (Part TT); to amend the executive law, in relation to disclosure requirements for certain nonprofits (Part UU); intentionally omitted (Part VV); to amend part E of chapter 60 of the laws of 2015, establishing a commission on legislative, judicial and executive compensation, and providing for the powers and duties of the commission and for the dissolution of the commission, in relation to the powers of the members of the commission (Part WW); to amend the public health law, in relation to rights of sexual offense victims; and to repeal section 631-b of the executive law relating thereto (Subpart A); to amend the executive law, in relation to regulatory fines for small businesses; and to amend a chapter of the laws of 2019, amending the executive law relating to regulatory fines for small businesses, in relation to the effectiveness thereof (Subpart B); to amend a chapter of the laws of 2019, authorizing the commissioner of general services to transfer and convey certain state land to the city of New Rochelle, as proposed in legislative bills numbers S.6228-A and A.7846-A, in relation to specifying the use for which certain state lands are to be transferred to the city of New Rochelle (Subpart C); to amend the social services law, in relation to exempting income earned by persons under the age of twenty-four from certain workforce development programs from the determination of need for public assistance programs (Subpart D); to amend the real property tax law, in relation to making technical changes to allow exemption from certain special districts (Subpart E); to amend the labor law, in relation to adding components sold with instructions to combine such components to create combustion or detonation to the definition of "explosives"; and to repeal certain provisions of such law relating thereto (Subpart F); to amend the private housing finance law, in relation to persons and families in company projects who are required to pay a rental surcharge (Subpart G); to amend a chapter of the laws of 2019, relating to directing the metropolitan transportation authority to rename certain subway stations, as proposed in legislative bills numbers S. 3439-A and A. 1512-A, in relation to directing the metropolitan transportation authority and the New York City transit authority to rename certain subway stations (Subpart H); to amend chapter 383 of the laws of 2019 amending the public authorities law relating to the Roosevelt Island operating corporation, in relation to the continuity of the Roosevelt Island operating corporation (Subpart I); to amend the elder law, in relation to the state office for the aging sexual discrimination training program; and to repeal certain provisions of such law related thereto (Subpart J); to amend the insurance law, in relation to policies or contracts which are not included in the definition of student accident and health insurance (Subpart K); to amend the family court act and the social services law, in relation to notice of indicated reports of child maltreatment and changes of placement in child protective and voluntary foster care placement and review proceedings (Subpart L); to amend the election law, in relation to voter registration form distribution and assistance (Subpart M); to amend the election law, in relation to canvass of ballots cast by certain voters (Subpart N); to amend the labor law, in relation to requiring the licensing of persons engaged in the design, construction, inspection, maintenance, alteration, and repair of

elevators and other automated people moving devices; to amend the state finance law, in relation to availability of funds from the elevator and related conveyances safety program account; to amend the administrative code of the city of New York, in relation to the definition of elevator work and elevator agency technician license qualifications and exemptions; to amend part B of a chapter of the laws of 2019, amending the administrative code of the city of New York relating to the licensing of approved elevator agency directors, inspectors, and technicians performing elevator work in the city of New York as proposed in legislative bills numbers S. 4080-C and A. 4509-A, in relation to the effectiveness thereof; to amend part A of a chapter of the laws of 2019, amending the labor law and the state finance law relating to requiring the licensing of persons engaged in the design, construction, inspection, maintenance, alteration, and repair of elevators and other automated people moving devices, as proposed in legislative bills numbers S. 4080-C and A. 4509-A, in relation to the effectiveness thereof; and repealing certain provisions of the labor law and the administrative code of the city of New York relating thereto (Subpart O); to amend the general municipal law, in relation to proof of eligibility for volunteer firefighter enhanced cancer disability benefits; and to repeal certain provisions of the general municipal law relating thereto (Subpart P); to amend the insurance law, in relation to "lease-end" charges (Subpart Q); to amend the labor law, in relation to the New York call center jobs act (Subpart R); to amend the public health law and the executive law, in relation to HIV post-exposure prophylaxis and other health care services for sexual assault victims; and to amend a chapter of the laws of 2019, amending the public health law and the executive law relating to HIV post-exposure prophylaxis and other health care services for sexual assault victims, as proposed in legislative bills numbers S. 2279-A and A. 1204-A in relation to the effectiveness thereof (Subpart S); to amend a chapter of the laws of 2019 amending the tax law and the state finance law relating to gifts for the support of the New York state council on the arts, as proposed in legislative bills numbers S. 3570 and A. 7994, in relation to making technical corrections thereto (Subpart T); to amend the tax law, in relation to the senior wellness in nutrition fund (Subpart U); to amend the tax law and administrative code of the city of New York, in relation to the definition of a research tobacco product (Subpart V); to amend the alcoholic beverage control law, in relation to authorizing retail licensees to purchase beer with a business payment card; and to repeal certain provisions of such law relating thereto (Subpart W); to amend the tax law, in relation to a television writers' and directors' fees and salaries credit; and to amend a chapter of the laws of 2019 amending the tax law relating to a television writers' and directors' fees and salaries credit, as proposed in legislative bills numbers S. 5864-A and A. 6683-B, in relation to a television writers' and directors' fees and salaries credit and the effectiveness thereof (Subpart X); to amend the public service law, in relation to the payment of wages to workers; and to repeal a chapter of the laws of 2019, amending the labor law relating to ensuring that utility employees receive the prevailing wage (Subpart Y); to amend the real property law, in relation to regulation of reverse mortgage loans issued under the federal home equity conversion mortgage for seniors program (Subpart Z); to amend the environmental conservation law, in relation to regulation of toxic chemicals in children's products (Subpart AA); to amend the local

finance law, in relation to the electronic open auction public bond sale pilot program (Subpart BB); and to amend chapter 9 of the laws of 2020 relating to allowing the commissioner of transportation to impound or immobilize stretch limousines in certain situations, in relation to the effectiveness thereof (Subpart CC)(Part XX); to amend the public authorities law, in relation to the Nassau county interim finance authority (Part YY); to repeal subdivision 1 of paragraph b of section 33.10 of the local finance law, relating to the issuance of bonds in the county of Westchester (Part ZZ); and to amend the election law, in relation to time allowed employees to vote (Part AAA)

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

Section 1. This act enacts into law major components of legislation necessary to implement the state public protection and general government budget for the 2020--2021 state fiscal year. Each component is wholly contained within a Part identified as Parts A through AAA. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Section 1. Section 2 of chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, as amended by section 1 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall remain in effect until September 1, [~~2020~~] **2021**.

§ 2. Section 3 of chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, as amended by section 2 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 3. This act shall take effect on the first day of November next succeeding the date on which it shall have become a law, and shall remain in effect until the first day of September, [~~2020~~] **2021**, when it shall expire and be deemed repealed.

§ 3. Section 3 of chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, as amended by section 3 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 3. This act shall take effect 60 days after it shall have become a law and shall remain in effect until September 1, [~~2020~~] **2021**.

§ 4. Section 20 of chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, as amended

by section 4 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 20. This act shall take effect immediately except that section thirteen of this act shall expire and be of no further force or effect on and after September 1, [~~2020~~] **2021** and shall not apply to persons committed to the custody of the department after such date, and provided further that the commissioner of corrections and community supervision shall report each January first and July first during such time as the earned eligibility program is in effect, to the chairmen of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the standards in effect for earned eligibility during the prior six-month period, the number of inmates subject to the provisions of earned eligibility, the number who actually received certificates of earned eligibility during that period of time, the number of inmates with certificates who are granted parole upon their first consideration for parole, the number with certificates who are denied parole upon their first consideration, and the number of individuals granted and denied parole who did not have earned eligibility certificates.

§ 5. Subdivision (q) of section 427 of chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, as amended by section 5 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

(q) the provisions of section two hundred eighty-four of this act shall remain in effect until September 1, [~~2020~~] **2021** and be applicable to all persons entering the program on or before August 31, [~~2020~~] **2021**.

§ 6. Section 10 of chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, as amended by section 6 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 10. This act shall take effect 30 days after it shall have become a law and shall remain in effect until September 1, [~~2020~~] **2021**, and provided further that the commissioner of correctional services shall report each January first, and July first, to the chairman of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the number of eligible inmates in each facility under the custody and control of the commissioner who have applied for participation in any program offered under the provisions of work release, furlough, or leave, and the number of such inmates who have been approved for participation.

§ 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994, relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994, enacting the state operations budget, as amended by section 7 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

(c) sections forty-one and forty-two of this act shall expire September 1, [~~2020~~] **2021**; provided, that the provisions of section forty-two of this act shall apply to inmates entering the work release program on or after such effective date; and

§ 8. Subdivision h of section 74 of chapter 3 of the laws of 1995, amending the correction law and other laws relating to the incarceration fee, as amended by section 8 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

h. Section fifty-two of this act shall be deemed to have been in full force and effect on and after April 1, 1995; provided, however, that the

provisions of section 189 of the correction law, as amended by section fifty-five of this act, subdivision 5 of section 60.35 of the penal law, as amended by section fifty-six of this act, and section fifty-seven of this act shall expire September 1, [~~2020~~] **2021**, when upon such date the amendments to the correction law and penal law made by sections fifty-five and fifty-six of this act shall revert to and be read as if the provisions of this act had not been enacted; provided, however, that sections sixty-two, sixty-three and sixty-four of this act shall be deemed to have been in full force and effect on and after March 1, 1995 and shall be deemed repealed April 1, 1996 and upon such date the provisions of subsection (e) of section 9110 of the insurance law and subdivision 2 of section 89-d of the state finance law shall revert to and be read as set out in law on the date immediately preceding the effective date of sections sixty-two and sixty-three of this act;

§ 9. Subdivision (c) of section 49 of subpart A of part C of chapter 62 of the laws of 2011, amending the correction law and the executive law relating to merging the department of correctional services and division of parole into the department of corrections and community supervision, as amended by section 9 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

(c) that the amendments to subdivision 9 of section 201 of the correction law as added by section thirty-two of this act shall remain in effect until September 1, [~~2020~~] **2021**, when it shall expire and be deemed repealed;

§ 10. Subdivision (aa) of section 427 of chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, as amended by section 10 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

(aa) the provisions of sections three hundred eighty-two, three hundred eighty-three and three hundred eighty-four of this act shall expire on September 1, [~~2020~~] **2021**;

§ 11. Section 12 of chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, as amended by section 11 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 12. This act shall take effect immediately, except that the provisions of sections one through ten of this act shall remain in full force and effect until September 1, [~~2020~~] **2021** on which date those provisions shall be deemed to be repealed.

§ 12. Subdivision (p) of section 406 of chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, as amended by section 12 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

(p) The amendments to section 1809 of the vehicle and traffic law made by sections three hundred thirty-seven and three hundred thirty-eight of this act shall not apply to any offense committed prior to such effective date; provided, further, that section three hundred forty-one of this act shall take effect immediately and shall expire November 1, 1993 at which time it shall be deemed repealed; sections three hundred forty-five and three hundred forty-six of this act shall take effect July 1, 1991; sections three hundred fifty-five, three hundred fifty-six, three hundred fifty-seven and three hundred fifty-nine of this act shall take effect immediately and shall expire June 30, 1995 and shall revert to and be read as if this act had not been enacted; section three hundred fifty-eight of this act shall take effect immediately and shall

expire June 30, 1998 and shall revert to and be read as if this act had not been enacted; section three hundred sixty-four through three hundred sixty-seven of this act shall apply to claims filed on or after such effective date; sections three hundred sixty-nine, three hundred seventy-two, three hundred seventy-three, three hundred seventy-four, three hundred seventy-five and three hundred seventy-six of this act shall remain in effect until September 1, [~~2020~~] **2021**, at which time they shall be deemed repealed; provided, however, that the mandatory surcharge provided in section three hundred seventy-four of this act shall apply to parking violations occurring on or after said effective date; and provided further that the amendments made to section 235 of the vehicle and traffic law by section three hundred seventy-two of this act, the amendments made to section 1809 of the vehicle and traffic law by sections three hundred thirty-seven and three hundred thirty-eight of this act and the amendments made to section 215-a of the labor law by section three hundred seventy-five of this act shall expire on September 1, [~~2020~~] **2021** and upon such date the provisions of such subdivisions and sections shall revert to and be read as if the provisions of this act had not been enacted; the amendments to subdivisions 2 and 3 of section 400.05 of the penal law made by sections three hundred seventy-seven and three hundred seventy-eight of this act shall expire on July 1, 1992 and upon such date the provisions of such subdivisions shall revert and shall be read as if the provisions of this act had not been enacted; the state board of law examiners shall take such action as is necessary to assure that all applicants for examination for admission to practice as an attorney and counsellor at law shall pay the increased examination fee provided for by the amendment made to section 465 of the judiciary law by section three hundred eighty of this act for any examination given on or after the effective date of this act notwithstanding that an applicant for such examination may have prepaid a lesser fee for such examination as required by the provisions of such section 465 as of the date prior to the effective date of this act; the provisions of section 306-a of the civil practice law and rules as added by section three hundred eighty-one of this act shall apply to all actions pending on or commenced on or after September 1, 1991, provided, however, that for the purposes of this section service of such summons made prior to such date shall be deemed to have been completed on September 1, 1991; the provisions of section three hundred eighty-three of this act shall apply to all money deposited in connection with a cash bail or a partially secured bail bond on or after such effective date; and the provisions of sections three hundred eighty-four and three hundred eighty-five of this act shall apply only to jury service commenced during a judicial term beginning on or after the effective date of this act; provided, however, that nothing contained herein shall be deemed to affect the application, qualification, expiration or repeal of any provision of law amended by any section of this act and such provisions shall be applied or qualified or shall expire or be deemed repealed in the same manner, to the same extent and on the same date as the case may be as otherwise provided by law;

§ 13. Subdivision 8 of section 1809 of the vehicle and traffic law, as amended by section 13 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

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

§ 14. Section 6 of chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program,

as amended by section 14 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 6. This act shall take effect on the first day of April next succeeding the date on which it shall have become a law; provided, however, that effective immediately, the addition, amendment or repeal of any rule or regulation necessary for the implementation of the foregoing sections of this act on their effective date is authorized and directed to be made and completed on or before such effective date and shall remain in full force and effect until the first day of September, [~~2020~~] **2021** when upon such date the provisions of this act shall be deemed repealed.

§ 15. Paragraph a of subdivision 6 of section 76 of chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, as amended by section 15 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

a. sections forty-three through forty-five of this act shall expire and be deemed repealed on September 1, [~~2020~~] **2021**;

§ 16. Section 4 of part D of chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, as amended by section 16 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 4. This act shall take effect 120 days after it shall have become a law and shall remain in full force and effect until September 1, [~~2020~~] **2021**, when upon such date it shall expire.

§ 17. Subdivision 2 of section 59 of chapter 222 of the laws of 1994, constituting the family protection and domestic violence intervention act of 1994, as amended by section 17 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

2. Subdivision 4 of section 140.10 of the criminal procedure law as added by section thirty-two of this act shall take effect January 1, 1996 and shall expire and be deemed repealed on September 1, [~~2020~~] **2021**.

§ 18. Section 5 of chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, as amended by section 18 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 5. This act shall take effect immediately and shall apply to all criminal actions and proceedings commenced prior to the effective date of this act but still pending on such date as well as all criminal actions and proceedings commenced on or after such effective date and its provisions shall expire on September 1, [~~2020~~] **2021**, when upon such date the provisions of this act shall be deemed repealed.

§ 19. Subdivision d of section 74 of chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, as amended by section 19 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

d. Sections one-a through twenty, twenty-four through twenty-eight, thirty through thirty-nine, forty-two and forty-four of this act shall be deemed repealed on September 1, [~~2020~~] **2021**;

§ 20. Section 2 of chapter 689 of the laws of 1993, amending the criminal procedure law relating to electronic court appearance in certain counties, as amended by section 20 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 2. This act shall take effect immediately, except that the provisions of this act shall be deemed to have been in full force and effect since July 1, 1992 and the provisions of this act shall expire

September 1, [~~2020~~] **2021** when upon such date the provisions of this act shall be deemed repealed.

§ 21. Section 3 of chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, as amended by section 21 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 3. This act shall take effect immediately, except that section one of this act shall take effect on the first of January next succeeding the date on which it shall have become a law, and shall remain in effect until the first of September, [~~2020~~] **2021**, upon which date this act shall be deemed repealed and have no further force and effect; provided that section one of this act shall only take effect with respect to any compacting state which has enacted an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act and provided further that with respect to any such compacting state, upon the effective date of section one of this act, section 259-m of the executive law is hereby deemed REPEALED and section 259-mm of the executive law, as added by section one of this act, shall take effect; and provided further that with respect to any state which has not enacted an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act, section 259-m of the executive law shall take effect and the provisions of section one of this act, with respect to any such state, shall have no force or effect until such time as such state shall adopt an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act in which case, with respect to such state, effective immediately, section 259-m of the executive law is deemed repealed and section 259-mm of the executive law, as added by section one of this act, shall take effect.

§ 22. Section 8 of part H of chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, as amended by section 22 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 8. This act shall take effect immediately; provided, however that sections five and six of this act shall expire and be deemed repealed September 1, [~~2020~~] **2021**.

§ 23. Section 3 of part C of chapter 152 of the laws of 2001, amending the military law relating to military funds of the organized militia, as amended by section 23 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 3. This act shall take effect immediately; provided however that the amendments made to subdivision 1 of section 221 of the military law by section two of this act shall expire and be deemed repealed September 1, [~~2020~~] **2021**.

§ 24. Section 5 of chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, as amended by section 24 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 5. This act shall take effect immediately and shall remain in full force and effect until September 1, [~~2020~~] **2021**, and provided further

that the commissioner of correctional services shall report each January first and July first during such time as this legislation is in effect, to the chairmen of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the number of individuals who are released to community treatment facilities during the previous six-month period, including the total number for each date at each facility who are not residing within the facility, but who are required to report to the facility on a daily or less frequent basis.

§ 25. Section 2 of part F of chapter 55 of the laws of 2018, amending the criminal procedure law relating to pre-criminal proceeding settlements in the city of New York, as amended by section 25 of part O of chapter 55 of the laws of 2019, is amended to read as follows:

§ 2. This act shall take effect immediately and shall remain in full force and effect until March 31, [~~2020~~] **2021**, when it shall expire and be deemed repealed.

§ 26. This act shall take effect immediately, provided however that section twenty-five of this act shall be deemed to have been in full force and effect on and after March 31, 2020.

PART B

Intentionally Omitted

PART C

Intentionally Omitted

PART D

Intentionally Omitted

PART E

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

§ 99-hh. Criminal justice discovery compensation fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a fund to be known as the criminal justice discovery compensation fund.

2. (a) Such fund shall consist of forty million dollars upon immediate transfer from funds secured by payments associated with state sanctioned deferred prosecution agreements currently held on deposit with the office of the Manhattan district attorney.

(b) The office of the Manhattan district attorney shall annually remit forty million dollars of future state sanctioned deferred prosecution agreement funds which have been secured by January first of the subsequent year. If forty million dollars in future funding has not been secured, the office of the Manhattan district attorney shall transfer forty million dollars from funds secured by payments associated with state sanctioned deferred prosecution agreements currently held on deposit with the office of the Manhattan district attorney by January first.

3. Monies of the criminal justice discovery compensation fund, following appropriation by the legislature and allocation by the director of the budget, shall be made available for local assistance services and

expenses related to discovery reform implementation, including but not limited to, digital evidence transmission technology, administrative support, computers, hardware and operating software, data connectivity, development of training materials, staff training, overtime costs, litigation readiness, and pretrial services. Eligible entities shall include, but not be limited to counties, cities with populations less than one million, and law enforcement and prosecutorial entities within towns and villages.

§ 2. Section 95.00 of the criminal procedure law, as added by section 1 of part F of chapter 55 of the laws of 2018, is amended to read as follows:

§ 95.00 Pre-criminal proceeding settlement.

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

§ 3. This act shall take effect immediately; provided, however, that subdivision 2 of section 99-hh of the state finance law, as added by section one of this act, shall expire and be deemed repealed March 31, 2022, and provided, further that the amendments to section 95.00 of the criminal procedure law made by section two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART F

Section 1. Notwithstanding the provisions of sections 79-a and 79-b of the correction law, the governor is authorized to close correctional facilities of the department of corrections and community supervision, in the state fiscal year 2020-2021, as he determines to be necessary for the cost-effective and efficient operation of the correctional system, provided that the governor provides at least 90 days notice prior to any such closures to the temporary president of the senate and the speaker of the assembly. Such notice shall include the list of facilities the governor plans to close, the number of incarcerated individuals in said facilities, and the number of staff working in said facilities. The commissioner of corrections and community supervision shall also report in detail to the temporary president of the senate and the speaker of the assembly on the results of staff relocation efforts within 60 days after such closure.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2020 and shall expire and be deemed repealed March 31, 2021.

PART G

Section 1. Paragraph (a-1) of subdivision 4 of section 70.20 of the penal law is REPEALED.

§ 2. Section 77 of the correction law is REPEALED.

§ 3. The correction law is amended by adding a new section 80 to read as follows:

§ 80. Transfer of adolescents from the department. The department and the office of children and family services shall jointly establish a transition plan and protocol to be used in transferring custody of all adolescent offenders and individuals under the age of eighteen from the custody of the department to the custody of the office of children and family services on or before October first, two thousand twenty. The plan and protocol shall be completed on or before July first, two thousand twenty.

§ 4. The section heading and subdivisions 1, 2, 7 and 8 of section 508 of the executive law, the section heading as added by chapter 481 of the laws of 1978, subdivision 1 as amended by chapter 738 of the laws of 2004, subdivisions 2, 7 and 8 as amended by section 82 of part WWW of chapter 59 of the laws of 2017 and such section as renumbered by chapter 465 of the laws of 1992, are amended to read as follows:

Juvenile offender **and adolescent offender** facilities. 1. The office of children and family services shall maintain secure facilities for the care and confinement of juvenile offenders **and adolescent offenders** committed for [~~an indeterminate, determinate or definite~~] **a** sentence pursuant to the sentencing provisions of the penal law. Such facilities shall provide appropriate services to juvenile offenders **and adolescent offenders** including but not limited to residential care, educational and vocational training, physical and mental health services, and employment counseling.

2. Juvenile offenders **and adolescent offenders** shall be confined in such facilities until the age of twenty-one in accordance with their sentences, and shall not be released, discharged or permitted home visits except pursuant to the provisions of this section.

7. While in the custody of the office of children and family services, an offender shall be subject to the rules and regulations of the office, except that his or her parole, temporary release and discharge shall be governed by the laws applicable to inmates of state correctional facili-

ties and his or her transfer to state hospitals in the office of mental health shall be governed by section five hundred nine of this [~~chapter~~] **article**; provided, however, that an otherwise eligible offender may receive the six-month limited credit time allowance for successful participation in one or more programs developed by the office of children and family services that are comparable to the programs set forth in section eight hundred three-b of the correction law, taking into consideration the age of offenders. The commissioner of the office of children and family services shall, however, establish and operate temporary release programs at office of children and family services facilities for eligible juvenile offenders **and adolescent offenders** and contract with the department of corrections and community supervision for the provision of parole supervision services for temporary releasees. The rules and regulations for these programs shall not be inconsistent with the laws for temporary release applicable to inmates of state correctional facilities. For the purposes of temporary release programs for juvenile offenders **and adolescent offenders** only, when referred to or defined in article twenty-six of the correction law, "institution" shall mean any facility designated by the commissioner of the office of children and family services, "department" shall mean the office of children and family services, "inmate" shall mean a juvenile offender **or adolescent offender** residing in an office of children and family services facility, and "commissioner" shall mean the commissioner of the office of children and family services. Time spent in office of children and family services facilities and in juvenile detention facilities shall be credited towards the sentence imposed in the same manner and to the same extent applicable to inmates of state correctional facilities.

8. Whenever a juvenile offender**, adolescent offender** or a juvenile offender **or adolescent offender** adjudicated a youthful offender shall be delivered to the director of an office of children and family services facility pursuant to a commitment to the office of children and family services, the officer so delivering such person shall deliver to such facility director a certified copy of the sentence received by such officer from the clerk of the court by which such person shall have been sentenced, a copy of the report of the probation officer's investigation and report, any other pre-sentence memoranda filed with the court, a copy of the person's fingerprint records, a detailed summary of available medical records, psychiatric records and reports relating to assaults, or other violent acts, attempts at suicide or escape by the person while in the custody of a local detention facility.

§ 5. Paragraphs (a), (b), (c), (d) and (e) of subdivision 2 of section 508 of the executive law are REPEALED.

§ 6. This act shall take effect immediately; provided that:

a. sections one and four of this act shall take effect on the sixtieth day after this act shall have become a law and the changes made by section one shall apply to sentences ordered pursuant to section 70.20 of the penal law on or after the effective date;

b. section two of this act shall take effect October 1, 2020; and

c. section three of this act shall expire October 1, 2021 when upon such date the provisions of such section shall be deemed repealed. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART H

Intentionally Omitted

PART I

Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax law, as amended by section 1 of part M of chapter 55 of the laws of 2018, is amended to read as follows:

(b) The sum of one million five hundred thousand dollars must be deposited into the New York state emergency services revolving loan fund annually; provided, however, that such sums shall not be deposited for state fiscal years two thousand eleven--two thousand twelve, two thousand twelve--two thousand thirteen, two thousand fourteen--two thousand fifteen, two thousand fifteen--two thousand sixteen, two thousand sixteen--two thousand seventeen, two thousand seventeen--two thousand eighteen, two thousand eighteen--two thousand nineteen [~~and~~], two thousand nineteen--two thousand twenty**, two thousand twenty--two thousand twenty-one and two thousand twenty-one--two thousand twenty-two**;

§ 2. This act shall take effect April 1, 2020.

PART J

Intentionally Omitted

PART K

Intentionally Omitted

PART L

Intentionally Omitted

PART M

Section 1. This act shall be known and may be cited as the "safe homes and families act".

§ 2. Section 140.10 of the criminal procedure law is amended by adding a new subdivision 6 to read as follows:

6. (a) A police officer who responds to a report of a family offense as defined in section 530.11 of this chapter and section eight hundred twelve of the family court act may take temporary custody of any firearm, rifle, electronic dart gun, electronic stun gun, disguised gun, imitation weapon, shotgun, antique firearm, black powder rifle, black powder shotgun, or muzzle-loading firearm that is in plain sight or is discovered pursuant to a consensual or other lawful search, and shall take temporary custody of any such weapon that is in the possession of any person arrested for the commission of such family offense or suspected of its commission. An officer who takes custody of any weapon pursuant to this paragraph shall also take custody of any license to carry, possess, repair, and dispose of such weapon issued to the person arrested or suspected of such family offense. The officer shall deliver such weapon and/or license to the appropriate law enforcement officer as provided in subparagraph (f) of paragraph one of subdivision a of section 265.20 of the penal law.

(b) Upon taking custody of weapons or a license described in paragraph (a) of this subdivision, the responding officer shall give the owner or person in possession of such weapons or license a receipt describing such weapons and/or license and indicating any identification or serial number on such weapons. Such receipt shall indicate where the weapons and/or license can be recovered and describe the process for recovery provided in paragraph (e) of this subdivision.

(c) Not less than forty-eight hours after effecting such seizure, and in the absence of (i) an order of protection, an extreme risk protection order, or other court order prohibiting the owner from possessing such a weapon and/or license, or (ii) a pending criminal charge or conviction which prohibits such owner from possessing such a weapon and/or license, and upon a written finding that there is no legal impediment to the owner's possession of such a weapon and/or license, the court or, if no court is involved, licensing authority or custodian of the weapon shall direct return of a weapon not otherwise disposed of in accordance with subdivision one of section 400.05 of the penal law and/or such license taken into custody pursuant to this section.

(d) If any other person demonstrates that such person is the lawful owner of any weapon taken into custody pursuant to this section, and provided that the court or, if no court is involved, licensing authority or custodian of the weapon has made a written finding that there is no legal impediment to the person's possession of such a weapon, such court, licensing authority or custodian of the weapon, as the case may be, shall direct that such weapon be returned to such lawful owner.

(e) All weapons in the possession of a law enforcement official pursuant to this section shall be subject to the provisions of applicable law, including but not limited to subdivision six of section 400.05 of the penal law; provided, however, that any such weapon shall be retained and not disposed of by the law enforcement agency for at least two years unless legally transferred by the owner to an individual permitted by law to own and possess such weapon.

§ 3. The section heading and paragraphs (a) and (b) of subdivision 1 of section 530.14 of the criminal procedure law, as amended by chapter 60 of the laws of 2018, are amended and a new paragraph (c) is added to subdivision 1 to read as follows:

Suspension and revocation of a license to carry, possess, repair or dispose of a firearm or firearms pursuant to section 400.00 of the penal law and ineligibility for such a license; order to surrender firearms; order to seize firearms.

(a) the court shall suspend any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender of any or all firearms, rifles and shotguns owned or possessed where the court receives information that gives the court good cause to believe that (i) the defendant has a prior conviction of any violent felony offense as defined in section 70.02 of the penal law; (ii) the defendant has previously been found to have willfully failed to obey a prior order of protection and such willful failure involved (A) the infliction of physical injury, as defined in subdivision nine of section 10.00 of the penal law, (B) the use or threatened use of a deadly weapon or dangerous instrument as those terms are defined in subdivisions twelve and thirteen of section 10.00 of the penal law, or (C) behavior constituting any violent felony offense as defined in section 70.02 of the penal law; or (iii) the defendant has a prior conviction for stalking in the first degree as defined in section 120.60 of the penal law, stalking in the second degree as defined in

section 120.55 of the penal law, stalking in the third degree as defined in section 120.50 of the penal law or stalking in the fourth degree as defined in section 120.45 of such law; [~~and~~]

(b) the court shall where the court finds a substantial risk that the defendant may use or threaten to use a firearm, rifle or shotgun unlawfully against the person or persons for whose protection the temporary order of protection is issued, suspend any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision a of section 265.20 and subdivision six of section 400.05 of the penal law, of any or all firearms, rifles and shotguns owned or possessed[~~.~~]**; and**

(c) the court may where the defendant willfully refuses to surrender such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of this subdivision, or for other good cause shown, order the immediate seizure of such firearm, rifle or shotgun, and search therefor, pursuant to an order issued in accordance with article six hundred ninety of this part, consistent with such rights as the defendant may derive from this article or the constitution of this state or the United States.

§ 4. Paragraphs (a) and (b) of subdivision 2 of section 530.14 of the criminal procedure law, as amended by chapter 60 of the laws of 2018, are amended and a new paragraph (c) is added to read as follows:

(a) the court shall revoke any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender of any or all firearms, rifles and shotguns owned or possessed where such action is required by section 400.00 of the penal law; [~~and~~]

(b) the court shall where the court finds a substantial risk that the defendant may use or threaten to use a firearm, [~~rifles~~] **rifle** or [~~shotguns~~] **shotgun** unlawfully against the person or persons for whose protection the order of protection is issued, (i) revoke any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender of any or all firearms, rifles and shotguns owned or possessed or (ii) suspend or continue to suspend any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision a of section 265.20 and subdivision six of section 400.05 of the penal law, of any or all firearms, rifles and shotguns owned or possessed[~~.~~]**; and**

(c) the court may where the defendant willfully refuses to surrender such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of this subdivision, or for other good cause shown, order the immediate seizure of such firearm, rifle or shotgun, and search therefor, pursuant to an order issued in accordance with article six hundred ninety of this part, consistent with such rights as the defendant may derive from this article or the constitution of this state or the United States.

§ 5. Paragraphs (a) and (b) of subdivision 3 of section 530.14 of the criminal procedure law, as amended by chapter 60 of the laws of 2018, are amended and a new paragraph (c) is added to read as follows:

(a) the court shall revoke any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender of any or all firearms, rifles and shotguns owned or possessed where the willful failure to obey such order involved (i) the infliction of physical injury, as defined in subdivision nine of section 10.00 of the penal law, (ii) the use or threatened use of a

deadly weapon or dangerous instrument as those terms are defined in subdivisions twelve and thirteen of section 10.00 of the penal law, (iii) behavior constituting any violent felony offense as defined in section 70.02 of the penal law; or (iv) behavior constituting stalking in the first degree as defined in section 120.60 of the penal law, stalking in the second degree as defined in section 120.55 of the penal law, stalking in the third degree as defined in section 120.50 of the penal law or stalking in the fourth degree as defined in section 120.45 of such law; [~~and~~]

(b) the court shall where the court finds a substantial risk that the defendant may use or threaten to use a firearm, rifle or shotgun unlawfully against the person or persons for whose protection the order of protection was issued, (i) revoke any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision a of section 265.20 and subdivision six of section 400.05 of the penal law, of any or all firearms, rifles and shotguns owned or possessed or (ii) suspend any such existing license possessed by the defendant, order the defendant ineligible for such a license and order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision a of section 265.20 and subdivision six of section 400.05 of the penal law, of any or all firearms, rifles and shotguns owned or possessed[~~.~~]**; and**

(c) the court may where the defendant willfully refuses to surrender such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of this subdivision, or for other good cause shown, order the immediate seizure of such firearm, rifle or shotgun, and search therefor, pursuant to an order issued in accordance with article six hundred ninety of this part, consistent with such rights as the defendant may derive from this article or the constitution of this state or the United States.

§ 6. Paragraph (b) of subdivision 5 of section 530.14 of the criminal procedure law, as amended by chapter 60 of the laws of 2018, is amended and a new paragraph (d) is added to read as follows:

(b) The prompt surrender of one or more firearms, rifles or shotguns pursuant to a court order issued pursuant to this section shall be considered a voluntary surrender for purposes of subparagraph (f) of paragraph one of subdivision a of section 265.20 of the penal law. The disposition of any such weapons**, including weapons ordered to be seized pursuant to this section and section eight hundred forty-two-a of the family court act,** shall be in accordance with the provisions of subdivision six of section 400.05 of the penal law; provided, however, that upon termination of any suspension order issued pursuant to this section or section eight hundred forty-two-a of the family court act, upon written application of the subject of the order, with notice and opportunity to be heard to the district attorney, the county attorney, the protected party, and every licensing officer responsible for issuance of a firearms license to the subject of the order pursuant to article four hundred of the penal law, and upon a written finding that there is no legal impediment to the subject's possession of a surrendered firearm, rifle or shotgun, any court of record exercising criminal jurisdiction may order the return of a firearm, rifle or shotgun not otherwise disposed of in accordance with subdivision six of section 400.05 of the penal law. When issuing such order in connection with any firearm subject to a license requirement under article four hundred of the penal law, if the licensing officer informs the court that he or she will seek

to revoke the license, the order shall be stayed by the court until the conclusion of any license revocation proceeding.

(d) If any other person demonstrates that such person is the lawful owner of any weapon taken into custody pursuant to this section or section eight hundred forty-two-a of the family court act, and provided that the court has made a written finding that there is no legal impediment to the person's possession of such a weapon, such court shall direct that such weapon be returned to such lawful owner.

§ 7. Subdivisions 6 and 7 of section 530.14 of the criminal procedure law, as amended by chapter 60 of the laws of 2018, are amended to read as follows:

6. Notice. (a) Where an order requiring surrender, revocation, suspension**, seizure** or ineligibility has been issued pursuant to this section, any temporary order of protection or order of protection issued shall state that such firearm license has been suspended or revoked or that the defendant is ineligible for such license, as the case may be, and that the defendant is prohibited from possessing any firearm, rifle or shotgun.

(b) The court revoking or suspending the license, ordering the defendant ineligible for such a license, or ordering the surrender **or seizure** of any firearm, rifle or shotgun shall immediately notify the duly constituted police authorities of the locality concerning such action and, in the case of orders of protection and temporary orders of protection issued pursuant to section 530.12 of this article, shall immediately notify the statewide registry of orders of protection.

(c) The court revoking or suspending the license or ordering the defendant ineligible for such a license shall give written notice thereof without unnecessary delay to the division of state police at its office in the city of Albany.

(d) Where an order of revocation, suspension, ineligibility [~~or~~]**,** surrender **or seizure** is modified or vacated, the court shall immediately notify the statewide registry of orders of protection and the duly constituted police authorities of the locality concerning such action and shall give written notice thereof without unnecessary delay to the division of state police at its office in the city of Albany.

7. Hearing. The defendant shall have the right to a hearing before the court regarding any revocation, suspension, ineligibility [~~or~~]**,** surrender **or seizure** order issued pursuant to this section, provided that nothing in this subdivision shall preclude the court from issuing any such order prior to a hearing. Where the court has issued such an order prior to a hearing, it shall commence such hearing within fourteen days of the date such order was issued.

§ 8. The section heading and paragraphs (a) and (b) of subdivision 1 of section 842-a of the family court act, as amended by chapter 60 of the laws of 2018, are amended and a new paragraph (c) is added to subdivision 1 to read as follows:

Suspension and revocation of a license to carry, possess, repair or dispose of a firearm or firearms pursuant to section 400.00 of the penal law and ineligibility for such a license; order to surrender firearms**; order to seize firearms**.

(a) the court shall suspend any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision a of section 265.20 and subdivision six of section 400.05 of the penal law, of any or all firearms, rifles and shotguns owned or possessed where the court receives information that gives the

court good cause to believe that: (i) the respondent has a prior conviction of any violent felony offense as defined in section 70.02 of the penal law; (ii) the respondent has previously been found to have willfully failed to obey a prior order of protection and such willful failure involved (A) the infliction of physical injury, as defined in subdivision nine of section 10.00 of the penal law, (B) the use or threatened use of a deadly weapon or dangerous instrument as those terms are defined in subdivisions twelve and thirteen of section 10.00 of the penal law, or (C) behavior constituting any violent felony offense as defined in section 70.02 of the penal law; or (iii) the respondent has a prior conviction for stalking in the first degree as defined in section 120.60 of the penal law, stalking in the second degree as defined in section 120.55 of the penal law, stalking in the third degree as defined in section 120.50 of the penal law or stalking in the fourth degree as defined in section 120.45 of such law; [~~and~~]

(b) the court shall where the court finds a substantial risk that the respondent may use or threaten to use a firearm, rifle or shotgun unlawfully against the person or persons for whose protection the temporary order of protection is issued, suspend any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision a of section 265.20 and subdivision six of section 400.05 of the penal law, of any or all firearms, rifles and shotguns owned or possessed[~~.~~]**; and**

(c) the court may where the defendant willfully refuses to surrender such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of this subdivision, or for other good cause shown, order the immediate seizure of such firearm, rifle or shotgun, and search therefor, pursuant to an order issued in accordance with article six hundred ninety of the criminal procedure law, consistent with such rights as the defendant may derive from this article or the constitution of this state or the United States.

§ 9. Paragraphs (a) and (b) of subdivision 2 of section 842-a of the family court act, as amended by chapter 60 of the laws of 2018, are amended and a new paragraph (c) is added to read as follows:

(a) the court shall revoke any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision a of section 265.20 and subdivision six of section 400.05 of the penal law, of any or all firearms, rifles and shotguns owned or possessed where the court finds that the conduct which resulted in the issuance of the order of protection involved (i) the infliction of physical injury, as defined in subdivision nine of section 10.00 of the penal law, (ii) the use or threatened use of a deadly weapon or dangerous instrument as those terms are defined in subdivisions twelve and thirteen of section 10.00 of the penal law, or (iii) behavior constituting any violent felony offense as defined in section 70.02 of the penal law; [~~and~~]

(b) the court shall, where the court finds a substantial risk that the respondent may use or threaten to use a firearm, rifle or shotgun unlawfully against the person or persons for whose protection the order of protection is issued, (i) revoke any such existing license possessed by the respondent, order the respondent ineligible for such a license and order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision a of section 265.20 and subdivision six of section 400.05 of the penal law, of any or all firearms, rifles and shotguns

owned or possessed or (ii) suspend or continue to suspend any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision a of section 265.20 and subdivision six of section 400.05 of the penal law, of any or all firearms, rifles and shotguns owned or possessed[~~.~~]**; and**

(c) the court may where the defendant willfully refuses to surrender such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of this subdivision, or for other good cause shown, order the immediate seizure of such firearm, rifle or shotgun, and search therefor, pursuant to an order issued in accordance with article six hundred ninety of the criminal procedure law, consistent with such rights as the defendant may derive from this article or the constitution of this state or the United States.

§ 10. Paragraphs (a) and (b) of subdivision 3 of section 842-a of the family court act, as amended by chapter 60 of the laws of 2018, are amended and a new paragraph (c) is added to read as follows:

(a) the court shall revoke any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision a of section 265.20 and subdivision six of section 400.05 of the penal law, of any or all firearms, rifles and shotguns owned or possessed where the willful failure to obey such order involves (i) the infliction of physical injury, as defined in subdivision nine of section 10.00 of the penal law, (ii) the use or threatened use of a deadly weapon or dangerous instrument as those terms are defined in subdivisions twelve and thirteen of section 10.00 of the penal law, or (iii) behavior constituting any violent felony offense as defined in section 70.02 of the penal law; or (iv) behavior constituting stalking in the first degree as defined in section 120.60 of the penal law, stalking in the second degree as defined in section 120.55 of the penal law, stalking in the third degree as defined in section 120.50 of the penal law or stalking in the fourth degree as defined in section 120.45 of such law; [~~and~~]

(b) the court shall where the court finds a substantial risk that the respondent may use or threaten to use a firearm, rifle or shotgun unlawfully against the person or persons for whose protection the order of protection was issued, (i) revoke any such existing license possessed by the respondent, order the respondent ineligible for such a license, whether or not the respondent possesses such a license, and order the immediate surrender pursuant to subparagraph (f) of paragraph one of subdivision a of section 265.20 and subdivision six of section 400.05 of the penal law, of any or all firearms, rifles and shotguns owned or possessed or (ii) suspend any such existing license possessed by the respondent, order the respondent ineligible for such a license, and order the immediate surrender of any or all firearms, rifles and shotguns owned or possessed[~~.~~]**; and**

(c) the court may where the defendant willfully refuses to surrender such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of this subdivision, or for other good cause shown, order the immediate seizure of such firearm, rifle or shotgun, and search therefor, pursuant to an order issued in accordance with article six hundred ninety of the criminal procedure law, consistent with such rights as the defendant may derive from this article or the constitution of this state or the United States.

§ 11. Subdivisions 6 and 7 of section 842-a of the family court act, as amended by chapter 60 of the laws of 2018, are amended to read as follows:

6. Notice. (a) Where an order requiring surrender, revocation, suspension**, seizure** or ineligibility has been issued pursuant to this section, any temporary order of protection or order of protection issued shall state that such firearm license has been suspended or revoked or that the respondent is ineligible for such license, as the case may be, and that the defendant is prohibited from possessing any firearms, rifles or shotguns.

(b) The court revoking or suspending the license, ordering the respondent ineligible for such license, or ordering the surrender **or seizure** of any firearm, rifles or shotguns shall immediately notify the statewide registry of orders of protection and the duly constituted police authorities of the locality of such action.

(c) The court revoking or suspending the license or ordering the defendant ineligible for such license shall give written notice thereof without unnecessary delay to the division of state police at its office in the city of Albany.

(d) Where an order of revocation, suspension, ineligibility, [~~or~~] surrender**, or seizure** is modified or vacated, the court shall immediately notify the statewide registry of orders of protection and the duly constituted police authorities of the locality concerning such action and shall give written notice thereof without unnecessary delay to the division of state police at its office in the city of Albany.

7. Hearing. The respondent shall have the right to a hearing before the court regarding any revocation, suspension, ineligibility [~~or~~]**,** surrender **or seizure** order issued pursuant to this section, provided that nothing in this subdivision shall preclude the court from issuing any such order prior to a hearing. Where the court has issued such an order prior to a hearing, it shall commence such hearing within fourteen days of the date such order was issued.

§ 12. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

PART N

Section 1. Subdivision 17 of section 265.00 of the penal law, as added by chapter 1041 of the laws of 1974, paragraph (a) as amended by chapter 264 of the laws of 2003, paragraph (b) as separately amended by sections 2 and 3 of chapter 232 of the laws of 2010, and paragraph (c) as added by chapter 60 of the laws of 2018, is amended to read as follows:

17. "Serious offense" means (a) [~~any of the following offenses defined in the former penal law as in force and effect immediately prior to September first, nineteen hundred sixty-seven: illegally using, carrying or possessing a pistol or other dangerous weapon; making or possessing burglar's instruments; buying or receiving stolen property; unlawful entry of a building; aiding escape from prison; that kind of disorderly conduct defined in subdivisions six and eight of section seven hundred twenty-two of such former penal law; violations of sections four hundred eighty-three, four hundred eighty-three-b, four hundred eighty-four-h and article one hundred six of such former penal law; that kind of criminal sexual act or rape which was designated as a misdemeanor; violation of section seventeen hundred forty-seven-d and seventeen hundred forty-seven-e of such former penal law; any violation of any provision of article thirty-three of the public health law relating to narcotic drugs~~

~~which was defined as a misdemeanor by section seventeen hundred fifty-one-a of such former penal law, and any violation of any provision of article thirty-three-A of the public health law relating to depressant and stimulant drugs which was defined as a misdemeanor by section seventeen hundred forty-seven-b of such former penal law.~~

~~(b)~~] any of the following offenses defined in the current penal law and any offense in any jurisdiction or the former penal law that includes all of the essential elements of any of the following offenses: illegally using, carrying or possessing a pistol or other dangerous weapon; possession of burglar's tools; criminal possession of stolen property in the third degree; escape in the third degree; jostling; fraudulent accosting; endangering the welfare of a child; [~~the offenses defined in article two hundred thirty-five;~~] obscenity in the third degree; issuing abortional articles; permitting prostitution; promoting prostitution in the third degree; stalking in the fourth degree; stalking in the third degree; [~~the offenses defined in article one hundred thirty; the offenses defined in article two hundred twenty~~] sexual misconduct; forcible touching; sexual abuse in the third degree; sexual abuse in the second degree; criminal possession of a controlled substance in the seventh degree; criminally possessing a hypodermic instrument; criminally using drug paraphernalia in the second degree; criminal possession of methamphetamine manufacturing material in the second degree; and a hate crime defined in article four hundred eighty-five of this chapter.

[~~(b) any of the following offenses defined in the penal law: illegally using, carrying or possessing a pistol or other dangerous weapon; possession of burglar's tools; criminal possession of stolen property in the third degree; escape in the third degree; jostling; fraudulent accosting; endangering the welfare of a child; the offenses defined in article two hundred thirty-five; issuing abortional articles; permitting prostitution; promoting prostitution in the third degree; stalking in the third degree; stalking in the fourth degree; the offenses defined in article one hundred thirty; the offenses defined in article two hundred twenty.~~

~~(c)~~] (b) any of the following offenses defined in the current penal law and any offense in any jurisdiction or in the former penal law that includes all of the essential elements of any of the following offenses, where the defendant and the person against whom the offense was committed were members of the same family or household as defined in subdivision one of section 530.11 of the criminal procedure law and as established pursuant to section 370.15 of the criminal procedure law: assault in the third degree; menacing in the third degree; menacing in the second degree; criminal obstruction of breathing or blood circulation; unlawful imprisonment in the second degree; coercion in the third degree; criminal tampering in the third degree; criminal contempt in the second degree; harassment in the first degree; aggravated harassment in the second degree; criminal trespass in the third degree; criminal trespass in the second degree; arson in the fifth degree; or attempt to commit any of the above-listed offenses.

(c) any misdemeanor offense in any jurisdiction or in the former penal law that includes all of the essential elements of a felony offense as defined in the current penal law.

§ 2. Section 400.00 of the penal law is amended by adding a new subdivision 1-a to read as follows:

1-a. For purposes of subdivision one of this section, serious offense shall include an offense in any jurisdiction or the former penal law

that includes all of the essential elements of a serious offense as defined by subdivision seventeen of section 265.00 of this chapter. Nothing in this subdivision shall preclude the denial of a license based on the commission of, arrest for or conviction of an offense in any other jurisdiction which does not include all of the essential elements of a serious offense.

§ 3. Section 837 of the executive law is amended by adding a new subdivision 22 to read as follows:

22. (a) Maintain and annually update a list of offenses in states and territories of the United States other than New York that include all of the essential elements of a serious offense as defined by subdivision seventeen of section 265.00 of the penal law, to assist courts, licensing authorities and others in determining which offenses in such other states and territories qualify as a serious offense for purposes of article two hundred sixty-five of the penal law, subdivision seventeen of section 265.00 of the penal law, and subdivision one-a of section 400.00 of the penal law. The division shall append to such list of offenses a disclaimer that such list shall be for informational purposes only and is not intended to be a substitute for the advice of an attorney or counselor-at-law.

(b) Such updated list shall be prominently posted on the website maintained by the division. Each list shall bear the date of posting, and each posted and dated listing shall be separately maintained by the division as a record available to the public. The first list compiled under this subdivision shall be prominently posted by the division no later than nine months after the effective date of this subdivision.

§ 4. This act shall take effect immediately; provided, however, that sections one and two of this act shall take effect one year after it shall have become a law and shall apply to out-of-state convictions entered in such jurisdictions on or after such date.

PART O

Intentionally Omitted

PART P

Intentionally Omitted

PART Q

Section 1. Subdivisions 1 and 2 of section 370.15 of the criminal procedure law, as added by chapter 60 of the laws of 2018, are amended to read as follows:

1. When a defendant has been charged with assault in the third degree, menacing in the third degree, menacing in the second degree, criminal obstruction of breathing or blood circulation, unlawful imprisonment in the second degree, coercion in the third degree, criminal tampering in the third degree, criminal contempt in the second degree, harassment in the first degree, aggravated harassment in the second degree, criminal trespass in the third degree, criminal trespass in the second degree, arson in the fifth degree, or attempt to commit any of the above-listed offenses, the people [~~may~~] shall, at arraignment or no later than forty-five days after arraignment, serve on the defendant and file with the court a notice alleging that the defendant and the person alleged to

be the victim of such crime were members of the same family or household as defined in subdivision one of section 530.11 of this chapter.

2. Such notice shall include the name of the person alleged to be the victim of such crime and shall specify the nature of the alleged relationship as set forth in subdivision one of section 530.11 of this chapter. Upon conviction of such offense, the court shall advise the defendant that he or she is entitled to a hearing solely on the allegation contained in the notice and, if necessary, an adjournment of the sentencing proceeding in order to prepare for such hearing, and that if such allegation is sustained, that determination and conviction will be reported to the division of criminal justice services. **If such allegation is sustained, the court shall report the determination and conviction to the division of criminal justice services within three business days.**

§ 2. This act shall take effect immediately.

PART R

Section 1. Short title. This act shall be known and may be cited as the "Josef Neumann Hate Crimes Domestic Terrorism Act".

§ 2. The opening paragraph of section 485.00 of the penal law, as amended by chapter 8 of the laws of 2019, is amended to read as follows:

The legislature finds and determines as follows: criminal acts involving violence, intimidation and destruction of property based upon bias and prejudice have become more prevalent in New York state in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as "hate crimes", victims are intentionally selected, in whole or in part, because of their race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability or sexual orientation. Hate crimes do more than threaten the safety and welfare of all citizens. They inflict on victims incalculable physical and emotional damage and tear at the very fabric of free society. Crimes motivated by invidious hatred toward particular groups not only harm individual victims but send a powerful message of intolerance and discrimination to all members of the group to which the victim belongs. Hate crimes can and do intimidate and disrupt entire communities and vitiate the civility that is essential to healthy democratic processes. In a democratic society, citizens cannot be required to approve of the beliefs and practices of others, but must never commit criminal acts on account of them. [~~Current law~~] **However, these criminal acts do occur and are occurring more and more frequently. Quite often, these crimes of hate are also acts of terror. The recent attacks in Monsey, New York as well as the shootings in El Paso, Texas; Pittsburgh, Pennsylvania; Sutherland Springs, Texas; Orlando, Florida; and Charleston, South Carolina illustrate that mass killings are often apolitical, motivated by the hatred of a specific group coupled with a desire to inflict mass casualties. The current law emphasizes the political motivation of an act over its catastrophic effect and** does not adequately recognize the harm to public order and individual safety that hate crimes cause. Therefore, our laws must be strengthened to provide clear recognition of the gravity of hate crimes and the compelling importance of preventing their recurrence.

§ 3. Subdivision 3 of section 485.05 of the penal law, as amended by section 9 of part NN of chapter 55 of the laws of 2018, is amended to read as follows:

3. A "specified offense" is an offense defined by any of the following provisions of this chapter: section 120.00 (assault in the third degree); section 120.05 (assault in the second degree); section 120.10 (assault in the first degree); section 120.12 (aggravated assault upon a person less than eleven years old); section 120.13 (menacing in the first degree); section 120.14 (menacing in the second degree); section 120.15 (menacing in the third degree); section 120.20 (reckless endangerment in the second degree); section 120.25 (reckless endangerment in the first degree); section 121.12 (strangulation in the second degree); section 121.13 (strangulation in the first degree); subdivision one of section 125.15 (manslaughter in the second degree); subdivision one, two or four of section 125.20 (manslaughter in the first degree); section 125.25 (murder in the second degree); section 120.45 (stalking in the fourth degree); section 120.50 (stalking in the third degree); section 120.55 (stalking in the second degree); section 120.60 (stalking in the first degree); subdivision one of section 130.35 (rape in the first degree); subdivision one of section 130.50 (criminal sexual act in the first degree); subdivision one of section 130.65 (sexual abuse in the first degree); paragraph (a) of subdivision one of section 130.67 (aggravated sexual abuse in the second degree); paragraph (a) of subdivision one of section 130.70 (aggravated sexual abuse in the first degree); section 135.05 (unlawful imprisonment in the second degree); section 135.10 (unlawful imprisonment in the first degree); section 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in the first degree); section 135.60 (coercion in the third degree); section 135.61 (coercion in the second degree); section 135.65 (coercion in the first degree); section 140.10 (criminal trespass in the third degree); section 140.15 (criminal trespass in the second degree); section 140.17 (criminal trespass in the first degree); section 140.20 (burglary in the third degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal mischief in the fourth degree); section 145.05 (criminal mischief in the third degree); section 145.10 (criminal mischief in the second degree); section 145.12 (criminal mischief in the first degree); section 150.05 (arson in the fourth degree); section 150.10 (arson in the third degree); section 150.15 (arson in the second degree); section 150.20 (arson in the first degree); section 155.25 (petit larceny); section 155.30 (grand larceny in the fourth degree); section 155.35 (grand larceny in the third degree); section 155.40 (grand larceny in the second degree); section 155.42 (grand larceny in the first degree); section 160.05 (robbery in the third degree); section 160.10 (robbery in the second degree); section 160.15 (robbery in the first degree); section 240.25 (harassment in the first degree); subdivision one, two or four of section 240.30 (aggravated harassment in the second degree); **section 490.10 (soliciting or providing support for an act of terrorism in the second degree); section 490.15 (soliciting or providing support for an act of terrorism in the first degree); section 490.20 (making a terroristic threat); section 490.25 (crime of terrorism); section 490.30 (hindering prosecution of terrorism in the second degree); section 490.35 (hindering prosecution of terrorism in the first degree); section 490.37 (criminal possession of a chemical weapon or biological weapon in the third degree); section 490.40 (criminal possession of a chemical weapon or biological weapon in the second degree); section 490.45 (criminal possession of a chemical weapon or biological weapon in the first degree); section 490.47 (criminal use of a chemical weapon or biological weapon in the third degree); section 490.50 (criminal use of a chemical**

weapon or biological weapon in the second degree); section 490.55 (criminal use of a chemical weapon or biological weapon in the first degree); or any attempt or conspiracy to commit any of the foregoing offenses.

§ 4. The penal law is amended by adding two new sections 490.27 and 490.28 to read as follows:

§ 490.27 Domestic act of terrorism motivated by hate in the second degree.

A person is guilty of the crime of domestic act of terrorism motivated by hate in the second degree when, acting with the intent to cause the death of, or serious physical injury to, five or more other persons, in whole or in substantial part because of the perceived race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability, or sexual orientation of such other persons, regardless of whether that belief or perception is correct, he or she, as part of the same criminal transaction, attempts to cause the death of, or serious physical injury to, such five or more persons, provided that the victims are not participants in the criminal transaction.

Domestic act of terrorism motivated by hate in the second degree is a class A-I felony.

§ 490.28 Domestic act of terrorism motivated by hate in the first degree.

A person is guilty of the crime of domestic act of terrorism motivated by hate in the first degree when, acting with the intent to cause the death of, or serious physical injury to, five or more other persons, in whole or in substantial part because of the perceived race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability, or sexual orientation of such other person or persons, regardless of whether that belief or perception is correct, he or she, as part of the same criminal transaction:

1. causes the death of at least one other person, provided that the victim or victims are not a participant in the criminal transaction; and

2. causes or attempts to cause the death of four or more additional other persons, provided that the victims are not a participant in the criminal transaction; and

3. the defendant was more than eighteen years old at the time of the commission of the crime.

Domestic act of terrorism motivated by hate in the first degree is a class A-I felony.

Notwithstanding any other provision of law, when a person is convicted of domestic act of terrorism motivated by hate in the first degree, the sentence shall be life imprisonment without parole.

§ 5. Paragraph (q) of subdivision 8 of section 700.05 of the criminal procedure law, as amended by section 3 of part A of chapter 1 of the laws of 2004, is amended to read as follows:

(q) Soliciting or providing support for an act of terrorism in the second degree as defined in section 490.10 of the penal law, soliciting or providing support for an act of terrorism in the first degree as defined in section 490.15 of the penal law, making a terroristic threat as defined in section 490.20 of the penal law, crime of terrorism as defined in section 490.25 of the penal law, **domestic act of terrorism motivated by hate in the second degree as defined in section 490.27 of the penal law, domestic act of terrorism motivated by hate in the first degree as defined in section 490.28 of the penal law,** hindering prosecution of terrorism in the second degree as defined in section 490.30 of the penal law, hindering prosecution of terrorism in the first degree as

defined in section 490.35 of the penal law, criminal possession of a chemical weapon or biological weapon in the third degree as defined in section 490.37 of the penal law, criminal possession of a chemical weapon or biological weapon in the second degree as defined in section 490.40 of the penal law, criminal possession of a chemical weapon or biological weapon in the first degree as defined in section 490.45 of the penal law, criminal use of a chemical weapon or biological weapon in the third degree as defined in section 490.47 of the penal law, criminal use of a chemical weapon or biological weapon in the second degree as defined in section 490.50 of the penal law, and criminal use of a chemical weapon or biological weapon in the first degree as defined in section 490.55 of the penal law.

§ 6. Domestic terrorism task force. (a) There is hereby created the domestic terrorism task force to examine, evaluate and determine how to prevent mass shootings by domestic terrorists, consisting of nine members, each to serve until two years after the effective date of this act.

(b) (1) Such members shall be appointed as follows: one member shall be the commissioner of the division of criminal justice services; one member shall be the superintendent of state police; three members shall be appointed by the governor; one member shall be appointed by the temporary president of the senate; one member shall be appointed by the minority leader of the senate; one member shall be appointed by the speaker of the assembly; and one member shall be appointed by the minority leader of the assembly. Appointments shall be made within sixty days of the effective date of this act. Vacancies in the task force shall be filled in the same manner provided for original appointments.

(2) All appointees shall have expertise in fields or disciplines related to criminal justice or violence prevention.

(3) The task force shall be chaired by the commissioner of the division of criminal justice services. The task force shall elect a vice-chair by majority vote and other necessary officers from among all appointed members.

(4) The task force shall meet at least quarterly at the call of the chair. Meetings may be held via teleconference. Special meetings may be called by the chair at the request of a majority of the members of the task force.

(5) Members of the task force shall receive no compensation for their services but shall be reimbursed for their actual expenses incurred in the performance of their duties in the work of the task force.

(c) The task force shall:

(1) study mass shooting incidents;

(2) recommend practices to identify potential mass shooters and prevent mass shooting incidents; and

(3) recommend practices to provide for the security of locations likely to be targeted by a mass shooter.

(d) The task force may establish advisory committees as it deems appropriate on matters relating to the task force's functions, powers and duties. Such committees shall be chaired by a task force member, but may be composed of task force members as well as other individuals selected by the task force to provide expertise of interest specific to the charge of such committees.

(e) The task force may, as it deems appropriate, request that studies, surveys and analyses relating to the task force's powers and duties be performed by any state department, commission, agency or public authority. All state departments, commissions, agencies or public authorities

shall provide information and advice in a timely manner and otherwise assist the task force with its work; provided however, any information or records otherwise confidential and privileged in accordance with state or federal law that are provided to the task force pursuant to this subdivision shall remain confidential as provided by such state or federal law.

(f) The task force shall provide a preliminary report to the governor and the legislature of its findings, conclusions, recommendations and activities already undertaken by the task force, not later than thirteen months after the effective date of this act, and a final report of its findings, conclusions, recommendations and activities already undertaken by the task force, not later than twenty-two months after the effective date of this act and shall submit with its reports legislative proposals as it deems necessary to implement its recommendations.

§ 7. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

PART S

Intentionally Omitted

PART T

Intentionally Omitted

PART U

Intentionally Omitted

PART V

Intentionally Omitted

PART W

Section 1. Paragraph (h) of subdivision 1 of section 209-a of the civil service law, as amended by section 1 of part E of chapter 55 of the laws of 2019, is amended to read as follows:

(h) to disclose home addresses, personal telephone numbers, personal cell phone numbers, personal e-mail addresses of a public employee, as the term "public employee" is defined in subdivision seven of section two hundred one of this article, except (i) where required pursuant to the provisions of this article, [~~and~~] (ii) to the extent compelled to do so by lawful service of process, subpoena, court order, **or (iii) in accordance with subdivision four of section two hundred eight of this article,** or as otherwise required by law. This paragraph shall not prohibit other provisions of law regarding work-related, publicly available information such as title, salary, and dates of employment.

§ 2. Paragraph (b) of subdivision 4 of section 208 of the civil service law, as added by section 1 of part RRR of chapter 59 of the laws of 2018, is amended and a new paragraph (c) is added to read as follows:

(b) Within thirty days of providing the notice in paragraph a of this subdivision, a public employer shall allow a duly appointed representative of the employee organization that represents that bargaining unit to meet with such employee for a reasonable amount of time during his or her work time without charge to leave credits, unless otherwise speci-

fied within an agreement bargained collectively under article fourteen of the civil service law, provided however that arrangements for such meeting must be scheduled in consultation with a designated representative of the public employer[~~.~~]**; and**

(c) Upon the request of the certified and recognized employee organization, and if the public employer conducts new employee orientations, the public employer shall provide the employee organization mandatory access to such new employee orientations. The employee organization shall receive not less than ten days' notice in advance of an orientation, except that a shorter notice may be provided in a specific instance where there is an urgent need critical to the employer's operations that was not reasonably foreseeable to provide such notice. The structure, time, and manner of exclusive representative access shall be determined through mutual agreement between the employer and the employee organization.

§ 3. Section 215 of the civil service law, as added by section 1 of part DD of chapter 56 of the laws of 2019, is amended to read as follows:

§ 215. [~~Agency~~] **Dues or agency** shop fee deductions. 1. Notwithstanding any other law to the contrary, any public employer, any employee organization, the comptroller and the board, or any of their employees or agents, shall not be liable for, and shall have a complete defense to, any claims or actions under the laws of this state for requiring, deducting, receiving, or retaining **dues or** agency shop fee deductions from public employees, and current or former public employees shall not have standing to pursue these claims or actions, if the **dues or** fees were permitted or mandated at the time under the laws of this state then in force and paid, through payroll deduction or otherwise, prior to June twenty-seventh, two thousand eighteen.

2. This section shall apply to claims and actions pending or filed on or after June twenty-seventh, two thousand eighteen.

3. The enactment of this section shall not be interpreted to create the inference that any relief made unavailable by this section would otherwise be available.

§ 4. This act shall take effect immediately.

PART X

Intentionally Omitted

PART Y

Section 1. Subdivision 10 of section 160 of the state finance law, as added by chapter 83 of the laws of 1995, is amended to read as follows:

10. "Technology" means either a good or a service or a combination thereof, [~~that results in a technical method of achieving a practical purpose or in improvements in productivity~~] **used in the application of any computer or electronic information or interconnected system that is used in the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or voice including, but not limited to, hardware, software, information appliances, firmware, programs, systems, networks, infrastructure, media, and related material used to automatically and electronically collect, receive, access, transmit, display, store, record, retrieve, analyze, evaluate, process, classify, manipulate, manage, assimilate, control, communicate, exchange, convert, coverage, inter-**

face, switch, or disseminate data of any kind or form, and shall include all associated consulting, management, facilities, maintenance and training. Goods may be either new or used.

§ 2. Subdivision 5 of section 101 of the state technology law, as added by chapter 430 of the laws of 1997 and as renumbered by chapter 437 of the laws of 2004, is amended to read as follows:

5. "Technology" means [~~a good, service, or good and service that results in a digital, electronic or similar technical method of achieving a practical purpose or in improvements in productivity, including but not limited to information management, equipment, software, operating systems, interface systems, interconnected systems, telecommunications, data management, networks, and network management, consulting, supplies, facilities, maintenance and training~~] either a good or a service or a combination thereof, used in the application of any computer or electronic information or interconnected system that is used in the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or voice including, but not limited to, hardware, software, information appliances, firmware, programs, systems, networks, infrastructure, media, and related material used to automatically and electronically collect, receive, access, transmit, display, store, record, retrieve, analyze, evaluate, process, classify, manipulate, manage, assimilate, control, communicate, exchange, convert, coverage, interface, switch, or disseminate data of any kind or form, and shall include all associated consulting, management, facilities, maintenance, support and training. Goods may be either new or used.

§ 3. This act shall take effect immediately.

PART Z

Section 1. Section 1 of part S of chapter 56 of the laws of 2010, relating to establishing a joint appointing authority for the state financial system project, is amended to read as follows:

Section 1. The division of the budget and office of the state comptroller may dedicate such officers and employees as may be needed to a joint project, which shall be known as the [~~state~~] statewide financial system project, and which shall be responsible for the development, implementation and maintenance of a single, statewide financial management system for use by the office of the state comptroller and all agencies. The division of the budget and the office of the state comptroller shall serve jointly as the appointing authority for all titles within the project, and shall jointly appoint a project [~~manager~~] director therefor. For purposes of appointment and promotion under the civil service law, the [~~state~~] statewide financial system project shall be treated as if it were a single department. For the purposes of procurement and contracting pursuant to the state finance law, the statewide financial system project shall be treated as a single department, provided that all procurements and contracts issued and agreed to by the statewide financial system project shall be subject to the approval of the division of the budget and the office of the state comptroller.

§ 2. This act shall take effect immediately.

PART AA

Section 1. Subdivision 4 of section 27 of chapter 95 of the laws of 2000 amending the state finance law, the general municipal law, the

public buildings law and other laws relating to bonds, notes and revenues, as amended by chapter 33 of the laws of 2015, is amended to read as follows:

4. Section seventeen of this act shall take effect July 1, 2000, and shall expire on June 30, [~~2020~~] **2030**; provided, however, that any lease entered into for a term greater than ten years during the effective period of this section shall continue in full force and effect, and provided that upon the expiration of such section the commissioner of general services shall continue to be empowered to enter into leases having terms not exceeding ten years.

§ 2. This act shall take effect immediately.

PART BB

Intentionally Omitted

PART CC

Intentionally Omitted

PART DD

Intentionally Omitted

PART EE

Intentionally Omitted

PART FF

Section 1. Paragraphs (a) and (b) of subdivision 5 of section 106 of the alcoholic beverage control law, paragraph (a) as amended by chapter 297 of the laws of 2016, paragraph (b) as amended by chapter 83 of the laws of 1995, are amended and a new paragraph (c) is added to read as follows:

(a) **Except as provided in paragraph (c) of this subdivision, on** Sunday, from four ante meridiem to ten o'clock a.m., except pursuant to a permit issued under section ninety-nine-h of this chapter.

(b) [~~On~~] **Except as provided in paragraph (c) of this subdivision, on** any other day between four ante meridiem and eight ante meridiem.

(c) On any day between three ante meridian and six ante meridian, for a premises located within an international airport owned or operated by the Port Authority of New York and New Jersey. The provisions of this paragraph shall not be subject to change pursuant to subdivision eleven of section seventeen of this chapter.

§ 2. This act shall take effect immediately.

PART GG

Intentionally Omitted

PART HH

Intentionally Omitted

PART II

Intentionally Omitted

PART JJ

Section 1. Section 9-208 of the election law is amended by adding a new subdivision 4 to read as follows:

4. (a) The board of elections or a bipartisan committee appointed by the board shall conduct a full manual recount of all ballots for a particular contest:

i. Where the margin of victory is twenty votes or less; or

ii. Where the margin of victory is 0.5% or less; or

iii. In a contest where one million or more ballots have been cast and the margin of victory is less than 5,000 votes.

(b) For the purposes of this section, the term margin of victory shall mean the margin between all votes cast in the entire contest following the recanvass of votes.

(c) Where the contest involves portions of two or more counties, the margin of victory shall be determined by the state board of elections based on the most recent recanvass results for the contest submitted by the boards of elections of the counties involved.

(d) The result of the manual recount of ballots shall supersede the returns filed by the inspectors of election of the election district in which the canvass was initially made.

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to any election held 120 days or more after such effective date.

PART KK

Intentionally Omitted

PART LL

Intentionally Omitted

PART MM

Intentionally Omitted

PART NN

Section 1. Paragraph 3 of subdivision (c) of section 1261 of the tax law, as amended by section 9 of part SS-1 of chapter 57 of the laws of 2008, is amended to read as follows:

(3) However, the taxes, penalties and interest which (i) the county of Nassau, (ii) the county of Erie, to the extent the county of Erie is contractually or statutorily obligated to allocate and apply or pay net collections to the city of Buffalo and to the extent that such county has set aside net collections for educational purposes attributable to the Buffalo school district, or the city of Buffalo or (iii) the county of Erie is authorized to impose pursuant to section twelve hundred ten of this article, other than such taxes in the amounts described, respectively, in subdivisions one and two of section one thousand two hundred sixty-two-e of this part, during the period that such section authorizes Nassau county to establish special or local assistance programs thereunder, together with any penalties and interest related thereto, and

after the comptroller has reserved such refund fund and such costs, shall, commencing on the next payment date after the effective date of this sentence and of each month thereafter, until such date as (i) the Nassau county interim finance authority shall have no obligations outstanding, or (ii) the Buffalo fiscal stability authority shall cease to exist, or (iii) the Erie county fiscal stability authority shall cease to exist, be paid by the comptroller, respectively, to (i) the Nassau county interim finance authority to be applied by the Nassau county interim finance authority, or (ii) to the Buffalo fiscal stability authority to be applied by the Buffalo fiscal stability authority, or (iii) to the Erie county fiscal stability authority to be applied by the Erie county fiscal stability authority, as the case may be, in the following order of priority: first pursuant to the Nassau county interim finance authority's contracts with bondholders or the Buffalo fiscal stability authority's contracts with bondholders or the Erie county fiscal stability authority's contracts with bondholders, respectively, then to pay the Nassau county interim finance authority's operating expenses not otherwise provided for or the Buffalo fiscal stability authority's operating expenses not otherwise provided for or the Erie county fiscal stability authority's operating expenses not otherwise provided for, respectively, **then (i) for the Nassau county interim finance authority to pay to the state as soon as practicable in the months of May and December each year, the amount necessary to fulfill the town and village distribution requirement on behalf of Nassau county pursuant to paragraph five-a of this subdivision, or (ii) for the Buffalo fiscal stability authority to pay to the state as soon as practicable in the months of May and December each year, the percentage of the amount necessary to fulfill the town and village distribution requirement on behalf of Erie county pursuant to paragraph five-a of this subdivision that equates to the percentage of the county net collections that the city of Buffalo and the Buffalo city school district, together, are due in the months of May and December each year, or (iii) for the Erie county fiscal stability authority to pay to the state as soon as practicable in the months of May and December each year, the amount necessary to fulfill the town and village distribution requirement on behalf of Erie county pursuant to paragraph five-a of this subdivision, less the amount being paid to the state by the Buffalo fiscal stability authority in each respective month,** and then (i) pursuant to the Nassau county interim finance authority's agreements with the county of Nassau, which agreements shall require the Nassau county interim finance authority to transfer such taxes, penalties and interest remaining after providing for contractual or other obligations of the Nassau county interim finance authority, and subject to any agreement between such authority and the county of Nassau, to the county of Nassau as frequently as practicable; or (ii) pursuant to the Buffalo fiscal stability authority's agreements with the city of Buffalo, which agreements shall require the Buffalo fiscal stability authority to transfer such taxes, penalties and interest remaining after providing for contractual or other obligations of the Buffalo fiscal stability authority, and subject to any agreement between such authority and the city of Buffalo, to the city of Buffalo or the city of Buffalo school district, as the case may be, as frequently as practicable; or (iii) pursuant to the Erie county fiscal stability authority's agreements with the county of Erie, which agreements shall require the Erie county fiscal stability authority to transfer such taxes, penalties and interest remaining after providing for contractual or other obligations of the Erie county fiscal

stability authority, and subject to any agreement between such authority and the county of Erie, to the county of Erie as frequently as practicable. During the period that the comptroller is required to make payments to the Nassau county interim finance authority described in the previous sentence, the county of Nassau shall have no right, title or interest in or to such taxes, penalties and interest required to be paid to the Nassau county interim finance authority, except as provided in such authority's agreements with the county of Nassau. During the period that the comptroller is required to make payments to the Buffalo fiscal stability authority described in the second previous sentence, the city of Buffalo and such school district shall have no right, title or interest in or to such taxes, penalties and interest required to be paid to the Buffalo fiscal stability authority, except as provided in such authority's agreements with the city of Buffalo. During the period that the comptroller is required to make payments to the Erie county fiscal stability authority described in the third previous sentence, the county of Erie shall have no right, title or interest in or to such taxes, penalties and interest required to be paid to the Erie county fiscal stability authority, except as provided in such authority's agreements with the county of Erie.

§ 2. Paragraph 5-a of subdivision (c) of section 1261 of the tax law, as added by section 3 of part PPP of chapter 59 of the laws of 2019, is amended to read as follows:

(5-a) However, after the comptroller has made the payments **to the Nassau county interim finance authority, the Buffalo fiscal stability authority, and the Erie county fiscal stability authority** required by [~~paragraphs two,~~] **paragraph** three [~~and five~~] of this subdivision, for each municipality that received a base level grant in state fiscal year two thousand eighteen-two thousand nineteen but not in state fiscal year two thousand nineteen-two thousand twenty under the aid and incentives for municipalities program pursuant to subdivision ten of section fifty-four of the state finance law, the comptroller shall annually withhold **from each county except Nassau and Erie** from the remaining taxes, penalties and interest imposed by the county in which a majority of the population of such municipality resides**, and on behalf of Nassau and Erie counties the comptroller shall annually receive from the Nassau county interim finance authority, the Buffalo fiscal stability authority, and the Erie county fiscal stability authority,** an amount equal to the base level grant received by such municipality in state fiscal year two thousand eighteen-two thousand nineteen and shall annually distribute, by December fifteenth, two thousand nineteen and by such date annually thereafter, such amount directly to such municipality, unless such municipality has a fiscal year ending May thirty-first, then such annual distribution shall be made by May fifteenth, two thousand twenty and by such date annually thereafter. No county shall have any right, title or interest in or to the taxes, penalties and interest required to be withheld [~~and~~] **or** distributed pursuant to this paragraph.

§ 3. Subdivision 5 of section 3657 of the public authorities law, as added by chapter 84 of the laws of 2000, is amended to read as follows:

5. Tax revenues received by the authority pursuant to section twelve hundred sixty-one of the tax law, together with any other revenues received by the authority, shall be applied in the following order of priority: first pursuant to the authority's contracts with bondholders, then to pay the authority's operating expenses not otherwise provided for, **then to pay to the state pursuant to paragraph three of subdivision (c) of section twelve hundred sixty-one of the tax law,** and then,

subject to the authority's agreements with the county, to transfer the balance of such tax revenues not required to meet contractual or other obligations of the authority to the county as frequently as practicable.

§ 4. Subdivision 5 of section 3865 of the public authorities law, as amended by chapter 86 of the laws of 2004, is amended to read as follows:

5. Revenues of the authority shall be applied in the following order of priority: first to pay debt service or for set asides to pay debt service on the authority's bonds, notes, or other obligations and to replenish any reserve funds securing such bonds, notes or other obligations of the authority, in accordance with the provision of any indenture or bond resolution of the authority; then to pay the authority's operating expenses not otherwise provided for; **then to pay to the state pursuant to paragraph three of subdivision (c) of section twelve hundred sixty-one of the tax law;** and then, subject to the authority's agreement with the city, for itself or on behalf of the city's dependent school district and any other covered organization, to transfer as frequently as practicable the balance of revenues not required to meet contractual or other obligations of the authority to the city or the city's dependent school district as provided in subdivision seven of this section.

§ 5. Subdivision 5 of section 3965 of the public authorities law, as added by chapter 182 of the laws of 2005, is amended to read as follows:

5. Revenues of the authority shall be applied in the following order of priority: first to pay debt service or for set asides to pay debt service on the authority's bonds, notes, or other obligations and to replenish any reserve funds securing such bonds, notes or other obligations of the authority in accordance with the provision of indenture or bond resolution of the authority; then to pay the authority's operating expenses not otherwise provided for; **then to pay to the state pursuant to paragraph three of subdivision (c) of section twelve hundred sixty-one of the tax law;** and then, subject to the authority's agreements with the county for itself or on behalf of any covered organization to transfer as frequently as practicable the balance of revenues not required to meet contractual or other obligations of the authority to the county as provided in subdivision seven of this section.

§ 6. This act shall take effect immediately.

PART OO

Intentionally Omitted

PART PP

Section 1. Subparagraph 14 of paragraph d of subdivision 5 of part B of section 236 of the domestic relations law, as amended by chapter 281 of the laws of 1980 and as renumbered by chapter 229 of the laws of 2009, is amended to read as follows:

(14) **whether either party has committed an act or acts of domestic violence, as described in subdivision one of section four hundred fifty-nine-a of the social services law, against the other party and the nature, extent, duration and impact of such act or acts; and**

(15) any other factor which the court shall expressly find to be just and proper.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law and shall apply to matrimonial actions commenced on or after such effective date. Nothing in this act shall be deemed to affect

the validity of any agreement made pursuant to subdivision 3 of part B of section 236 of the domestic relations law or section 425 of the family court act prior to the effective date of this act. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such date.

PART QQ

Section 1. The public authorities law is amended by adding a new section 3 to read as follows:

§ 3. Pay equity. 1. In order to attract unusual merit and ability to the service of public authorities in the state of New York, to stimulate higher efficiency among the personnel, to provide skilled leadership in administration, to reward merit and to insure the highest return in services for the necessary costs of administration, it is hereby declared that public authorities shall, consistent with the federal Equal Pay Act of 1963 (29 U.S.C. § 206), the federal Civil Rights Act (42 U.S.C. § 2000e-2), article fifteen of the executive law, and section forty-c of the civil rights law, ensure a fair, non-biased compensation structure for all employees in which status within one or more protected class or classes is not considered either directly or indirectly in determining the proper compensation for a title or in determining the pay for any individual or group of employees, ensure that no employee with status within one or more protected class or classes shall be paid a wage at a rate less than the rate at which an employee without status within the same protected class or classes in the same establishment is paid for similar work or substantially similar work and provide regular increases in pay in proper proportion to increase of ability, increase of output and increase of quality of work demonstrated in service.

2. For the purpose of this section:

(a) the term "protected class" includes age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status, and any employee protected from discrimination pursuant to paragraphs (a), (b), and (c) of subdivision one of section two hundred ninety-six of the executive law, and any intern protected from discrimination pursuant to section two hundred ninety-six-c of the executive law.

(b) the term "compensation" shall include but not be limited to: all earnings of an employee for labor or services rendered, regardless of whether the amount of earnings is paid on an annual salary, hourly, biweekly or per diem basis; reimbursement for expenses; health, welfare and retirement benefits; and vacation pay, sick pay, separation or holiday pay, or any other form of remuneration.

(c) employees shall be deemed to work in the same establishment if the employees work for the same employer at workplaces located in the same geographical region, no larger than a county, taking into account population distribution, economic activity, and/or the presence of municipalities.

(d) the term "public authorities" shall mean any authority as defined in section two of this title.

3. (a) It shall not be a violation of this section for an employer to pay different compensation to employees, where such payments are made pursuant to:

(1) a bona fide seniority or merit system;

(2) a bona fide system that measures earnings by quantity or quality of production;

(3) a bona fide system based on geographic differentials;

(4) any other bona fide factor other than status within one or more protected class or classes, such as education, training, or experience. Such factor: (A) shall not be based upon or derived from a differential in compensation based on status within one or more protected class or classes; and (B) shall be job-related with respect to the position in question and shall be consistent with business necessity. Such exception under this paragraph shall not apply when the employee demonstrates (i) that an employer uses a particular employment practice that causes a disparate impact on the basis of status within one or more protected class or classes, (ii) that an alternative employment practice exists that would serve the same purpose and not produce such differential, and (iii) that the employer has refused to adopt such alternative practice; or

(5) a collective bargaining agreement.

(b) For the purpose of paragraph (a) of this subdivision, "business necessity" shall be defined as a factor that bears a manifest relationship to the employment in question.

(c) Nothing set forth in this section shall be construed to impede, infringe or diminish the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining relationship.

§ 2. This act shall take effect immediately.

PART RR

Intentionally Omitted

PART SS

Intentionally Omitted

PART TT

Intentionally Omitted

PART UU

Section 1. Section 172-b of the executive law is amended by adding a new subdivision 9 to read as follows:

9. Any registered charitable organization that is required to file an annual financial report pursuant to subdivision one or two of this section, or that is required to file a funding disclosure report pursuant to section one hundred seventy-two-e of this article, and/or a financial disclosure report pursuant to section one hundred seventy-two-f of this article for a reporting period during the applicable fiscal year shall also be required to file such annual financial report, including all required forms and attachments, with the department of state.

§ 1-a. Paragraph (b) of subdivision 1 and subdivisions 2 and 3 of section 172-e of the executive law, as added by section 1 of part F of chapter 286 of the laws of 2016, are amended to read as follows:

(b) "In-kind donation" shall mean donations of staff, staff time, personnel[~~,~~] or any other human resources, offices[~~,~~] or office

supplies, [~~financial support of any kind or any other resources~~] except that an in-kind donation shall not include an in-kind donation made by a person or entity in the course of an activity that is substantially related to accomplishing the covered entity's tax exempt purposes where the in-kind donator is offering or providing goods or services for substantially less than fair market value to individuals, corporations or groups, and those goods or services are actually purchased or consumed by wholly unaffiliated individuals, corporations or groups for no charge or substantially less than fair market value, and may include, but is not limited to, pro bono legal services and other forms of technical assistance.

2. Funding disclosure reports to be filed by covered entities. (a) Any covered entity that makes an in-kind donation in excess of [~~two~~] ten thousand [~~five hundred~~] dollars to a recipient entity during a relevant reporting period shall file a funding disclosure report with the department of [~~law~~] state. The funding disclosure report shall include:

(i) the name and address of the covered entity that made the in-kind donation;

(ii) the name and address of the recipient entity that received or benefitted from the in-kind donation;

(iii) the names of any persons who exert operational or managerial control over the covered entity. The disclosures required by this paragraph shall include the name of at least one natural person;

(iv) the date [~~the in-kind~~] such donation was made by the covered entity; and

(v) [~~any donation in excess of two thousand five hundred dollars to the covered entity during the relevant reporting period including the identity of the donor of any such donation~~] a description of the in-kind donation, including the charitable purpose advanced by such donation, if any, and any restrictions on the use of such donation by the recipient entity.

[~~(vi) the date of any such donation to a covered entity.~~]

(b) The covered entity shall file a funding disclosure report with the department of [~~law~~] state within thirty days of the close of a reporting period.

3. Public disclosure of funding disclosure reports. The department of [~~law~~] state shall promulgate any regulations necessary to implement these requirements and shall [~~forward the disclosure reports to the joint commission on public ethics for the purpose of publishing~~] publish such reports on the [~~commission's~~] department's website[~~, within thirty days of the close of each reporting period~~] when authorized pursuant to subdivision two of this section; provided however that the [~~attorney general~~] secretary of state, or his or her designee, may determine that disclosure of [~~donations to the covered entity~~] all or a portion of the in-kind donations to the covered entity and financial assistance provided by any covered entity to one or more recipient entities, shall not be made public if, based upon a review of the relevant facts presented by the covered entity, such disclosure may cause harm, threats, harassment, or reprisals to the source of the donation or to individuals or property affiliated with the source of the donation. The covered entity may appeal the [~~attorney general's~~] secretary's determination and such appeal shall be heard by a judicial hearing officer who is independent and not affiliated with or employed by the department of [~~law, pursuant to regulations promulgated by the department of law. The covered entity's sources of donations~~] state. The total amount of in-kind donations to the covered entity and financial assistance

provided by any covered entity to one or more recipient entities that are the subject of such appeal shall not be made public pending final judgment on appeal.

§ 2. Paragraph (b) of subdivision 1 and subdivisions 2 and 3 of section 172-f of the executive law, as added by section 1 of part G of chapter 286 of the laws of 2016, are amended to read as follows:

(b) "Covered communication" means a communication by a covered entity, [~~that does not require a report~~] not otherwise reported by such covered entity pursuant to article one-A of the legislative law or article fourteen of the election law, by a covered entity conveyed to five hundred or more members of a general public audience in the form of: (i) an audio or video communication via broadcast, cable or satellite; (ii) a written communication via advertisements, pamphlets, circulars, flyers, brochures, letterheads; or (iii) other published statement which: refers to and advocates for or against a clearly identified elected official [~~or the position of any elected official or administrative or legislative body relating to the outcome of any vote or substance of any legislation, potential legislation, pending legislation, rule, regulation, hearing, or decision by any legislative, executive or administrative body~~], executive or administrative body or legislative body relating to the sponsorship, support, opposition, or outcome of any proposed legislation, pending legislation, rule, regulation, hearing or decision, or advocates for or against action by any elected official, executive or administrative body or legislative body.

2. Disclosure of expenditures for covered communications. (a) Any covered entity that makes expenditures for covered communications in an aggregate amount or fair market value exceeding ten thousand dollars in a calendar year shall file a financial disclosure report with the department of [~~law~~] state. The financial disclosure report shall include:

(i) the name and address of the covered entity that made the expenditure for covered communications;

(ii) the name or names of any individuals who exert operational or managerial control over the covered entity. The disclosures required by this paragraph shall include the name of at least one natural person;

(iii) a detailed description of the covered communication;

(iv) the dollar amount paid for each covered communication, the name and address of the person or entity receiving the payment, and the date the payment was made; and

[~~(iv)~~] (v) for any restricted donation received by the covered entity in whole or in part for the support of the covered communication, the name and address of any individual, corporation, association, or group that made a donation [~~of one thousand dollars or more~~] to the covered entity and the date of such donation, and the amount of the donation, together with a description of any restriction.

(b) The covered entity shall file a financial disclosure report with the department of [~~law~~] state within thirty days of the close of a reporting period.

[~~(c) If a covered entity keeps one or more segregated bank accounts containing funds used solely for covered communications and makes all of its expenditures for covered communications from such accounts, then with respect to donations included in subparagraph (iv) of paragraph (a) of this subdivision, the financial report need only include donations deposited into such accounts.~~]

3. Public disclosure of funding disclosure reports. The department of [~~law~~] state shall [~~make the financial disclosure reports available to~~

~~the public on the department of law website within thirty days of the close of each reporting period, provided however that the attorney general, or his or her designee, may determine that disclosure of donations shall not be made public~~] promulgate any regulations necessary to implement these requirements and shall publish on the department's website the reports of covered communications required by this section. Such publishing shall not include the names and addresses of individual donors to covered entities, nor shall such publishing include the covered entity's Internal Revenue Service Form 990 Schedule B. Such report shall not be made public pursuant to this section if, based upon a review of the relevant facts presented by the covered entity, such disclosure may cause harm, threats, harassment, or reprisals to the source of the donation or to individuals or property affiliated with the source of the donation. The covered entity may appeal the [~~attorney general's~~] secretary's determination and such appeal shall be heard by a judicial hearing officer who is independent and not affiliated with or employed by the department of [~~law~~] state, pursuant to regulations promulgated by the department of [~~law~~] state. [~~The covered entity shall not be required to disclose the sources of donations~~] The reports subject to disclosure pursuant to this section that are the subject of such appeal pursuant to this section shall not be made public pending final judgment on appeal.

§ 3. Section 172-e of the executive law is amended by adding a new subdivision 4 to read as follows:

4. If a covered entity's or recipient entity's annual report filed pursuant to section one hundred seventy-two-b of this article does not include a completed Internal Revenue Service Form 990 schedule B and that covered entity makes, or that recipient entity receives, qualifying donations pursuant to subdivision two of this section, that entity shall in addition to filing a disclosure with the department of law, also file with the department of state a complete Internal Revenue Service Form 990 Schedule B, regardless of whether such form is submitted or required to be submitted to the Internal Revenue Service.

§ 4. Section 172-f of the executive law is amended by adding a new subdivision 4 to read as follows:

4. If a covered entity's annual report filed pursuant to section one hundred seventy-two-b of this article does not include a completed Internal Revenue Service Form 990 schedule B, the entity shall in addition to filing a disclosure with the department of law, also file with the department of state a complete Internal Revenue Service Form 990 schedule B, regardless of whether such form is submitted or required to be submitted to the Internal Revenue Service.

§ 5. The executive law is amended by adding a new section 93-a to read as follows:

§ 93-a. Examination of reports. The secretary of state shall examine all reports required to be filed with the department of state pursuant to article seven-A of this chapter in order to determine the nature and extent of the in-kind support provided by any covered entity to one or more recipient entities, as such terms are defined in section one hundred seventy-two-e of this chapter, and the nature and extent of covered communications by any covered entity, as such terms are defined in section one hundred seventy-two-f of this chapter. Notwithstanding any inconsistent provision of law, whenever the secretary of state, in consultation with the department of taxation and finance or the department of law, determines that the nature and extent of a covered entity's in-kind support to other entities or the nature and extent of a covered

entity's spending on covered communications is inconsistent with the charitable purposes of such covered entity, the secretary shall cause the reports required by article seven-A of this chapter filed by such entity to be published on the website of the department of state upon such finding. Provided, however, that such publishing shall not include the names and addresses of individual donors to covered entities nor shall such publishing include the covered entity's Internal Revenue Service Form 990 Schedule B. The secretary shall report to the governor, the temporary president of the senate and the speaker of the assembly, by December thirty-first, two thousand twenty-two, and annually thereafter, on topics including but not limited to: the nature and extent of in-kind support provided by covered entities to recipient entities, as such terms are defined in section one hundred seventy-two-e of this chapter and the nature and extent of expenditures for covered communications. The secretary may request the assistance of the department of taxation and finance or the department of law in order to complete this report. Provided however that such report shall not include the names and addresses of individual donors to covered entities nor shall such report include the covered entity's Internal Revenue Service Form 990 Schedule B.

§ 6. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

§ 7. This act shall take effect January 1, 2021. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART VV

Intentionally Omitted

PART WW

Section 1. Section 2 and subdivision 7 of section 3 of part E of chapter 60 of the laws of 2015, establishing a commission on legislative, judicial, and executive compensation, and providing for the powers and duties of the commission and for the dissolution of the commission, subdivision 7 of section 3 as amended by section 1 of part VVV of chapter 59 of the laws of 2019, are amended to read as follows:

§ 2. 1. (a) On the first of June of every fourth year, commencing June 1, 2015, there shall be established a commission on legislative, judicial and executive compensation to examine, evaluate and make recommendations with respect to adequate levels of compensation and non-salary benefits for members of the legislature, judges and justices of the state-paid courts of the unified court system, statewide elected officials, and those state officers referred to in section 169 of the executive law.

(b) Notwithstanding any provision of this act to the contrary, the commission established in the year 2019 may examine, evaluate and make recommendations with respect to adequate levels of compensation and non-salary benefits for judges and justices of the state-paid courts of

the unified court system during its examination of and making recommendations for legislative and executive compensation in the year 2020.

2. (a) In accordance with the provisions of this section, the commission shall examine: (1) the prevailing adequacy of pay levels and other non-salary benefits received by members of the legislature, statewide elected officials, and those state officers referred to in section 169 of the executive law; and

(2) the prevailing adequacy of pay levels and non-salary benefits received by the judges and justices of the state-paid courts of the unified court system and housing judges of the civil court of the city of New York and determine whether any of such pay levels warrant adjustment; and

(b) The commission shall determine whether: (1) for any of the four years commencing on the first of April of such years, following the year in which the commission is established **or authorized by this act to evaluate and make recommendations on such salaries**, the annual salaries for the judges and justices of the state-paid courts of the unified court system and housing judges of the civil court of the city of New York warrant an increase; and

(2) on the first of January after the November general election at which members of the state legislature are elected following the year in which the commission is established, and on the first of January following the next such election, the like annual salaries and allowances of members of the legislature, and salaries of statewide elected officials and state officers referred to in section 169 of the executive law warrant an increase.

3. In discharging its responsibilities under subdivision two of this section, the commission shall take into account all appropriate factors including, but not limited to: the overall economic climate; rates of inflation; changes in public-sector spending; the levels of compensation and non-salary benefits received by executive branch officials and legislators of other states and of the federal government; the levels of compensation and non-salary benefits received by professionals in government, academia and private and nonprofit enterprise; and the state's ability to fund increases in compensation and non-salary benefits.

7. The commission shall make a report to the governor, the legislature and the chief judge of the state of its findings, conclusions, determinations and recommendations, if any, not later than the thirty-first of December of the year in which the commission is established for judicial compensation and the fifteenth of November the following year for legislative and executive compensation**; provided, however, the report made by the commission in the year two thousand twenty regarding judicial, legislative and executive compensation shall be issued not later than November 15, 2020**. Any findings, conclusions, determinations and recommendations in the report must be adopted by a majority vote of the commission and shall also be supported by at least one member appointed by each appointing authority. Each recommendation made to implement a determination pursuant to section two of this act shall have the force of law, and shall supersede, where appropriate, inconsistent provisions of article 7-B of the judiciary law, section 169 of the executive law, and sections 5 and 5-a of the legislative law, unless modified or abrogated by statute prior to April first of the year as to which such determination applies to judicial compensation and January first of the year as to which such determination applies to legislative and executive compensation.

§ 2. This act shall take effect immediately.

PART XX

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

SUBPART A

Section 1. Section 631-b of the executive law, as added by a chapter of the laws of 2019 amending the executive law in relation to enacting the "safe way home act", as proposed in legislative bills numbers S. 3966-A and A. 5775-A, is REPEALED.

§ 2. Paragraph (b) of subdivision 1 of section 2805-i of the public health law, as amended by section 1 of part HH of chapter 57 of the laws of 2018, is amended to read as follows:

(b) contacting a rape crisis or victim assistance organization, if any, providing victim assistance to the geographic area served by that hospital to establish the coordination of non-medical services**, including but not limited to transportation within the geographic area served by that organization, upon the conclusion of initial medical services, free of charge from the medical facility** to sexual offense victims who request such coordination and services;

§ 3. Subparagraph 3 of paragraph (b) of subdivision 4-b of section 2805-i of the public health law, as added by chapter 1 of the laws of 2000, is amended to read as follows:

(3) Promptly after the examination is completed, the victim shall be permitted to shower, be provided with a change of clothing, **be informed that a rape crisis or victim assistance organization providing victim assistance to the geographic area served by that hospital is available to provide transportation within the geographic area served by that organization, upon the conclusion of initial medical services, free of charge from the medical facility,** and receive follow-up information, counseling, medical treatment and referrals for same.

§ 4. Subparagraph 1 of paragraph (a) of subdivision 6 of section 2805-i of the public health law, as added by chapter 407 of the laws of 2018, is amended to read as follows:

(1) consult with a local rape crisis or local victim assistance organization, to have a representative of such organization accompany the victim through the sexual offense examination, [~~and~~] to have such an organization be summoned by the medical facility, police agency, prosecutorial agency or other law enforcement agency before the commencement of the physical examination or interview, pursuant to this section**, and to have such organization provide transportation within the geographic area served by that organization, free of charge from the medical facility to sexual offense victims who request such services upon discharge**;

§ 5. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the executive law in relation to enacting the "safe way home act", as proposed in legislative bills numbers S. 3966-A and A. 5775-A, takes effect.

SUBPART B

Section 1. Section 170-c of the executive law, as added by a chapter of the laws of 2019, amending the executive law relating to regulatory fines for small businesses, as proposed in legislative bills numbers S. 5815-C and A. 7540-B, is amended to read as follows:

§ 170-c. Regulatory penalties for small businesses. 1. Unless explicitly exempted or excluded by any other law, rule or regulation, upon a first time violation of a state agency's rules or regulations related to paperwork submitted to a state agency or actions or omissions that are **determined by such state agency to be** de minimus, a small business**, as defined in subdivision eight of section one hundred two of the state administrative procedure act,** shall be afforded a cure period or other opportunity for ameliorative action if the violation can be corrected, the successful completion of which will prevent the imposition of penalties on the party or parties subject to enforcement **of such de minimus violation**. However, no waiver of penalties or cure period or other opportunity for ameliorative action may be given if the agency determines that the violation [~~resulted~~] **may result** in a natural resource damage claim or serious actual harm, or may [~~have presented~~] **present** an [~~imminent and substantial~~] endangerment to public safety, human health or the environment, is a violation of human or civil rights law, results in loss of employee wages or benefits, interferes with any remedy, review, or resolution related to harassment or discrimination claims, was **or is** a willful violation, [~~involved~~] **involves** tax fraud, violates requirements related to federal funding to the state, relates to state funding or procurement, is similar to prior violations, is a penal law violation, [~~or~~] relates to a material or substantive portion of the business**, or is in contravention of the public interest and/or policy reflected by the agency's mission**. Upon such first violation, a state agency shall (a) provide the small business with a copy of [~~any~~] **the** applicable small business regulation guides pursuant to section one hundred two-a of the state administrative procedure act and any other helpful [~~compliance~~] **guidance or** information detailing the agency's rules and regulations**, to the extent such materials exist**, or (b) **to the extent practicable,** provide [~~an opportunity for an in-person meeting, teleconference or videoconference with the small business to help assist~~] such small business **assistance** with compliance with the agency's rules and regulations. The agency shall have the discretion to determine the appropriate period of time to allow [~~for~~] **such small business to cure or take** such **other** ameliorative action [~~to occur~~] **to address such violation**, which shall be reasonable but shall not be less than [~~ninety~~] **fifteen business** days **unless a longer period is allowed pursuant to law or regulation**.

2. As used in this section[~~: (a) "Small business" shall mean a business which is resident in this state, independently owned and operated, not dominant in its field and employs one hundred or less persons.~~

~~(b)~~] "[~~State~~] **state** agency" shall mean an agency as defined in subdivision one of section one hundred two of the state administrative procedure act; provided that "state agency" shall not include the department

of taxation and finance [~~but shall also mean~~], the workers' compensation board nor the department of financial services.

3. Nothing herein shall prevent or preclude any other waivers of penalties that may be applicable by this or any other agency.

§ 2. Section 2 of a chapter of the laws of 2019, amending the executive law relating to regulatory fines for small businesses, as proposed in legislative bills numbers S. 5815-C and A. 7540-B, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed two years after such date.

§ 3. This act shall take effect immediately, provided, however, that section one of this act takes effect on the same date and in the same manner as a chapter of the laws of 2019, amending the executive law relating to regulatory fines for small businesses, as proposed in legislative bills numbers S. 5815-C and A. 7540-B, takes effect.

SUBPART C

Section 1. Sections 5 and 6 of a chapter of the laws of 2019, authorizing the commissioner of general services to transfer and convey certain state land to the city of New Rochelle, as proposed in legislative bills numbers S.6228-A and A.7846-A, are amended to read as follows:

§ 5. Any lands transferred pursuant to this act shall be used for the purposes of the city of New Rochelle to utilize the subject property exclusively for the construction of municipal facilities, specifically a city hall building and [~~to satisfy the~~] affordable housing [~~needs of residents of~~] located in the city of New Rochelle, which solely for the purposes of this act, shall mean that one hundred percent of the rental dwelling units in the building shall, upon initial rental and upon each subsequent rental following a vacancy, be affordable to and restricted to occupancy by individuals or families in accordance with a plan developed and approved by the commissioner of the New York state division of homes and community renewal, and upon termination of such use, title to the lands so transferred shall revert to the state of New York. In lieu of such reversion, the city of New Rochelle may purchase the reverter interest in the subject property at the current fair market values less the value of any improvements thereon as determined by independent certified appraisal or appraisals.

§ 6. This act shall take effect immediately; provided however, that the authority of the commissioner of general services to transfer and convey the aforesaid lands and improvements pursuant to this act shall expire two years after such effective date.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, authorizing the commissioner of general services to transfer and convey certain state land to the city of New Rochelle, as proposed in legislative bills numbers S.6228-A and A.7846-A, takes effect.

SUBPART D

Section 1. Subparagraph (vii) of paragraph (a) of subdivision 8 of section 131-a of the social services law, as amended by a chapter of the laws of 2019 amending the social services law relating to exempting income earned by persons under the age of twenty-four from certain workforce development programs from the determination of need for public

assistance programs, as proposed in legislative bills numbers S.6443 and A.6753-A, is amended, and a new subparagraph (ix) is added to read as follows:

(vii) all of the income of a dependent child living with a parent or other caretaker relative, who is receiving such aid or for whom an application for such aid has been made, which is derived from participation in [~~(i) the summer youth employment program, provided however, that in the case of earned income such disregard must be applied for at least, but no longer than the length of such program; or (ii)~~] a program carried out under the federal job training partnership act (P.L. 97-300) or any successor act, provided, however, that in the case of earned income such disregard must be applied for at least, but no longer than, six months per calendar year for each such child. [~~Provided however, a local social services district may exempt all the income of an individual, up to the age of twenty-four, which is derived from their participation in the summer youth employment program, in accordance with clause (i) of this subparagraph;~~]

(ix) all of the income derived from participation in the summer youth employment program, provided however, that such income shall be exempt only for an individual who is not older than age twenty-four at the time of enrollment in the summer youth employment program and such disregard must be applied for the length of the individual's participation in such program.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019 amending the social services law relating to exempting income earned by persons under the age of twenty-four from certain workforce development programs from the determination of need for public assistance programs, as proposed in legislative bills numbers S.6443 and A.6753-A, takes effect.

SUBPART E

Section 1. Subdivisions 1 and 3 of section 459 of the real property tax law, as amended by a chapter of the laws of 2019, amending the real property tax law relating to permitting special districts to adopt a local law providing for an exemption for improvements to residential real property for the purpose of facilitating accessibility of such property to a physically disabled owner, as proposed in legislative bills numbers S.6452 and A.5137-A, are amended to read as follows:

1. After a public hearing, the governing body of a county, city, town or village may adopt a local law or a school district [~~or special district~~] may adopt a resolution, providing for an exemption pursuant to the provisions of this section. Such local law or resolution may provide that an improvement to any real property used solely for residential purposes as a one, two or three family residence shall be exempt from taxation **and special ad valorem levies** to the extent of any increase in value attributable to such improvement if such improvement is used for the purpose of facilitating and accommodating the use and accessibility of such real property by (a) a resident owner of the real property who is physically disabled, or (b) a member of the resident owner's household who is physically disabled, if such member resides in the real property. A local law or resolution adopted pursuant to this section may provide that the exemption shall apply to improvements constructed prior to the effective date of such local law or resolution.

3. Such exemption shall be granted only upon application by the owner or all of the owners of the real property on a form prescribed and made

available by the commissioner. The applicant shall furnish such information as the commissioner shall require. The application shall be filed together with the appropriate certified statement of physical disability or certificate of blindness with the assessor of the appropriate county, city, town, **or** village[~~, or special district~~] on or before the taxable status date of such county, city, town, **or** village[~~, or special district~~].

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the real property tax law relating to permitting special districts to adopt a local law providing for an exemption for improvements to residential real property for the purpose of facilitating accessibility of such property to a physically disabled owner, as proposed in legislative bills numbers S.6452 and A.5137-A, takes effect.

SUBPART F

Section 1. Section 465 of the labor law, as added by a chapter of the laws of 2019 amending the labor law relating to licenses to purchase, use, or store certain compounds, as proposed in legislative bills numbers S.1456 and A.4452, is REPEALED.

§ 2. Subdivision 1 of section 451 of the labor law, as amended by section 2 of part CC of chapter 57 of the laws of 2009, is amended to read as follows:

1. "Explosives" means gunpowder, powders used for blasting, high explosives, blasting materials, detonating fuses, detonators, pyrotechnics and other detonating agents, fireworks and dangerous fireworks as defined in section 270.00 of the penal law, smokeless powder and any chemical compound or any mechanical mixture containing any oxidizing and combustible units, or other ingredients in such proportions, quantities, or packing that ignition by fire, friction, concussion, percussion or detonation of any part thereof may cause and is intended to cause an explosion, but shall not include gasoline, kerosene, naphtha, turpentine, benzine, acetone, ethyl ether, benzol or quantities of black powder not exceeding five pounds for use in firing of antique firearms or artifacts or replicas thereof. Fixed ammunition and primers for small arms, pyrotechnic devices which are designed for and being used for legitimate wildlife management or controls, safety fuses and matches shall not be deemed to be explosives when, as provided by regulation, the individual units contain any of the above-mentioned articles or substances in such limited quantity, of such nature and so packed that it is impossible to produce an explosion of such units to the injury of life, limb or property. **The term "explosives" shall also include two or more components that are advertised and sold together with instructions on how to combine the components to create any device designed or specially adapted to facilitate a detonation or combustion.**

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the labor law relating to licenses to purchase, use, or store certain compounds, as proposed in legislative bills numbers S.1456 and A.4452, takes effect.

SUBPART G

Section 1. Paragraph (a) of subdivision 2 of section 31 of the private housing finance law, as amended by a chapter of the laws of 2019, amending the private housing finance law relating to the aggregate annual

income of low income persons or families eligible for accommodations in a company project, as proposed in legislative bills numbers S.4133 and A.5350, is amended to read as follows:

(a) The dwelling or non-housekeeping accommodations without board in a company project shall be available for persons or families of low income whose probable aggregate annual income at the time of admission and during the period of occupancy does not exceed, the greater of (i) the median income for such persons or families for the metropolitan statistical area in which the project is located, or if a project is located outside a metropolitan statistical area, the median income for such persons or families for the county in which the project is located, as most recently determined by the United States department of housing and urban development, in which case any person or family becoming eligible for admission pursuant to this subparagraph shall pay, from the time of admission, a rental surcharge as provided for in subdivision three of this section, computed on the basis of the income limitations applicable to such persons or families in the absence of this subparagraph, or (ii) eight times the rental, including the value or cost to them of heat, light, water and cooking fuel, of the dwellings that may be furnished to such persons or families, except that in the case of families with three or more dependents, such ratio shall not exceed nine to one. **Persons or families with two or less dependents eligible for admission or continued occupancy pursuant to subparagraph (ii) of this paragraph or subparagraph (ii) of this paragraph prior to the effective date of a chapter of the laws of two thousand nineteen that amended subparagraph (ii) of this paragraph, shall pay a rental surcharge computed on the basis of an income limitation of seven times the rental and families with three or more dependents eligible for admission or continued occupancy pursuant to subparagraph (ii) of this paragraph or subparagraph (ii) of this paragraph prior to the effective date of a chapter of the laws of two thousand nineteen that amended subparagraph (ii) of this paragraph, shall pay a rental surcharge computed on the basis of an income limitation of eight times the cost of the rental, including in each instance the value or cost to the persons or families of heat, light, water and cooking fuel, of the dwellings furnished to such persons or families.**

The "probable aggregate annual income" in the case of dwelling accommodations means the annual income of the chief wage earner of the family, plus all other income of other members of the family over the age of twenty-one years, plus a proportion of income of gainfully employed members under the age of twenty-one years, the proportion to be determined by the company as approved by the commissioner or the supervising agency, as the case may be, excluding therefrom a deduction of fifteen thousand dollars from the income of secondary wage earners of the family or a larger deduction if approved by the commissioner or the supervising agency, as the case may be, except that the company, as approved by the commissioner or the supervising agency, as the case may be, may exclude a proportion of the income of other members of the family over the age of twenty-one years for the purpose of determining eligibility for admission or continued occupancy, or for establishing the rental of such family, or for all such purposes; in the case of such non-housekeeping accommodations it means the annual income of the occupant, provided that the commissioner or supervising agency, as the case may be, may make rules and regulations relative to the allocation of the income of a family among the members thereof for the purpose of determining the income attributable to such occupant.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the private housing finance law relating to the aggregate annual income of low income persons or families eligible for accommodations in a company project, as proposed in legislative bills numbers S.4133 and A.5350, takes effect.

SUBPART H

Section 1. Section 1 of a chapter of the laws of 2019, relating to directing the metropolitan transportation authority to rename certain subway stations, as proposed in legislative bills numbers S. 3439-A and A. 1512-A, is amended to read as follows:

Section 1. [~~The~~] **Upon a determination by the Metropolitan Transportation Authority or the New York City Transit Authority that sufficient funds have been committed to it specifically for such purpose, the Metropolitan Transportation Authority, the public benefit corporation created by section twelve hundred sixty-three of the public authorities law, and the New York City Transit Authority, the public benefit corporation created by section twelve hundred one of the public authorities law, shall use such specifically committed funds to rename the** President Street subway station on the IRT Nostrand Avenue line of the New York city subway [~~is hereby named~~] **to** the President Street - Medgar Evers College station and the Franklin Avenue subway station on the IRT Eastern Parkway line [~~is hereby named~~] **of the New York City subway to** the Franklin Avenue - Medgar Evers College station. The MTA shall ensure that all signs, [~~maps,~~] and any other items issued by the MTA are updated to accurately reflect the new name of the stations within [~~such time and in such manner as the MTA shall deem appropriate~~] **ten months**.

§ 2. Section 2 of a chapter of the laws of 2019, relating to directing the metropolitan transportation authority to rename certain subway stations, as proposed in legislative bills numbers S. 3439-A and A. 1512-A, is amended to read as follows:

§ 2. This act shall take effect immediately**, and shall be deemed repealed after the signs, and any other items are accurately updated. The chief executive officer of the Metropolitan Transportation Authority or president of the New York City transit authority shall notify the legislative bill drafting commission upon the completion of such updates in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law**.

§ 3. This act shall take effect immediately; provided, however, that section one of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, relating to directing the metropolitan transportation authority to rename certain subway stations, as proposed in legislative bills numbers S. 3439-A and A. 1512-A.

SUBPART I

Section 1. Section 3 of chapter 383 of the laws of 2019 amending the public authorities law relating to the Roosevelt Island operating corporation is amended to read as follows:

§ 3. **Title 35 of Article 8 of the public authorities law constituting the Roosevelt Island operating corporation created by this act shall be deemed for all purposes to be a continuation of the Roosevelt Island operating corporation as it was constituted immediately preceding the**

effective date of this act and shall not be construed as a newly created corporation. All members of the Roosevelt Island operating corporation board of directors appointed to the board of the corporation as such corporation was constituted immediately preceding the effective date of this act shall continue in office until the expiration of their terms and until their successors are appointed and have qualified. All unexpended balances of appropriations of monies heretobefore made or allocated to the Roosevelt Island operating corporation as such corporation was constituted immediately preceding the effective date of this act whether obligated or unobligated, are hereby transferred to and made available to the Roosevelt Island operating corporation as created by this act. All rules, regulations, orders, determinations, and decisions of the Roosevelt Island operating corporation, as it was constituted immediately preceding the effective date of this act, shall continue in full force and effect as rules, regulations, orders, determinations and decisions of the Roosevelt Island operating corporation created by this act.

§ 4. This act shall take effect immediately.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on the same date and in the same manner as chapter 383 of the laws of 2019 took effect.

SUBPART J

Section 1. Subdivisions 15 and 16 of section 202 of the elder law, subdivision 15 as amended by section 31-b of part AA of chapter 56 of the laws of 2019, and subdivision 16 as added by chapter 455 of the laws of 2016, are amended and a new subdivision 17 is added to read as follows:

15. to periodically, in consultation with the state director of veterans' services, review the programs operated by the office to ensure that the needs of the state's aging veteran population are being met and to develop improvements to programs to meet such needs; [~~and~~]

16. to the extent appropriations are available, and in consultation with the office of children and family services, conduct a public education campaign that emphasizes zero-tolerance for elder abuse. Such campaign shall include information about the signs and symptoms of elder abuse, identification of potential causes of elder abuse, resources available to assist in the prevention of elder abuse, where suspected elder abuse can be reported, contact information for programs offering services to victims of elder abuse such as counseling, and assistance with arranging personal care and shelter. Such campaign may include, but not be limited to: printed educational and informational materials; audio, video, electronic, other media; and public service announcements or advertisements[~~.~~]; and

17. subject to an appropriation, make available to designated agencies as defined in paragraph (a) of subdivision one of section two hundred fourteen of this title, a training program for the purpose of raising awareness, removing barriers and improving services for older adults based on their sexual orientation and gender identity or expression as defined in section two hundred ninety-two of the executive law. Such training program may include:

(i) an overview of the history, unique needs, and concerns of lesbian, gay, bisexual, transgender, asexual, gender non-conforming and gender non-binary older adults;

(ii) reasons why lesbian, gay, bisexual, transgender, asexual, gender non-conforming and gender non-binary older adults may choose not to self-identify; and

(iii) tools that may be used to incorporate lesbian, gay, bisexual, transgender, asexual, gender non-conforming and gender non-binary older adult concerns into direct care and steps that may be taken to improve the quality of services and support provided.

§ 2. Subdivisions 13 and 14 of section 203 of the elder law, as added by a chapter of the laws of 2019, amending the elder law relating to the state office for the aging sexual discrimination training program, as proposed in legislative bills numbers S. 5958 and A. 7593, are REPEALED.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the elder law relating to the state office for the aging sexual discrimination training program, as proposed in legislative bills numbers S. 5958 and A. 7593, takes effect.

SUBPART K

Section 1. Subparagraph (B) of paragraph 1 of subsection (a) of section 3240 of the insurance law, as amended by chapter 461 of the laws of 2015, clause (ii) as amended by a chapter of the laws of 2019, amending the insurance law relating to policies or contracts which are not included in the definition of student accident and health insurance, as proposed in legislative bills numbers S. 6197 and A. 492, is amended to read as follows:

(B) "Student accident and health insurance" shall not include:

(i) a policy or contract that provides limited scope dental or vision benefits meeting the definition of "excepted benefits" set forth in section 2791 of the public health service act, 42 U.S.C. § 300gg-91(c); [~~or~~]

(ii) [~~a~~] an accident policy or contract that provides benefits meeting the definition of "excepted benefits" set forth in section 2791 of the public health service act, 42 U.S.C. § 300gg-91(c), if the policy or contract [~~is limited to insurance coverage for personal risks incident to planned travel, including sickness, accident, disability, or death occurring during travel, provided that such health benefits are not offered on a stand-alone basis and are incidental to other coverage.~~

~~(iii) an accident policy or contract that provides benefits meeting the definition of "excepted benefits" set forth in section 2791 of the public health service act, 42 U.S.C. § 300gg-91(c), if the policy or contract~~]:

(I) is limited to coverage for intercollegiate sports injuries only;

(II) provides benefits to diagnose and treat any intercollegiate sports injury and does not include a benefit dollar maximum amount per injury that is less than the overall benefit dollar maximum amount per student under the intercollegiate sports injury policy or contract;

(III) provides benefits on an expense incurred basis;

(IV) provides that premiums are paid in full by the institution of higher education;

(V) includes prominent disclosure to the student that the accident policy is not a substitute for comprehensive hospital and medical coverage;

(VI) provides coverage for intercollegiate sports injuries primary to any student accident and health insurance policy or contract or any student health plan issued pursuant to section one thousand one hundred

twenty-four of this chapter; except that a policy or contract meeting the requirements of this item may be excess or secondary to any other policy or contract of accident and health insurance; and

(VII) includes a maximum benefit amount that is no less than the deductible under the separate athletic association policy or contract if designed to coordinate with a separate policy or contract issued to an athletic association that extends coverage for intercollegiate sports injuries;

(iii) an accident policy or contract that provides benefits meeting the definition of "excepted benefits" set forth in section 2791 of the public health service act, 42 U.S.C. § 300gg-91(c)(1)(A), if the policy or contract:

(I) is limited to transportation expenses in the event an insured student incurs a covered sickness or accident, including transportation expenses for a medical escort to travel with the student and transportation expenses for returning the student to the student's domicile;

(II) provides that premiums are paid in full by the institution of higher education;

(III) covers students enrolled in the institution of higher education;

(IV) includes prominent disclosure to the student that the accident policy is not a substitute for comprehensive hospital and medical coverage; and

(V) provides coverage for a period of twelve months; or

(iv) an insurance policy, contract, or certificate that provides hospital, medical, or surgical expense coverage for a student while studying outside the United States for a period of twelve months or less that is issued to a student, provided that the student is also covered by comprehensive hospital and medical coverage within the United States and the insurance policy, contract, or certificate:

(I) is subject to the requirements of subsections (b), (c), (d), (e), (h), and (i) of this section;

(II) meets the definition of "expatriate health plan" set forth in 42 U.S.C. § 18014(d)(2);

(III) excludes coverage within the United States;

(IV) may offer coverage for global evacuation and repatriation in the event of the insured student's sickness or accident; and

(V) may offer coverage for trip cancellation, trip interruption, baggage, personal effects, or global evacuation and repatriation, including evacuation in the event of a natural or man-made disaster, such as an epidemic, political event, war, terrorist act, riot, or civil insurrection, pursuant to section three thousand four hundred fifty-two of this chapter.

§ 2. Clause (iii) of subparagraph (C) of paragraph 3 of subsection (a) of section 4237 of the insurance law, as amended by chapter 461 of the laws of 2015, is amended to read as follows:

(iii) as described in item (ii), (iii) or (iv) of subparagraph (B) of paragraph one of subsection (a) of section three thousand two hundred forty of this chapter.

§ 3. Paragraphs 3, 4 and 5 of subsection (a) of section 3452 of the insurance law, as added by chapter 318 of the laws of 2008, are amended to read as follows:

(3) The policy may be issued to:

(A) any railroad company, steamship company, carrier by air, public bus carrier, or other common carrier of passengers, which shall be deemed the policyholder, where the policy insures its passengers; [~~or~~]

(B) **an institution of higher education as provided in paragraph two of subsection (a) of section three thousand two hundred forty of this chapter; or**

(C) any other group where the superintendent has determined in a regulation that the members are engaged in a common enterprise, or have an economic or social affinity or relationship, and that the issuance of the policy would not be contrary to the best interests of the public.

(4) [~~The~~] **(A) Except as provided in subparagraph (B) of paragraph one of subsection (a) of section three thousand two hundred forty of this chapter, the** policy may provide coverage for trip cancellation, trip interruption, baggage, and personal effects when limited to a specific trip. The policy shall be sold in connection with transportation provided by the common carrier or, with respect to other groups as permitted by the superintendent in accordance with subparagraph [~~(B)~~] **(C)** of paragraph three of this subsection, subject to such limitations provided in the regulation promulgated by the superintendent.

(B) A policy issued to an institution of higher education shall comply with clause (V) of item (iv) of subparagraph (B) of paragraph one of subsection (a) of section three thousand two hundred forty of this chapter.

(5) Coverage under the policy shall be limited to the group member's risks with respect to a particular trip**, except a policy issued to an institution of higher education shall comply with item (iv) of subparagraph (B) of paragraph one of subsection (a) of section three thousand two hundred forty of this chapter**.

§ 4. Paragraph 1 of subsection (c) of section 3452 of the insurance law, as added by chapter 318 of the laws of 2008, is amended to read as follows:

(1) Unless the group policy provides for a longer policy period, the policy shall be issued or renewed for a one-year policy period**, except a policy issued to an institution of higher education shall be issued or renewed for a period consistent with item (iv) of subparagraph (B) of paragraph one of subsection (a) of section three thousand two hundred forty of this chapter**.

§ 5. Subparagraph (B) of paragraph 7 of subsection (c) of section 3452 of the insurance law, as added by chapter 318 of the laws of 2008, is amended to read as follows:

(B) The coverage shall terminate as provided in the certificate, which shall in no event be later than the conclusion of the trip**, except coverage under a policy issued to an institution of higher education as provided in item (iv) of subparagraph (B) of paragraph one of subsection (a) of section three thousand two hundred forty of this chapter shall terminate in accordance with the provisions of that section**.

§ 6. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the insurance law relating to policies or contracts which are not included in the definition of student accident and health insurance, as proposed in legislative bills numbers S. 6197 and A. 492, takes effect.

SUBPART L

Section 1. Subdivision 5 of section 1017 of the family court act, as added by a chapter of the laws of 2019 amending the family court act and the social services law relating to notice of indicated reports of child maltreatment and changes of placement in child protective and voluntary

foster care placement and review proceedings, as proposed in legislative bills numbers S. 6215 and A. 7974, is amended to read as follows:

5. In any case in which an order has been issued pursuant to this article remanding or placing a child in the custody of the local social services district, the social services official or authorized agency charged with custody or care of the child shall report any anticipated change in placement to the [~~attorneys for the parties and the attorney for the child not later than ten days prior to such change in any case in which the child is moved from the foster home or program into which he or she has been placed or in which the foster parents move out of state with the child; provided, however, that where an immediate change of placement on an emergency basis is required, the report shall be transmitted no later than the next business day after such change in placement has been made. The social services official or authorized agency shall also submit a report to the attorneys for the parties and the attorney for the child or include in the placement change report any indicated report of child abuse or maltreatment concerning the child or (if a person or persons caring for the child is or are the subject of the report) another child in the same home within five days of the indication of the report. The official or agency may protect the confidentiality of identifying or address information regarding the foster or prospective adoptive parents. Reports regarding indicated reports of child abuse or maltreatment provided pursuant to this subdivision shall include a statement advising recipients that the information in such report of child abuse or maltreatment shall be kept confidential, shall be used only in connection with a proceeding under this article or related proceedings under this act and may not be redisclosed except as necessary for such proceeding or proceedings and as authorized by law. Reports under this paragraph may be transmitted by any appropriate means, including, but not limited to, by electronic means or placement on the record during proceedings in family court~~] court and the attorneys for the parties, including the attorney for the child, forthwith, but not later than one business day following either the decision to change the placement or the actual date the placement change occurred, whichever is sooner. Such notice shall indicate the date that the placement change is anticipated to occur or the date the placement change occurred, as applicable. Provided, however, if such notice lists an anticipated date for the placement change, the local social services district or authorized agency shall subsequently notify the court and attorneys for the parties, including the attorney for the child, of the date the placement change occurred; such notice shall occur no later than one business day following the placement change.

§ 2. Subdivision (j) of section 1055 of the family court act, as added by a chapter of the laws of 2019 amending the family court act and the social services law relating to notice of indicated reports of child maltreatment and changes of placement in child protective and voluntary foster care placement and review proceedings, as proposed in legislative bills numbers S. 6215 and A. 7974, is amended to read as follows:

(j) In any case in which an order has been issued pursuant to this section placing a child in the custody or care of the commissioner of social services, the social services official or authorized agency charged with custody of the child shall report any anticipated change in placement to the [~~attorneys for the parties and the attorney for the child not later than ten days prior to such change in any case in which the child is moved from the foster home or program into which he or she has been placed or in which the foster parents move out of state with~~

~~the child; provided, however, that where an immediate change of placement on an emergency basis is required, the report shall be transmitted no later than the next business day after such change in placement has been made. The social services official or authorized agency shall also submit a report to the attorneys for the parties and the attorney for the child or include in the placement change report any indicated report of child abuse or maltreatment concerning the child or (if a person or persons caring for the child is or are the subject of the report) another child in the same home within five days of the indication of the report. The official or agency may protect the confidentiality of identifying or address information regarding the foster or prospective adoptive parents. Reports regarding indicated reports of child abuse or maltreatment provided pursuant to this subdivision shall include a statement advising recipients that the information in such report of child abuse or maltreatment shall be kept confidential, shall be used only in connection with a proceeding under this article or related proceedings under this act and may not be redisclosed except as necessary for such proceeding or proceedings and as authorized by law. Reports under this paragraph may be transmitted by any appropriate means, including, but not limited to, by electronic means or placement on the record during proceedings in family court~~] court and the attorneys for the parties, including the attorney for the child, forthwith, but not later than one business day following either the decision to change the placement or the actual date the placement change occurred, whichever is sooner. Such notice shall indicate the date that the placement change is anticipated to occur or the date the placement change occurred, as applicable. Provided, however, if such notice lists an anticipated date for the placement change, the local social services district or authorized agency shall subsequently notify the court and attorneys for the parties, including the attorney for the child, of the date the placement change occurred; such notice shall occur no later than one business day following the placement change.

§ 3. Clause (H) of subparagraph (vii) of paragraph 2 of subdivision (d) of section 1089 of the family court act, as added by a chapter of the laws of 2019 amending the family court act and the social services law relating to notice of indicated reports of child maltreatment and changes of placement in child protective and voluntary foster care placement and review proceedings, as proposed in legislative bills numbers S. 6215 and A. 7974, is amended to read as follows:

(H) a direction that the social services official or authorized agency charged with care and custody or guardianship and custody of the child, as applicable, report any anticipated change in placement to the [~~attorneys for the parties and the attorney for the child not later than ten days prior to such change in any case in which the child is moved from the foster home or program into which he or she has been placed or in which the foster parents move out of state with the child; provided, however, that where an immediate change of placement on an emergency basis is required, the report shall be transmitted no later than the next business day after such change in placement has been made. The social services official or authorized agency shall also submit a report to the attorneys for the parties and the attorney for the child or include in the placement change report any indicated report of child abuse or maltreatment concerning the child or (if a person or persons caring for the child is or are the subject of the report) another child in the same home within five days of the indication of the report. The official or agency may protect the confidentiality of identifying or~~

~~address information regarding the foster or prospective adoptive parents. Reports under this paragraph shall not be sent to attorneys for birth parents whose parental rights have been terminated or who have surrendered their child or children. Reports regarding indicated reports of child abuse or maltreatment provided pursuant to this subdivision shall include a statement advising recipients that the information in such report of child abuse or maltreatment shall be kept confidential, shall be used only in connection with a proceeding under this article or related proceedings under this act and may not be redisclosed except as necessary for such proceeding or proceedings and as authorized by law. Reports under this paragraph may be transmitted by any appropriate means including, but not limited to, by electronic means or placement on the record during proceedings in family court~~] court and the attorneys for the parties, including the attorney for the child, forthwith, but not later than one business day following either the decision to change the placement or the actual date the placement change occurred, whichever is sooner. Such notice shall indicate the date that the placement change is anticipated to occur or the date the placement change occurred, as applicable. Provided, however, if such notice lists an anticipated date for the placement change, the local social services district or authorized agency shall subsequently notify the court and attorneys for the parties, including the attorney for the child, of the date the placement change occurred; such notice shall occur no later than one business day following the placement change; and

§ 4. Paragraph (g) of subdivision 3 of section 358-a of the social services law, as added by a chapter of the laws of 2019 amending the family court act and the social services law relating to notice of indicated reports of child maltreatment and changes of placement in child protective and voluntary foster care placement and review proceedings, as proposed in legislative bills numbers S. 6215 and A. 7974, is amended to read as follows:

(g) In any case in which an order has been issued pursuant to this section approving a foster care placement instrument, the social services official or authorized agency charged with custody or care of the child shall report any anticipated change in placement to the [~~attorneys for the parties and the attorney for the child not later than ten days prior to such change in any case in which the child is moved from the foster home or program into which he or she has been placed or in which the foster parents move out of state with the child; provided, however, that where an immediate change of placement on an emergency basis is required, the report shall be transmitted no later than the next business day after such change in placement has been made. The social services official or authorized agency shall also submit a report to the attorneys for the parties and the attorney for the child or include in the placement change report any indicated report of child abuse or maltreatment concerning the child or (if a person or persons caring for the child is or are the subject of the report) another child in the same home within five days of the indication of the report. The official or agency may protect the confidentiality of identifying or address information regarding the foster or prospective adoptive parents. Reports regarding indicated reports of child abuse or maltreatment provided pursuant to this subdivision shall include a statement advising recipients that the information in such report of child abuse or maltreatment shall be kept confidential, shall be used only in connection with a proceeding under this section or related proceedings under the family court act and may not be redisclosed except~~

~~as necessary for such proceeding or proceedings and as authorized by law. Reports under this paragraph may be transmitted by any appropriate means including, but not limited to, by electronic means or placement on the record during proceedings in family court~~] court and the attorneys for the parties, including the attorney for the child, forthwith, but not later than one business day following either the decision to change the placement or the actual date the placement change occurred, whichever is sooner. Such notice shall indicate the date that the placement change is anticipated to occur or the date the placement change occurred, as applicable. Provided, however, if such notice lists an anticipated date for the placement change, the local social services district or authorized agency shall subsequently notify the court and attorneys for the parties, including the attorney for the child, of the date the placement change occurred; such notice shall occur no later than one business day following the placement change.

§ 5. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019 amending the family court act and the social services law relating to notice of indicated reports of child maltreatment and changes of placement in child protective and voluntary foster care placement and review proceedings, as proposed in legislative bills numbers S. 6215 and A. 7974, takes effect.

SUBPART M

Section 1. Subdivision 18 of section 5-211 of the election law, as amended by a chapter of the laws of 2019, amending the election law relating to voter registration form distribution and assistance, as proposed in legislative bills numbers S. 1128-A and A. 2599-A, is amended to read as follows:

18. (a) (i) On or before January first, two thousand twenty, all institutions of the state university of New York and the city university of New York shall create and make available to all students a webpage for voter education on each such institution's website, containing a link to an application for voter registration, a link to an application for an absentee ballot, contact information for the county board of elections, and the name and contact information for the administrator responsible for voter registration assistance on each campus.

(ii) Each such institution shall, at the beginning of the school year, and again in January of a year in which the president of the United States is to be elected, provide an application for voter registration and an application for an absentee ballot to each student in each such institution. [~~Such institutions shall also offer each student an application for an absentee ballot. Such institutions shall provide the same degree of assistance as required of participating agencies.~~] Each institution shall be considered in compliance with [~~these~~] the requirements of this subparagraph for each student to whom the institution electronically transmits a message containing the link to the webpage for voter education [~~and~~], the link to an application for voter registration and the link to an application for an absentee ballot, if such information is in an electronic message devoted exclusively to voter registration.

(iii) Each such institution shall provide the same degree of assistance as required of participating agencies.

(b) [~~Each institution~~] The state university of New York and the city university of New York, on behalf of each institution within its system, shall on or before [~~January~~] June first, two thousand twenty, and each

subsequent year, submit a report **disaggregated according to each institution** to the state board of elections that includes:

(i) the efforts of the institution to register voters in the preceding calendar year;

(ii) a date-stamped screen shot of the webpage for voter education that contains the required information under paragraph (a) of this subdivision;

(iii) the number of students who were registered for course work in the preceding twelve months at such institution and the number of [~~students who clicked~~] **clicks** on the links to online voter registration and absentee ballot applications; and

(iv) any other efforts or recommendations the institution plans to implement to improve access to voter registration and absentee ballot voting for students at the institution.

(c) The state board of elections shall make the reports provided pursuant to paragraph (b) of this subdivision publicly available on its website.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the election law relating to voter registration form distribution and assistance, as proposed in legislative bills numbers S. 1128-A and A. 2599-A, takes effect.

SUBPART N

Section 1. Subparagraph (v) of paragraph (a) of subdivision 2 of section 9-209 of the election law, as added by a chapter of the laws of 2019 amending the election law relating to canvass of ballots cast by certain voters, as proposed in legislative bills numbers S. 3045-B and A. 1320-A, is amended to read as follows:

(v) If the board of elections determines that a person was entitled to vote at such election, the board shall cast and canvass such ballot if such board finds that the voter substantially complied with the requirements of this chapter. **For purposes of this subparagraph, substantially complied shall mean the board can determine the voter's eligibility based on the statement of the affiant or records of the board.**

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019 amending the election law relating to canvass of ballots cast by certain voters, as proposed in legislative bills numbers S. 3045-B and A. 1320-A, takes effect.

SUBPART O

Section 1. Article 33 of the labor law, as added by section 1 of part A of a chapter of the laws of 2019, amending the labor law and the state finance law relating to requiring the licensing of persons engaged in the design, construction, inspection, maintenance, alteration, and repair of elevators and other automated people moving devices, as proposed in legislative bills numbers S. 4080-C and A. 4509-A, is REPEALED and a new article 33 is added to read as follows:

ARTICLE 33

ELEVATORS AND OTHER CONVEYANCES; LICENSING

Section 950. Application.
951. Definitions.
952. Licensing and compliance requirements.
953. License procedure.

954. Qualifications, training, and continuing education.
955. Powers of the commissioner.
956. New York state elevator safety and standards advisory board.
957. Exempt persons.

§ 950. Application. 1. This article covers licensing of businesses and occupations that engage in design, construction, installation, inspection, testing, maintenance, alteration, service, and repair of the following equipment:

(a) hoisting and lowering mechanisms equipped with a car or platform which moves between two or more landings. This equipment includes, but is not limited to elevators, platform lifts, and non-residential stairway chair lifts;

(b) power driven stairways and walkways for carrying persons between landings. This equipment includes, but is not limited to, escalators and moving walks;

(c) hoisting and lowering mechanisms equipped with a car, which serves two or more landings and is restricted to the carrying of material by its limited size or limited access to the car. This equipment includes, but is not limited to, dumbwaiters, material lifts, and dumbwaiters with automatic transfer devices as defined in section nine hundred fifty-one of this article; and

(d) automatic guided transit vehicles on guideways with an exclusive right-of-way. This equipment includes, but is not limited to, automated people movers.

2. The following equipment is not covered by this article:

(a) personnel and material hoists;

(b) manlifts;

(c) mobile scaffolds, towers, and platforms;

(d) powered platforms and equipment for exterior and interior maintenance;

(e) conveyor and related equipment;

(f) cranes, derricks, hoists, hooks, jacks, and slings;

(g) industrial trucks;

(h) portable equipment, except for portable escalators;

(i) tiering and piling machines used to move materials to and from storage located and operating entirely within one story;

(j) equipment for feeding or positioning materials including, but not limited to, machine tools and printing presses;

(k) skip or furnace hoists;

(l) wharf ramps;

(m) railroad car lifts or dumpers;

(n) stairway chairlifts for private residences; and

(o) line jacks, false cars, shafters, moving platforms, and similar equipment used for installing an elevator by a contractor licensed in this state.

3. The licensing provisions of this article shall not apply to the owners or lessees of private residences who design, construct, install, alter, repair, service, or maintain conveyances that are located or will be located in such owner or lessee's private residence. However, any person hired to design, construct, install, alter, repair, service, maintain, or perform any other work related to such conveyances must comply with the provisions of this article.

4. No license shall be required for the removal or dismantling of conveyances.

5. No license shall be required for the outfitting, removal, refinishing, or replacement of interior finishes, including wall panels, drop ceilings, handrails and flooring, removal or replacement of interior lighting, recladding of doors, transoms and front return panels, finishing, or ornamental work on car operating panels.

6. The provisions of this article and the rules adopted pursuant thereto shall be the minimum standard required and shall supersede any special law or local ordinance inconsistent therewith, and no local ordinance inconsistent therewith shall be adopted, but nothing herein contained shall prevent the enactment by local law or ordinance of additional requirements and restrictions.

7. Any municipal corporation may waive licensing fees for any individual seeking an elevator license, or its equivalent, offered by such municipal corporation if such individual holds an elevator mechanic's license pursuant to this article; provided, however, that any elevator mechanic's license, or its equivalent, offered by a municipal corporation shall not be inconsistent with the requirements of this article and nothing herein shall prevent the enactment by local law or ordinance of additional requirements.

§ 951. Definitions. As used in this article, the following terms shall have the following definitions:

1. "Automated people mover" means a guided transit mode with fully automated operation, featuring vehicles that operate on guideways with exclusive right-of-way.

2. "Accessibility lift" means elevators or conveyances that are intended for transportation of persons with disabilities, such as platform lifts and stairway chairlifts, including equipment covered by the provisions of ASME (American Society of Mechanical Engineers) A18.1 2017 Safety Standard for Platform Lifts and Stairway Chairlifts.

3. "Accessibility lift technician" means a person who performs accessibility lift work.

4. "Accessibility lift technician's license" means a restricted elevator mechanic's license that authorizes the holder to engage in accessibility lift work.

5. "Accessibility lift work" means elevator and conveyance work that is restricted to accessibility lifts.

6. "Business license" means a license that authorizes the holder to engage in the business of elevator and conveyance work, or elevator and conveyance inspections.

7. "Elevator and conveyance work" means performing activities that include the design, construction, installation, testing, maintenance, alteration, service, and repair of any elevator or conveyance.

8. "Elevator or conveyance" means any equipment identified in paragraphs (a) through (d) of subdivision one of section nine hundred fifty of this article, including any elevator, dumbwaiter, escalator, moving sidewalk, platform lifts, non-residential stairway chairlifts and automated people movers. Elevator or conveyance shall not mean any equipment identified in subdivision two of section nine hundred fifty of this article.

9. "Elevator and conveyance inspections" means performing the inspection or any related testing of any elevator or conveyance, but does not include government regulatory inspections performed by an authority having jurisdiction to enforce any applicable building codes and any elevator codes.

10. "Elevator" means a hoisting and lowering mechanism, equipped with a car, that moves within guides and serves two or more landings.

11. "Elevator or conveyance component" means any elevator or conveyance, or any parts, components, or subsystems thereof, or any combination thereof.

12. "Elevator contractor" means any business that engages in elevator and conveyance work.

13. "Elevator helper/apprentice/assistant mechanic" means any person who works under the general direction of a licensed elevator mechanic.

14. "Elevator inspector" means any person who performs elevator and conveyance inspections, whether individually or through an elevator inspection contractor or public employer.

15. "Elevator inspection contractor" means any business that performs elevator and conveyance inspections.

16. "Elevator mechanic" means any person who performs elevator and conveyance work.

17. "Escalator" means a power-driven, inclined, continuous stairway used for raising or lowering passengers.

18. "Existing installation" means an installation that has been completed or is under construction prior to the effective date of this article.

19. "License" means a credential duly issued by the commissioner authorizing the holder to engage a business or an occupation whose scope includes accessibility lift work, or elevator and conveyance work, or elevator and conveyance inspections.

20. "Elevator contractor's license" means a business license that entitles the holder thereof to engage in the business of elevator and conveyance work in this state.

21. "Elevator inspection contractor's license" means a business license that entitles the holder thereof to engage in the business of elevator and conveyance inspections in this state.

22. "Elevator mechanic's license" means an occupational license that entitles the holder thereof to engage in elevator and conveyance work in this state for a licensed elevator contractor.

23. "Elevator inspector's license" means an occupational license that entitles the holder thereof to perform elevator and conveyance inspections in this state for a licensed elevator inspection contractor.

24. "Elevator accessibility technician's license" means an occupational license that entitles the holder thereof to engage in elevator and conveyance work in this state that is restricted to platform lifts including those installed in private residences which are covered by the provisions of ASME (American Society of Mechanical Engineers) codes and standards A18.1 2017 Safety Standard for Platform Lifts and Stairway Chairlifts and any successor standard for just platform lifts and stairway chairlifts. An applicant for such a restricted license shall complete an application approved by the commissioner and shall have at least three years verified work experience in constructing, maintaining, and repairing such lifts and shall provide the commissioner a certificate of completion of an accessibility training program for lifts under the scope of A18.1 2017 such as the certified accessibility and private residence lift technician (CAT) training provided by the National Association of Elevator Contractors (NAEC), or an equivalent program as determined by the commissioner.

25. "Moving walk/sidewalk" means a type of passenger-carrying device on which passengers stand or walk, and in which the passenger-carrying surface remains parallel to its direction of motion and is uninterrupted.

26. "Occupational license" means a license that authorizes the holder to engage in accessibility lift work, or elevator and conveyance work or elevator and conveyance inspections.

27. "Person" means any natural person.

28. "Business" means any corporation, or instrumentality of a corporation, self-employed person, company, unincorporated association, firm, partnership, limited liability company, corporation, or any other entity, or any owner or operator of any of the foregoing entities.

29. "Private residence" means a separate dwelling or a separate apartment in a multiple dwelling, which is occupied by members of a single family unit.

30. "Repair" means reconditioning or renewal of any elevator or conveyance or component necessary to keep such equipment in compliance with applicable code requirements.

31. "Alteration" means any change to any conveyance or component other than maintenance, repair, or replacement, but shall not include the professional services of engineering or architecture as defined in sections seventy-two hundred one and seventy-three hundred one of the education law.

32. "Design" means the act or process of planning the repair, alteration, or construction of any conveyance, but shall not include the professional services of engineering or architecture as defined in sections seventy-two hundred one and seventy-three hundred one of the education law.

33. "Construction" means the act or process of constructing any conveyance, and includes vertically constructing or connecting any conveyance or part or system thereof.

34. "Inspection" means a critical examination, observation, or evaluation of quality and code compliance of any conveyance.

35. "Testing" means a process or trial of operation of any conveyance.

36. "Maintenance" means a process of routine examination, lubrication, cleaning, and adjustment of any conveyance or components for the purpose of ensuring performance in accordance with any applicable code requirements.

37. "Service or servicing" means a service call or other unscheduled visit, not including routine maintenance or a repair, to troubleshoot, adjust or repair an improperly functioning or an otherwise shut down conveyance.

38. "Temporarily dormant elevator, dumbwaiter, or escalator" means an installation temporarily placed out of service under the following circumstances: (a) (i) when such installation's power supply has been disconnected; and (ii) the car is parked and any doors are closed and latched; and (iii) a wire seal is installed on the mainline disconnect switch by an elevator inspector; or (b) as determined by state or local law, code, rule, or regulation.

39. "Personnel and material hoists" means rack and pinion hoists, alimaks, and machines of a similar nature used for the hoisting of construction material, equipment and personnel, or the removal of debris, all during the construction, renovation, and/or demolition phase of any construction project whether an inside or outside hoist.

40. "Installation" means to place or fix any conveyance or component in position for operation.

41. "Subsidiary" means an entity that is controlled directly, or indirectly through one or more intermediaries, by an elevator contractor or elevator inspection contractor or by such contractor's parent company.

42. "Successor" means an entity engaged in work substantially similar to that of the predecessor, where there is substantial continuity of operation with that of the predecessor.

43. "Board" means the New York state elevator safety and standards advisory board established by section nine hundred fifty-six of this article.

§ 952. Licensing and compliance requirements. 1. Except as otherwise provided for in subdivisions three, four, and five of section nine hundred fifty of this article, it shall be unlawful for any business or person:

(a) to engage in the business of elevator and conveyance work, or accessibility lift work, or hold themselves out as an elevator contractor, or both, unless such person or business has a valid elevator contractor's license; or

(b) to engage in the business of elevator and conveyance inspections, or hold themselves out as an elevator inspection contractor, or both unless such person or business has a valid elevator inspection contractor's license; or

(c) any combination of the above.

2. Except as otherwise provided for in subdivisions three, four, and five of section nine hundred fifty of this article, it shall be unlawful for any person:

(a) to engage in elevator and conveyance work, or to hold themselves out as an elevator mechanic, or both, unless such person has a valid elevator mechanic's license and works for a licensed elevator contractor or a public entity; or

(b) to engage in accessibility lift work, or to hold themselves out as accessibility lift technicians, or both, unless such person has a valid accessibility lift technician's license and works for a licensed elevator contractor or a public entity; or

(c) to engage in elevator and conveyance inspections, or to hold themselves out as an elevator inspector, or both, unless such person holds an elevator inspector's license and works for a licensed elevator inspection contractor or a public entity; or

(d) any combination of the above, provided, however, that the installation of branch circuits and wiring terminations for machine room and pit lighting, receptacles and HVAC as described in the NFPA National Electric Code 620.23 and 620.24 as well as fire and heat detectors and alarms, may be performed by a licensed electrical contractor.

3. It shall be the responsibility of licensees to ensure that any elevator and conveyance work or elevator and conveyance inspections that they perform is in compliance with existing state and local building and maintenance codes.

4. It shall be the responsibility of holders of business licenses to ensure that the licensing requirements of subdivisions one and two of this section are complied with by their employees and by businesses that they contract with, and to immediately report to the commissioner any failures to comply with the licensing requirements of subdivisions one and two of this section by other businesses or persons that they become aware of.

§ 953. License procedure. All applications for licenses shall be submitted to the department in writing on forms furnished by the commissioner and shall contain the information set forth in this section as well as any additional information that the commissioner may require. The commissioner shall also set fees for licensing under this section. Upon approval of an application for a license the commissioner shall

issue such license which shall be valid for two years. The fees for such license and renewal thereof shall be set by the commissioner. Any denial for such application shall set forth the reasons therefor.

1. Applications for business licenses. Every application for a license under this article shall include the following:

(a) the name, residence address, and business address of the applicant;

(b) the number of years the applicant has engaged in the business or practice of elevator contracting;

(c) the approximate number of persons, if any, to be employed by the applicant;

(d) evidence that the applicant is or will be covered by general liability, personal injury, and property damage insurance; and

(e) any other information which the commissioner may require.

2. Application for occupational licenses. Every application for a license under this article shall include the following:

(a) the name and residential address of the applicant;

(b) the relevant experience of the applicant, including years, or hours, or both, of experience in performing elevator and conveyance work, or elevator inspection work, or both and the nature of such experience, and the names of the elevator contractors or elevator inspection contractors that the applicant has worked for, including the license numbers of such contractors;

(c) any training completed by the applicant, including certificates of completion;

(d) any continuing education completed by the applicant, including certificates of completion;

(e) the name and license number, if known, of the elevator contractor or elevator inspection contractor that the applicant works for or seeks to work for; and

(f) any other information which the commissioner may require.

3. The department shall maintain and publish a registry of all licenses issued pursuant to this section and shall make the registry available on its website.

§ 954. Qualifications, training, and continuing education. 1. No license or application for renewal shall be granted to any business or person who has not paid the required application fee and demonstrated his or her qualifications and abilities, training, and any applicable continuing education, by obtaining and maintaining in good standing the industry certifications and continuing education identified or required in this section.

(a) Applicants for an elevator mechanic's license must possess a current industry certification issued by the National Association of Elevator Contractors (NAEC) as a Certified Elevator Technician (CET), or equivalent certification recognized by the commissioner.

(b) Applicants for an accessibility lift technician license must possess a current industry certification issued by the National Association of Elevator Contractors (NAEC) as a certified accessibility and private residence lift technician (CAT) program or an equivalent certification recognized by the commissioner.

(c) Applicants for an elevator inspector's license must possess a current industry certification issued by the Qualified Elevator Inspector Training Fund (QEITF) or by the National Association of Elevator Safety Authorities (NAESA) as a qualified elevator inspector (QEI) or an equivalent license recognized by the commissioner.

2. Applicants for an elevator contractor's license must demonstrate to the commissioner that such elevator contractor employs licensed elevator mechanics who perform elevator and conveyance work and have proof of compliance with the insurance requirements of this article.

3. Applicants for an elevator inspection contractor's license must demonstrate to the satisfaction of the commissioner that such applicant is a certified elevator inspector, or employs certified elevator inspectors, or both, to perform elevator and conveyance inspections and have proof of compliance with the insurance requirements of this article.

4. Alternative qualifications. Applicants for an elevator mechanic's license or accessibility lift technician's license who do not possess the industry certifications identified above may demonstrate their qualifications and abilities, training, and continuing education by providing acceptable proof of:

(a) a certificate of successful completion and successfully passing the mechanic examination of a nationally recognized training program for the elevator industry including, but not limited to, the national elevator industry educational program or its equivalent, supplemented with continuing education as may be required by this section; or

(b) a certificate of successful completion of the state registered apprenticeship programs for the apprenticeable trades of Elevator Servicer Repairer, including the joint apprentice and training committee of the elevator industry of local 3, IBEW, EE division training program, or equivalent registered apprenticeship program for elevator mechanics, having standards substantially equivalent to those programs and registered with the bureau of apprenticeship and training, U.S. department of labor or a state apprenticeship council, supplemented with continuing education as may be required by this section; or

(c) work on elevator construction, maintenance or repair with direct and immediate supervision in this state for a period of not less than four years immediately prior to the effective date of this article supplemented with continuing education and testing as may be required by this section; or

(d) successful completion of an examination established by the New York state civil service commission or a municipal civil service commission having jurisdiction as defined by subdivision four of section two of the civil service law, subsequent appointment to a position related to work on elevator construction, maintenance, mechanics, inspection, or repair as may be properly classified by the commissioner of civil service or a municipal civil service commission having jurisdiction, and work on elevator construction, maintenance, mechanics, inspection, or repair, with direct and immediate supervision in this state for a period of not less than four years immediately prior to the effective date of this article supplemented with continuing education as may be required by this section.

5. Continuing education. The renewal of all licenses granted under the provisions of subdivision four of this section shall be conditioned upon acceptable proof of completion of a course designed to ensure the continuing education of licensees on new and existing national, state, and local conveyances codes and standards and on technology and technical education and workplace safety, provided the applicant was notified of the availability of such courses when the license was previously granted or renewed. Such course shall consist of not less than eight contact hours (.8 CEU) annually and completed preceding any such license renewal. The commissioner shall establish requirements for continuing education and training programs, and shall approve such programs and

providers, as well as maintain a list of approved programs which shall be made available to license applicants, permit applicants, renewal applicants and other interested parties upon request. The commissioner may promulgate rules and regulations setting forth the criteria for approval of such programs, the procedures to be followed in applying for such approval, and other rules and regulations as the commissioner deems necessary and proper to effectuate the purposes of this section.

6. Examinations. The board shall determine, if after the successful completion of the first renewal, if an examination is warranted as a condition of a subsequent renewal provided the applicant was notified of the availability of such examination when the license was previously granted or renewed. The board shall take into consideration previous years' experience, training, and previous relevant examinations that the applicant has already completed.

§ 955. Powers of the commissioner. 1. The commissioner shall have the authority to inspect, or cause to be inspected, ongoing or completed conveyance projects and to conduct an investigation thereof upon the commissioner's own initiation or upon receipt of a complaint by any person or entity. However, nothing in this subdivision shall permit the commissioner to enter a private residence.

2. If, upon receipt of a complaint alleging a violation of this article, the commissioner reasonably believes that such violation exists, he or she shall investigate as soon as practicable to determine if such violation exists. If the commissioner determines that no violation or danger exists, the commissioner shall inform the complaining person or entity. If, upon investigation, the commissioner determines that the alleged violation exists, the commissioner may deem such violation to create a dangerous condition for purposes of section two hundred of this chapter only and may issue a notice thereunder prohibiting further work.

3. The commissioner may, after a notice and hearing, suspend or revoke a license issued under this article based on any of the following violations:

(a) any false statement as to a material matter in the application;

(b) fraud, or misrepresentation, in securing a license;

(c) failure to notify the commissioner and the owner or lessee of a conveyance of any condition not in compliance with this article;

(d) a violation of section nine hundred fifty-two of this article; or

(e) a finding by the commissioner that a license holder has violated this article or any rule or regulation promulgated thereunder twice within a period of three years, or that a license holder has violated a provision of this article and such violation resulted in a serious threat to the health or safety of an individual or individuals. The commissioner may, in addition to ordering that such license be revoked, bar such license holder from being eligible to reapply for such license, or any other license under this article, for a period not to exceed two years.

4. (a) Except as provided in paragraph (b) of this subdivision, if the commissioner finds, after notice and hearing, that an individual has violated any provision of this article, he or she may impose a civil penalty not to exceed one thousand dollars for each such violation. Upon a second or subsequent violation within three years of the determination of a prior violation, the commissioner may impose a civil penalty not to exceed two thousand dollars.

(b) The penalty provided for in paragraph (a) of this subdivision may be increased to an amount not to exceed five thousand dollars if the violation resulted in a serious threat to the health or safety of an

individual or individuals provided, however, that such penalty may be increased to an amount not to exceed twenty-five thousand dollars if the violation resulted in the death of any individual or individuals.

5. The commissioner may bring an action in a court of competent jurisdiction to enjoin any conduct that violates the provisions of this article.

6. The board shall examine the various state and local requirements and industry standards and practices with respect to elevator inspections in this state and shall provide recommendations to the commissioner for coordinating existing state, local, and private inspections to ensure that elevators are being inspected by licensed inspectors.

7. The commissioner may promulgate rules and regulations necessary to carry out and effectuate the provisions of this article.

§ 956. New York state elevator safety and standards advisory board. 1. An elevator safety and standards advisory board is hereby created, to consist of thirteen members. The governor shall appoint seven members, the temporary president of the senate shall appoint three members, and the speaker of the assembly shall appoint three members. The appointees to the board shall be representatives of elevator manufacturers, building owners or managers, elevator industry construction workers, elevator servicing companies, elevator industry associations, elevator mechanics, or fire marshals. The board shall meet on an as needed basis to advise the commissioner on the implementation of this article. The board shall elect a chairperson to serve for the term of their appointment to the board.

2. The members appointed pursuant to this section shall serve at the pleasure of the authority appointing such member. The members shall serve without salary or compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties.

3. The board may consult with engineering authorities and organizations concerned with standard safety codes, rules and regulations governing the maintenance, servicing, construction, alteration, installation, and inspection of conveyances and the adequate, reasonable, and necessary qualifications of elevator mechanics, contractors, and inspectors.

4. The board shall have the authority to administer, oversee, and approve examinations for the purpose of qualifying applicants pursuant to subdivision six of section nine hundred fifty-four of this article. In exercising this authority, the board shall, in its discretion, determine the criteria and standards for examinations to satisfy the requirements of this subdivision, such as the mechanic examination of the national elevator industry educational program, or an equivalent examination recognized by the board, which shall satisfy the requirements of this subdivision.

§ 957. Exempt persons. 1. This article shall not be construed to apply to the practice, conduct, activities, or services by a person licensed to practice architecture within this state pursuant to article one hundred forty-seven of the education law or engineering within this state pursuant to article one hundred forty-five of the education law.

2. This article shall not be construed to apply to the outfitting, removal, refinishing, or replacement of interior finishes of elevators, including wall panels, drop ceilings, handrails and flooring, removal or replacement of interior lighting, recladding of doors, transoms and front return panels, finishing or ornamental work on elevator car operating panels.

3. This article shall not be construed to apply to the operation of an elevator by any person employed as an operator of such elevator, including elevators operating under a temporary certificate of occupancy as issued by the appropriate issuing agency.

§ 2. Subdivision 3 of section 97-ssss of the state finance law, as added by section 2 of part A of a chapter of the laws of 2019, amending the labor law and the state finance law relating to requiring the licensing of persons engaged in the design, construction, inspection, maintenance, alteration, and repair of elevators and other automated people moving devices, as proposed in legislative bills numbers S. 4080-C and A. 4509-A, is amended to read as follows:

3. Moneys of the fund shall be available to the commissioner of labor for purposes of offsetting the costs incurred by the commissioner of labor for the administration of article thirty-three of the labor law, including the administration of elevator and related conveyances safety programs, the administration of licenses [~~and permits~~], and the administration of [~~certificates of operation~~] **licenses** as set forth in such article thirty-three.

§ 3. The undesignated paragraph subtitled "elevator agency helper" of section 28-401.3 of the administrative code of the city of New York, as added by section 1 of part B of a chapter of the laws of 2019, amending the administrative code of the city of New York relating to the licensing of approved elevator agency directors, inspectors, and technicians performing elevator work in the city of New York, as proposed in legislative bills numbers S. 4080-C and A. 4509-A, is amended to read as follows:

ELEVATOR AGENCY HELPER. An individual having required qualifications to perform elevator work, as defined in this chapter, under the direct and continuing supervision of an elevator agency director[~~, and in the presence of a licensed elevator agency technician~~].

§ 4. The undesignated paragraph subtitled "elevator work" of section 28-401.3 of the administrative code of the city of New York, as added by section 1 of part B of a chapter of the laws of 2019, amending the administrative code of the city of New York relating to the licensing of approved elevator agency directors, inspectors, and technicians performing elevator work in the city of New York, as proposed in legislative bills numbers S. 4080-C and A. 4509-A, is amended to read as follows:

ELEVATOR WORK. Alteration, assembly, installation, maintenance, repair, replacement and modernization work, as defined by ASME A17.1 as modified by appendix K of the New York city building code, performed on conveyances regulated by this code or other applicable laws or rules. Elevator work does not include material hoists, platform lifts, stair chair lifts, or personnel hoists. **Outfitting, removal, refinishing, or replacement of interior finishes, including wall panels, drop ceilings, handrails and flooring, removal or replacement of interior lighting, recladding of doors, transoms and front return panels, finishing or ornamental work on elevator car operating panels shall not be considered elevator work. Operation of an elevator by any person employed as an operator of such elevator, including operation of an elevator operating under a temporary certificate of occupancy as issued by the department of buildings or such other issuing agency shall not be considered elevator work.**

§ 5. Section 28-425.3 of the administrative code of the city of New York, as added by section 3 of part B of a chapter of the laws of 2019, amending the administrative code of the city of New York relating to the licensing of approved elevator agency directors, inspectors, and techni-

cians performing elevator work in the city of New York, as proposed in legislative bills numbers S. 4080-C and A. 4509-A, is REPEALED and a new section 28-425.3 is added to read as follows:

§ 28-425.3 Qualifications. The agency may, by rule, establish qualifications for elevator agency technicians, including, but not limited to, acceptable proof that an applicant has worked on elevator construction, maintenance or repair with direct and immediate supervision in this state for a specified period of time prior to the effective date of this article; provided, however, that the provisions of this section and any rules adopted pursuant thereto shall not be inconsistent with the requirements for elevator mechanics contained in article thirty-three of the labor law and nothing herein shall prevent the enactment by local law, ordinance, or rule of additional requirements.

§ 6. The administrative code of the city of New York is amended by adding a new section 28-425.4 to read as follows:

§ 28-425.4 Exemptions. No elevator agency technician license shall be required for the outfitting, removal, refinishing, or replacement of interior finishes, including wall panels, drop ceilings, handrails and flooring, removal or replacement of interior lighting, recladding of doors, transoms and front return panels, finishing or ornamental work on car operating panels.

§ 7. Section 28-427.6 of the administrative code of the city of New York, as added by section 3 of part B of a chapter of the laws of 2019, amending the administrative code of the city of New York relating to the licensing of approved elevator agency directors, inspectors, and technicians performing elevator work in the city of New York, as proposed in legislative bills numbers S. 4080-C and A. 4509-A, is REPEALED.

§ 8. Section 5 of part B of a chapter of the laws of 2019, amending the administrative code of the city of New York relating to the licensing of approved elevator agency directors, inspectors, and technicians performing elevator work in the city of New York, as proposed in legislative bills numbers S. 4080-C and A. 4509-A, is amended to read as follows:

§ 5. This act shall take effect [~~three~~] **two** years after it shall have become a law. Effective immediately, any rules and regulations necessary for the timely implementation of this act on its effective date shall be promulgated on or before such date.

§ 9. Section 3 of part A of a chapter of the laws of 2019, amending the labor law and the state finance law relating to requiring the licensing of persons engaged in the design, construction, inspection, maintenance, alteration, and repair of elevators and other automated people moving devices, as proposed in legislative bills numbers S. 4080-C and A. 4509-A, is amended to read as follows:

§ 3. This act shall take effect [~~on the one hundred eightieth day~~] **two years** after it shall have become a law, provided, however, that effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of this act on its effective date, and the appointment of the New York state elevator safety and standards board, are authorized and directed to be established, made and completed on or before such effective date.

§ 10. This act shall take effect immediately; provided, however that sections one and two of this act shall take effect on the same date and in the same manner as part A of a chapter of the laws of 2019, amending the labor law and the state finance law relating to requiring the licensing of persons engaged in the design, construction, inspection, maintenance, alteration, and repair of elevators and other automated

people moving devices, as proposed in legislative bills numbers S. 4080-C and A. 4509-A, takes effect; and sections three through seven of this act shall take effect on the same date and in the same manner as part B of a chapter of the laws of 2019, amending the administrative code of the city of New York relating to the licensing of approved elevator agency directors, inspectors, and technicians performing elevator work in the city of New York, as proposed in legislative bills numbers S. 4080-C and A. 4509-A, takes effect.

SUBPART P

Section 1. Subparagraphs (i) and (ii) of paragraph a of subdivision 1 of section 205-cc of the general municipal law, subparagraph (i) as added by chapter 334 of the laws of 2017 and subparagraph (ii) as amended by a chapter of the laws of 2019 amending the general municipal law relating to proof of eligibility for volunteer firefighter enhanced cancer disability benefits, as proposed in legislative bills numbers S. 4173-A and A. 5957-A, are amended to read as follows:

(i) A volunteer firefighter having five or more years of faithful and actual service in the protection of life and property from fire in the interior of buildings [~~and~~] **subsequent to** having successfully passed a physical examination [~~on entry to the firefighter service,~~] which [~~examination~~] failed to reveal any evidence of cancers as defined in paragraph b of this subdivision; and

(ii) Having submitted proof of five years of interior firefighting service by providing verification that he or she has passed at least five yearly certified mask fitting tests as set forth in 29 CFR 1910.134 or the applicable National Fire Protection Association standards for mask fit testing **or, for firefighters who entered the fire service prior to January first, two thousand twenty, documentation identified by the office of fire prevention and control in rules and regulations promulgated pursuant to subdivision seven of this section which shall include, but not be limited to, training or certification records, health care provider records, internal fire department records, or any combination of official documents capable of evidencing that the firefighter meets the requirements of this section**.

§ 2. Subdivision 7 of section 205-cc of the general municipal law, as added by chapter 334 of the laws of 2017, is amended to read as follows:

7. The office of fire prevention and control, in consultation with the department of financial services and the workers' compensation board, shall adopt such rules and regulations as are reasonable and necessary to implement the provisions of this section. Such regulations shall include **establishing acceptable documentation for proof of eligibility,** the process by which a firefighter files a claim for the enhanced cancer disability benefit, how the beneficiary of such eligible volunteer firefighter files a claim for the enhanced cancer death benefit, the process by which claimants can appeal a denial of benefits and what proof is deemed acceptable to qualify for such benefits.

§ 3. Subdivision 8 of section 205-cc of the general municipal law, as added by a chapter of the laws of 2019 amending the general municipal law relating to proof of eligibility for volunteer firefighter enhanced cancer disability benefits, as proposed in legislative bills numbers S. 4173-A and A. 5957-A, is REPEALED.

§ 4. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019 amending the general municipal law relating to proof of eligibility for volunteer firefighter enhanced

cancer disability benefits, as proposed in legislative bills numbers S. 4173-A and A. 5957-A, takes effect.

SUBPART Q

Section 1. Subsection (k) of section 7902 of the insurance law, as amended by a chapter of the laws of 2019, amending the insurance law relating to expanding the availability of meaningful service contracts to protect New Yorkers leasing automobiles for their personal use from unanticipated "lease-end" charges related to excess use or wear and tear of the leased vehicle, as proposed in legislative bills numbers S. 3631 and A. 268, is amended to read as follows:

(k) "Service contract" means a contract or agreement, for a separate or additional consideration, for a specific duration to perform the repair, replacement or maintenance of property, or indemnification for repair, replacement or maintenance, due to a defect in materials or workmanship or wear and tear, with or without additional provision for indemnity payments for incidental damages, provided any such indemnity payment per incident shall not exceed the purchase price of the property serviced. Service contracts may include towing, rental and emergency road service, and may also provide for the repair, replacement or maintenance of property for damage resulting from power surges and accidental damage from handling. Service contracts may also include contracts to repair, replace or maintain residential appliances and systems. Such term shall also mean a contract or agreement made (1) by or for the manufacturer or seller of a motor vehicle tire for repair or replacement of the tire or wheel as the result of damage arising from a road hazard, (2) by or for the supplier or seller of a service for repair of chips or cracks in a motor vehicle windshield, but not including services that involve the replacement of the entire windshield, and (3) by or for the supplier or seller of a service for repair or removal of dents, dings or creases from a motor vehicle without affecting the existing paint finish using paintless dent repair techniques, but not including services that involve the replacement of vehicle body panels, or sanding, bonding or painting. In conjunction with a motor vehicle leased for personal use, such term shall also mean a contract to perform the repair, replacement or maintenance of property, or to provide indemnification for repair, replacement or maintenance, due to excess wear and use or damage for [~~items such as tires, paint cracks or chips,~~] interior stains, rips or scratches[~~, exterior dents or scratches, windshield cracks or chips,~~] **or** missing interior [~~or exterior~~] parts that result in a lease-end charge not otherwise covered by a service agreement or warranty, provided any such payment shall not exceed the purchase price of the vehicle.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the insurance law relating to expanding the availability of meaningful service contracts to protect New Yorkers leasing automobiles for their personal use from unanticipated "lease-end" charges related to excess use or wear and tear of the leased vehicle, as proposed in legislative bills numbers S. 3631 and A. 268, takes effect.

SUBPART R

Section 1. Sections 770, 771, 772 and 773 of the labor law, as added by a chapter of the laws of 2019, amending the labor law relating to

enacting the "New York call center jobs act", as proposed in legislative bills numbers S. 1826-C and A. 567-C, are amended to read as follows:

§ 770. Definitions. As used in this article:

1. The term "call center" means a facility or other operation whereby employees receive phone calls or other electronic communication for the purpose of providing customer assistance [~~or other service~~].

2. (a) The term "call center employer" means any business entity that employs fifty or more employees, excluding part-time employees; or fifty or more employees that in the aggregate work at least fifteen hundred hours per week, excluding overtime hours, for the purpose of staffing a call center.

(b) The term "part-time employee" means an employee who is employed for an average of fewer than twenty hours per week or who has been employed for fewer than six of the twelve months preceding the date on which notice is required under this article.

(c) The term "tax credit" means any of the following tax credits allowed under the tax law: recovery tax credit, tax-free New York area tax elimination credit, minimum wage reimbursement credit, empire state jobs retention program credit, economic transformation and facility redevelopment program tax credit, excelsior jobs program credit, employee training incentive program tax credit, empire state apprenticeship program tax credit, and employment incentive tax credit.

§ 771. List of relocated call centers. 1. A call center employer that intends to relocate a call center **or more than thirty percent of a call center's employees measured as the employment level of the previous calendar month compared to the average employment level at such site over the previous twelve months,** from New York state to a foreign country [~~or any other state, or reduce call volume handled at call centers in New York state by at least thirty percent, measured as the call volume of the previous calendar month compared to the average monthly call volume of the previous twelve months, and intends to relocate such operations from New York state to a foreign country or any other state,~~] shall notify the commissioner at least [~~one hundred~~] **ninety** days before such relocation.

2. A call center employer that violates subdivision one of this section shall be subject to a civil penalty not to exceed ten thousand dollars for each day of such violation, except that the commissioner may reduce such amount for just cause shown.

3. The commissioner shall compile an annual list of all call center employers that relocate [~~or reduce call volume~~] pursuant to subdivision one of this section, and such list shall be made available to the public and shall prominently display a link to the list on the department's website. **The commissioner shall provide a copy of such list to the commissioner of taxation and finance.**

[~~4. The commissioner shall make the list created pursuant to subdivision three of this section, available to the public and shall prominently display a link to the list on the department's website.~~]

§ 772. Grants, guaranteed loans and tax benefits. 1. Except as provided in subdivision [~~three~~] **four** of this section and notwithstanding any other provision of law, a call center employer that appears on the list described in section seven hundred seventy-one of this article shall be ineligible **to enter into any agreements** for any [~~direct or indirect~~] state grants[~~,~~] **or** state guaranteed loans[~~, tax benefits or other financial governmental support~~] for a period of five years from the date such list is published.

2. Except as provided in subdivision [~~three~~] **four** of this section and notwithstanding any other provision of law, a call center employer that appears on the list described in section seven hundred seventy-one of this article shall remit the unamortized value of any **state** grant or **state** guaranteed loans[~~, or any tax benefits or other governmental support~~] it has previously received [~~in the past five years. The provisions of this subdivision shall apply to grants, loans, tax benefits and financial governmental assistance that is entered into on or after the effective date of this article~~] **for the call center appearing on the list, if the agreement for such grants and loans was entered into after the effective date of this article**. Nothing in this subdivision shall be deemed to prevent the call center employer from receiving any grant to provide training or other employment assistance to individuals who are selected as being in particular need of training or other employment assistance due to the transfer or relocation of the call center employer's facility or operating units.

3. **Except as provided in subdivision four of this section and notwithstanding any other provision of law, a call center employer that appears on the list described in section seven hundred seventy-one of this article shall not be allowed any tax credit described in subdivision (c) of section seven hundred seventy of this article for the five taxable years, excluding short taxable years, immediately succeeding the taxable year in which the call center first appears on such list, if the agreement for such tax credit was entered into after the effective date of this article.**

4. The commissioner, in consultation with the appropriate agency providing a loan [~~or~~]**,** grant[~~,~~] **or tax credit** may waive the requirement provided under subdivision **one,** two **or three** of this section if the call center employer demonstrates that such requirement would:

(a) threaten state or national security;

(b) result in substantial **actual or potential** job loss in the state of New York; or

(c) harm the environment.

If the commissioner waives such requirement, such commissioner shall promptly notify the commissioner of taxation and finance of such waiver.

§ 773. Procurement contracts. The head of each state agency shall **use reasonable best efforts to** ensure that all state-business-related contracts for call center and customer service work be performed by state contractors or other agents or subcontractors entirely within the state of New York. [~~State contractors who currently perform such work outside the state of New York shall have two years following the effective date of this article to comply with this section; provided, that if any such contractors which perform work outside this state adds customer service employees who will perform work on such contracts, those new employees shall immediately be employed within the state of New York, except that businesses subject to a contract agreed to prior to the effective date of this article with terms extending beyond a date greater than two years after the effective date of this article shall be subject to the provisions of this subdivision at the next point in which the contract is subject to renewal~~] **Presence on the list described in section seven hundred seventy-one of this article shall be considered a negative indication of ability to maintain jobs in the state as part of any vendor responsibility analysis**.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the labor law relating

to enacting the "New York call center jobs act", as proposed in legislative bills numbers S. 1826-C and A. 567-C, takes effect.

SUBPART S

Section 1. Subdivision 1 of section 2805-i of the public health law, as amended by section 1 of part HH of chapter 57 of the laws of 2018, paragraph (c) as amended by a chapter of the laws of 2019, amending the public health law and the executive law relating to HIV post-exposure prophylaxis and other health care services for sexual assault victims, as proposed in legislative bills numbers S. 2279-A and A. 1204-A, is amended to read as follows:

1. Every hospital providing treatment to alleged victims of a sexual offense shall be responsible for:

(a) maintaining sexual offense evidence and the chain of custody as provided in subdivision two of this section;

(b) **informing sexual offense victims of the availability of rape crisis and local victim assistance organizations, if any, in the geographic area served by the hospital, and** contacting a rape crisis or **local** victim assistance organization[~~, if any, providing victim assistance to the geographic area served by that hospital~~] to establish the coordination of non-medical services to sexual offense victims who request such coordination and services;

(c) offering and making available appropriate HIV post-exposure treatment therapies; including a [~~full regimen~~] **seven day starter pack** of HIV post-exposure prophylaxis **for a person eighteen years of age or older, or the full regimen of HIV post-exposure prophylaxis for a person less than eighteen years of age**, in cases where it has been determined, in accordance with guidelines issued by the commissioner, that a significant exposure to HIV has occurred**, and informing the victim that payment assistance for such therapies and other crime related expenses may be available from the office of victim services pursuant to the provisions of article twenty-two of the executive law**. With the consent of the victim of a sexual assault, the hospital emergency room department shall provide or arrange for an appointment for medical follow-up related to HIV post-exposure prophylaxis and other care as appropriate[~~, and inform the victim that payment assistance for such care may be available from the office of victim services pursuant to the provisions of article twenty-two of the executive law~~]; and

(d) ensuring sexual assault survivors are not billed for sexual assault forensic exams and are notified orally and in writing of the option to decline to provide private health insurance information and have the office of victim services reimburse the hospital for the exam pursuant to subdivision thirteen of section six hundred thirty-one of the executive law.

§ 2. Subdivision 1 of section 201 of the public health law is amended by adding a new paragraph (x) to read as follows:

(x) produce an annual report analyzing the costs related to the sexual assault examination direct reimbursement program as created under subdivision thirteen of section six hundred thirty-one of the executive law and provide such report to the office of victim services on or before September first of each year. Such report shall be provided to the governor, temporary president of the senate and the speaker of the assembly.

§ 3. Subdivision 13 of section 631 of the executive law, as amended by a chapter of the laws of 2019, amending the public health law and the

executive law relating to HIV post-exposure prophylaxis and other health care services for sexual assault victims, as proposed in legislative bills numbers S. 2279-A and A. 1204-A, is amended to read as follows:

13. **(a)** Notwithstanding any other provision of law, rule, or regulation to the contrary, when any New York state accredited hospital, accredited sexual assault examiner program, or licensed health care provider furnishes services to any sexual assault survivor, including but not limited to a health care forensic examination in accordance with the sex offense evidence collection protocol and standards established by the department of health, such hospital, sexual assault examiner program, or licensed healthcare provider shall provide such services to the person without charge and shall bill the office directly. The office, in consultation with the department of health, shall define the specific services to be covered by the sexual assault forensic exam reimbursement fee, which must include at a minimum forensic examiner services, hospital or healthcare facility services related to the exam, and **any necessary** related laboratory tests [~~and necessary~~] **or** pharmaceuticals; including but not limited to HIV post-exposure prophylaxis provided by a hospital emergency room at the time of the forensic rape examination pursuant to paragraph (c) of subdivision one of section twenty-eight hundred five-i of the public health law. [~~Follow-up~~] **For a person eighteen years of age or older, follow-up** HIV post-exposure prophylaxis costs shall **continue to** be [~~billed by the health care provider to the office directly and~~] reimbursed [~~by the~~] **according to established** office [~~directly~~] **procedure**. The office, in consultation with the department of health, shall also generate the necessary regulations and forms for the direct reimbursement procedure.

(b) The rate for reimbursement shall be the amount of itemized charges**, to be reimbursed at the Medicaid rate and which shall cumulatively** not [~~exceeding~~] **exceed (1)** eight hundred dollars[~~, provided, however, the office shall, in consultation~~] **for an exam of a sexual assault survivor where no sexual offense evidence collection kit is used; (2) one thousand two hundred dollars for an exam of a sexual assault survivor where a sexual offense evidence collection kit is used; (3) one thousand five hundred dollars for an exam of a sexual assault survivor who is eighteen years of age or older, with or without the use of a sexual offense evidence collection kit, and with the provision of a necessary HIV post-exposure prophylaxis seven day starter pack; and (4) two thousand five hundred dollars for an exam of a sexual assault survivor who is less than eighteen years of age, with or without the use of a sexual offense evidence collection kit, and with the provision of the full regimen of necessary HIV post-exposure prophylaxis** [~~with the department of health, annually review and determine if a higher rate for reimbursement for itemized charges exceeding eight hundred dollars is feasible and appropriate based on the actual cost of reimbursable expenses, and adjust such rate for reimbursement accordingly~~]. The hospital, sexual assault examiner program, or licensed health care provider must accept this fee as payment in full for these specified services. No additional billing of the survivor for said services is permissible. A sexual assault survivor may voluntarily assign any private insurance benefits to which she or he is entitled for the healthcare forensic examination, in which case the hospital or healthcare provider may not charge the office; provided, however, in the event the sexual assault survivor assigns any private health insurance benefit, such coverage shall not be subject to annual deductibles or coinsurance or balance billing by the hospital, sexual assault examiner

program or licensed health care provider. A hospital, sexual assault examiner program or licensed health care provider shall, at the time of the initial visit, request assignment of any private health insurance benefits to which the sexual assault survivor is entitled on a form prescribed by the office; provided, however, such sexual assault survivor shall be advised orally and in writing that he or she may decline to provide such information regarding private health insurance benefits if he or she believes that the provision of such information would substantially interfere with his or her personal privacy or safety and in such event, the sexual assault forensic exam fee shall be paid by the office. Such sexual assault survivor shall also be advised that providing such information may provide additional resources to pay for services to other sexual assault victims. **Such sexual assault survivor shall also be advised that the direct reimbursement program established by this subdivision does not automatically make them eligible for any other compensation benefits available from the office including, but not limited to, reimbursement for mental health counseling expenses, relocation expenses, and loss of earnings, and that such compensation benefits may only be made available to them should the sexual assault survivor or other person eligible to file pursuant to section six hundred twenty-four of this article, file a compensation application with the office.** If he or she declines to provide such health insurance information, he or she shall indicate such decision on the form provided by the hospital, sexual assault examiner program or licensed health care provider, which form shall be prescribed by the office.

§ 4. Section 3 of a chapter of the laws of 2019, amending the public health law and the executive law relating to HIV post-exposure prophylaxis and other health care services for sexual assault victims, as proposed in legislative bills numbers S. 2279-A and A. 1204-A, is amended to read as follows:

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law **and apply to all claims filed on or after such date**; provided that effective immediately, the commissioner of health and the director of the office of victim services shall make regulations and take other action necessary to implement this act on such date.

§ 5. This act shall take effect immediately, provided, however, that sections one, two and three of this act take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the public health law and the executive law relating to HIV post-exposure prophylaxis and other health care services for sexual assault victims, as proposed in legislative bills numbers S. 2279-A and A. 1204-A, takes effect.

SUBPART T

Section 1. Section 1 of a chapter of the laws of 2019 amending the tax law and the state finance law relating to gifts for the support of the New York state council on the arts, as proposed in legislative bills numbers S. 3570 and A. 7994, is amended to read as follows:

Section 1. [~~The legislature hereby finds and determines that, due to severe budgetary constraints, the amount of state funds available for the support of the New York state council on the arts has been sharply diminished over the past few years. This decrease in support has had a devastating effect upon many of New York's cultural institutions, as well as many related or dependent businesses and employees. Accordingly,~~

~~the~~] **The** legislature hereby finds and determines that taxpayers of the state of New York should have the opportunity to use the New York state personal income tax form as a mechanism for making voluntary contributions for the support of the New York state council on the arts. It is the intent of the legislature that any funds so contributed shall supplement and not offset or diminish in any way the amount of funds made available to the New York state council on the arts pursuant to annual budget appropriations.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019 amending the tax law and the state finance law relating to gifts for the support of the New York state council on the arts, as proposed in legislative bills numbers S. 3570 and A. 7994, takes effect.

SUBPART U

Section 1. Section 209-M of the tax law, as added by a chapter of the laws of 2019, amending the tax law and the state finance law relating to establishing a gift for home delivered meals for seniors on the business franchise and personal income tax forms and establishing the senior wellness in nutrition fund, as proposed in legislative bills numbers S.5987 and A.4632, is amended to read as follows:

§ 209-M. Gift for home delivered meals for seniors. Effective for any tax year commencing on or after January first, two thousand nineteen, a taxpayer in any taxable year may elect to contribute to the support of the senior wellness in nutrition fund for the purpose of providing home delivered meals to seniors. Such contribution shall be in any whole dollar amount and shall not reduce the amount of state tax owed by such taxpayer. The commissioner shall include space on the business franchise income tax return, entitled "[~~Meals on Wheels~~] **Home Delivered Meals** for Seniors", to enable a taxpayer to make such contribution. Notwithstanding any other provision of law, all revenues collected pursuant to this section shall be credited to the senior wellness in nutrition fund and shall only be used for those purposes enumerated in section ninety-one-g of the state finance law.

§ 2. Section 626-a of the tax law, as added by a chapter of the laws of 2019, amending the tax law and the state finance law relating to establishing a gift for home delivered meals for seniors on the business franchise and personal income tax forms and establishing the senior wellness in nutrition fund, as proposed in legislative bills numbers S.5987 and A.4632, is amended to read as follows:

§ 626-a. Gift for home delivered meals for seniors. Effective for any tax year commencing on or after January first, two thousand nineteen, an individual in any taxable year may elect to contribute to the support of the senior wellness in nutrition fund for the purpose of providing home delivered meals to seniors. Such contribution shall be in any whole dollar amount and shall not reduce the amount of state tax owed by such individual. The commissioner shall include space on the personal income tax return, entitled "[~~Meals on Wheels~~] **Home Delivered Meals** for Seniors", to enable a taxpayer to make such contribution. Notwithstanding any other provision of law, all revenues collected pursuant to this section shall be credited to the senior wellness in nutrition fund and used only for the purposes enumerated in section ninety-one-g of the state finance law.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the tax law and the

state finance law relating to establishing a gift for home delivered meals for seniors on the business franchise and personal income tax forms and establishing the senior wellness in nutrition fund, as proposed in legislative bills numbers S.5987 and A.4632, takes effect.

SUBPART V

Section 1. Subdivision 20 of section 470 of the tax law, as amended by a chapter of the laws of 2019, amending the tax law relating to research tobacco products, as proposed in legislative bills numbers S.5300 and A.7351, is amended to read as follows:

20. "Research tobacco product." [~~Anything that would otherwise be defined as a tobacco product or cigarette shall not be defined as a tobacco product or cigarette if it is made by a manufacturer specifically for an accredited college or university, to be held by the college or university until sale or transfer to a laboratory, hospital, medical center, institute, college or university, or other institution~~] **A tobacco product or cigarette that is labeled as a research tobacco product, manufactured for use in research** for health, scientific, or [~~other research or~~] **similar** experimental purposes[~~. A research tobacco product shall carry a marking designating it as such and indicating it shall only be used for health, scientific, or other research or experimental purposes and not be~~], **is exclusively used for such purposes by an accredited college, university or hospital, or a researcher affiliated with an accredited college, university or hospital, and is not** offered for sale[~~,~~] **or** sold[~~, or distributed~~] to consumers [~~except as part of the health, scientific, or other research or experimental~~] **for any** purpose.

§ 2. Section 474 of the tax law is amended by adding a new subdivision 5 to read as follows:

5. Every accredited college, university or hospital that receives research tobacco products as defined in subdivision twenty of section four hundred seventy of this article shall, in good faith, file an annual information return on or before the last day of January reporting all research tobacco products received by such college, university or hospital or its affiliated researcher within the preceding calendar year. Such return shall be in the form and shall include such information as the commissioner prescribes by regulation. Any person required to file an information return by this subdivision who willfully fails to timely file such return or willfully fails to provide any material information required to be reported on such return may be subject to a penalty of up to one thousand dollars.

§ 3. Subdivisions 1 and 19 of section 11-1301 of the administrative code of the city of New York, subdivision 1 as amended and subdivision 19 as added by local law number 145 of the city of New York for the year 2017, are amended and a new subdivision 21 is added to read as follows:

1. "Cigarette." Any roll for smoking made wholly or in part of tobacco or any other substance, irrespective of size or shape and whether or not such tobacco or substance is flavored, adulterated or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material but is not made in whole or in part of tobacco. **"Cigarette" shall not include a research tobacco product.**

19. "Tobacco product." Any product which contains tobacco that is intended for human consumption, including any component, part, or accessory of such product. Tobacco product shall include, but not be limited to, any cigar, little cigar, chewing tobacco, pipe tobacco, roll-your-

own tobacco, snus, bidi, snuff, shisha, or dissolvable tobacco product. Tobacco product shall not include cigarettes or any product that has been approved by the United States food and drug administration for sale as a tobacco use cessation product or for other medical purposes and that is being marketed and sold solely for such purposes. **"Tobacco products" shall not include research tobacco products.**

21. "Research tobacco product." A tobacco product or cigarette that is labeled as a research tobacco product, is manufactured for use in research for health, scientific, or similar experimental purposes, is exclusively used for such purposes by an accredited college, university or hospital, or a researcher affiliated with an accredited college, university or hospital, and is not offered for sale or sold to consumers for any purpose.

§ 4. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019 amending the tax law relating to research tobacco products, as proposed in legislative bills numbers S.5300 and A.7351, takes effect.

SUBPART W

Section 1. Paragraphs h and j of subdivision 1 of section 101-aaa of the alcoholic beverage control law, as added by a chapter of the laws of 2019, amending the alcoholic beverage control law relating to authorizing retail licenses to purchase beer, wine or liquor with a business payment card, as proposed in legislative bills numbers S. 4241-A and A. 6701-A, are amended to read as follows:

h. "Business payment card" means**: (1)** any credit card issued to a retail licensee for business or commercial use pursuant to an agreement that allows the holder thereof to obtain goods and services on the credit of the issuer or a debit card that provides access to a bank account of a retail licensee**; (2) a credit or debit card from an issuer accepted by the manufacturer or wholesaler as permitted by the authority in regulation; and (3) such credit card shall not include cards in which a manufacturer or wholesaler has a financial interest or cards by which their use benefits a manufacturer or wholesaler**. Such card must be issued in the same name as a retail licensee and registered to the same address as the address on the retail license, or as otherwise permitted by the authority in regulation.

j. "Final business payment card invoice amount" means the amount charged by a manufacturer or wholesaler to a retail licensee pursuant to paragraph (c) of subdivision two of this section; and shall equal the final cash invoice amount plus [~~**remuneration for surcharges and fees incurred by a manufacturer or wholesaler as a result of such a transaction, which shall be calculated by multiplying the final cash invoice amount by a rate determined annually by the authority**~~] **three percent of the final cash invoice amount. The three percent represents the surcharges and fees that are charged to the manufacturer or wholesaler by the business payment card issuer or a person or entity associated with the issuer**.

§ 2. Subdivision 2-a of section 101-aaa of the alcoholic beverage control law, as added by a chapter of the laws of 2019, amending the alcoholic beverage control law relating to authorizing retail licenses to purchase beer, wine or liquor with a business payment card, as proposed in legislative bills numbers S. 4241-A and A. 6701-A, is amended and a new subdivision 2-b is added to read as follows:

2-a. A manufacturer or wholesaler that accepts business payment cards shall clearly state the final cash invoice amount and the final business payment card invoice amount on an invoice provided to a retail licensee. Nothing in this section shall preclude, or permit a manufacturer or wholesaler to [~~preclude~~] **prevent**, a retail licensee that receives such an invoice from electing to use any **other form of** payment method permitted pursuant to subdivision two of this section following receipt of such invoice.

2-b. Nothing herein contained shall be construed to require any manufacturer or wholesaler to accept business payment cards as a method of payment by any retail licensee, provided that if such payment method is made available it shall be available on equal terms to all retail licensees.

§ 3. Subdivision 2 of section 55-b of the alcoholic beverage control law, as amended by a chapter of the laws of 2019, amending the alcoholic beverage control law relating to authorizing retail licenses to purchase beer, wine or liquor with a business payment card, as proposed in legislative bills numbers S. 4241-A and A. 6701-A, is amended to read as follows:

2. No brewer or beer wholesaler may increase the price per case, draft package or special package of beer sold to beer wholesalers or retail licensees until at least one hundred eighty days have elapsed since his last price decrease on such case, draft package or special package, provided, however, that the brewer or beer wholesaler may increase any price established by him at any time in the amount of any direct tax increase on beer or [~~in the amount necessary~~] **three percent of the final cash invoice amount** to reasonably remunerate such wholesaler for surcharges and fees incurred for business payment card payments, as [~~determined by the authority pursuant to~~] **provided for by** paragraph j of subdivision one of section one hundred one-aaa of this chapter, or on containers thereof, actually paid by such brewer or beer wholesaler, and provided further, however, that if a brewer or beer wholesaler has increased his price to beer wholesalers at any time pursuant to the provisions hereof, the beer wholesaler may increase the price established by him on such package in an amount equal to the direct price increase to the beer wholesaler. The price per case, draft package or special package of beer sold to beer wholesalers or retail licensees on the first day of the month following the effective date of this act shall be deemed the base price, to or from which price increases or decreases may be made in accordance with the provisions of this section.

§ 4. Paragraphs g, h, and i of subdivision 1 of section 101-aa of the alcoholic beverage control law, as added by a chapter of the laws of 2019 amending the alcoholic beverage control law relating to authorizing retail licenses to purchase beer, wine or liquor with a business payment card, as proposed in legislative bills numbers S.4241-A and A.6701-A, are REPEALED.

§ 5. Subdivision 2 of section 101-aa of the alcoholic beverage control law, as amended by a chapter of the laws of 2019 amending the alcoholic beverage control law relating to authorizing retail licenses to purchase beer, wine or liquor with a business payment card, as proposed in legislative bills numbers S.4241-A and A.6701-A, is amended to read as follows:

2. No manufacturer or wholesaler licensed under this chapter shall sell or deliver any liquor or wine to any retail licensee except as provided for in this section:

(a) for cash to be paid at the time of delivery; **or**

(b) on terms requiring payment by such retail licensee for such alcoholic beverages on or before the final payment date of the credit period for which delivery is made[~~; or~~

~~(c) by business payment card; provided that a manufacturer or wholesaler that exercises reasonable diligence to ensure the sale comports with the requirements of this section shall not be found to have violated this subdivision where a retail licensee uses a credit card other than a business payment card~~].

§ 6. Subdivision 2-a of section 101-aa of the alcoholic beverage control law, as added by a chapter of the laws of 2019 amending the alcoholic beverage control law relating to authorizing retail licenses to purchase beer, wine or liquor with a business payment card, as proposed in legislative bills numbers S.4241-A and A.6701-A, is REPEALED.

§ 7. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the alcoholic beverage control law relating to authorizing retail licenses to purchase beer, wine or liquor with a business payment card, as proposed in legislative bills numbers S. 4241-A and A. 6701-A, takes effect.

SUBPART X

Section 1. Section 24-b of the tax law, as added by a chapter of the laws of 2019, amending the tax law relating to a television writers' and directors' fees and salaries credit, as proposed in legislative bills numbers S. 5864-A and A. 6683-B, is amended to read as follows:

§ 24-b. Television writers' and directors' fees and salaries credit. (a)(1) A taxpayer which is a qualified film production company, or a qualified independent film production company, or which is a sole proprietor of or a member of a partnership which is a qualified film production company or a qualified independent film production company, and which is subject to tax under articles nine-A or twenty-two of this chapter, shall be allowed a credit against such tax, pursuant to the provisions referenced in subdivision (c) of this section, to be computed as hereinafter provided.

(2) The amount of the credit shall be the product (or pro rata share of the product, in the case of a member of a partnership) of thirty percent and the qualified television writers' and directors' fees and salaries costs paid or incurred in the production of a qualified film, provided that: (i) the credit amount shall not exceed fifty thousand dollars for qualified television writers' and directors' fees and salaries claimed for such expenses incurred for the employment of any one specific writer or director for the production of a single television pilot or a single episode of a television series, and (ii) the credit amount shall not exceed one hundred fifty thousand dollars for qualified television writers' and directors' fees and salaries claimed for such expenses incurred for the employment of any one specific writer or director. **In addition, under no circumstances shall the credit amount include fees or salaries for more than one director per episode.** The credit shall be allowed for the taxable year in which the production of such qualified film is completed.

(3) No qualified television writers' and directors' fees and salaries used by a taxpayer either as the basis for the allowance of the credit provided for pursuant to this section or used in the calculation of the credit provided pursuant to this section shall be used by such taxpayer to claim any other credit allowed pursuant to this chapter.

(b) Definitions. As used in this section, the following terms shall have the following meanings:

(1) "Qualified film production company" is a corporation, partnership, limited partnership, or other entity or individual **whose project is conditionally eligible to receive a tax credit under section twenty-four of this article** which or who is principally engaged in the production of a qualified film and controls the qualified film during production.

(2) "Qualified independent film production company" is a corporation, partnership, limited partnership, or other entity or individual **whose project is conditionally eligible to receive a tax credit under section twenty-four of this article**, that or who (i) is principally engaged in the production of a qualified film with a maximum budget of fifteen million dollars, (ii) controls the qualified film during production, and (iii) either is not a publicly traded entity, or no more than five percent of the beneficial ownership of which is owned, directly or indirectly, by a publicly traded entity.

(3) "Qualified film" means a television film, television pilot and/or each episode of a television series, regardless of the medium by means of which the film, pilot or episode is created or conveyed.

(4) "Qualified television writers' and directors' fees and salaries" means[~~: (i)~~] salaries or fees paid to a writer or director who receives an on-air credit[~~; (ii) for a non-credited writer, up to seventy-five thousand dollars in salaries or fees per series of episodes. Provided~~]**, provided** that in each case, such writer or director is a minority group member, as defined in subdivision eight of section three hundred ten of the executive law, or a woman, and provided, further, that salaries or fees paid to any writer or director who is a profit participant in the qualified film shall not be eligible. **Such fees shall not include relocation fees or hotel costs and per diems. In addition, such fees shall not include salaries or fees paid to writers or directors for work done on episodes of television series that were deemed conditionally eligible for the tax credit under section twenty-four of this article prior to the tax year for which the credit is first available.**

(5) "Writer" means a person who is[~~: (i)~~] engaged by a qualified film production company or a qualified independent film production company to write [~~literary material (including making changes or revisions in literary material), when the company has the right by contract to direct the performance of personal services in writing or preparing such material or in making revisions, modifications or changes therein; or (ii) engaged by the company and who performs services (at the company's direction or with its consent) in writing or preparing such literary material or making revisions, modifications, or changes in such material;~~] **television scripts, outlines, rewrites, stories, or teleplays for television series** and [~~(iii)~~] who reports to work regularly in a writers room located in the state. **For the purposes of this definition, "writer" shall not include showrunners or executive producers.**

(6) [~~"Literary material" shall be deemed to include stories, adaptations, treatments, original treatments, scenarios, continuities, teleplays, screenplays, dialogue, scripts, sketches, plots, outlines, narrative synopses, routines, narrations, and formats.~~

~~(7)~~] "Writers room" means a room or physical location **in the state** where writers employed by a qualified film production company or qualified independent film production company write [~~or revise literary materials~~] **television scripts, outlines, rewrites, stories, or teleplays for television series** utilized in a qualified film**. A writers room is**

located in the state only if it is in use in the state at least eighty percent of the time it is in existence.

[~~(8)~~] (7) "Director" means an individual employed or retained to direct the production, as the word "direct" is commonly used in the motion picture industry, [~~and~~] who would be classified as a director under the basic agreement in place between the Association of Motion Picture and Television Producers and the Director's Guild of America and who [~~is a resident of New York~~] must meet the minimum criteria for work on qualified productions in New York state as established by the commissioner of economic development by regulation.

[~~(9)~~] (8) "Profit participant" is an individual who has negotiated for a percentage of profits generated by a qualified film. Profit participation does not include monies contractually required by collectively bargained agreements for reuse of a qualified film on different platforms over time.

(c) Cross-references. For application of the credit provided for in this section, see the following provisions of this chapter:

(1) article 9-A: section 210-B: subdivision 54.

(2) article 22: section 606: subsection (v).

(d) Notwithstanding any provision of this chapter, (1) employees and officers of the department of economic development and the department shall be allowed and are directed to share and exchange information regarding the credits applied for, allowed, or claimed pursuant to this section and taxpayers who are applying for credits or who are claiming credits, including information contained in or derived from credit claim forms submitted to the department and applications for certification submitted to the department of economic development, and (2) the commissioner and the commissioner of the department of economic development may release the names and addresses of any taxpayer claiming this credit and the amount of the credit earned by the taxpayer. Provided, however, if a taxpayer claims this credit because it is a member of a limited liability company or a partner in a partnership, only the amount of credit earned by the entity and not the amount of credit claimed by the taxpayer may be released.

(e) Maximum amount of credits. (1) The aggregate amount of tax credits allowed under this section, subdivision fifty-four of section two hundred ten-B and subsection (v) of section six hundred six of this chapter in any calendar year shall be five million dollars. Such aggregate amount of credits shall be allocated by the department of economic development among taxpayers in order of priority based upon the date of filing an application for allocation of television writers' and directors' fees and salaries credit with such department. If the total amount of allocated credits applied for in any particular year exceeds the aggregate amount of tax credits allowed for such year under this section, such excess shall be treated as having been applied for on the first day of the subsequent year.

(2) The commissioner of economic development, after consulting with the commissioner, shall promulgate regulations [~~by October thirty-first, two thousand nineteen~~] to establish procedures for the allocation of tax credits as required by subdivision (a) of this section. Such rules and regulations shall include provisions describing the application process, the due dates for such applications, the standards which shall be used to evaluate the applications, the documentation that will be provided to taxpayers to substantiate to the department the amount of tax credits allocated to such taxpayers, and such other provisions as deemed necessary and appropriate. Notwithstanding any other provisions to the

contrary in the state administrative procedure act, such rules and regulations may be adopted on an emergency basis [~~if necessary to meet such October thirty-first, two thousand nineteen deadline~~].

(f) The department of economic development shall submit to the governor, the temporary president of the senate, and the speaker of the assembly, an annual report to be submitted on February first of each year evaluating the effectiveness of the television writers' and directors' fees and salaries tax credit provided by this section in stimulating the growth of diversity in the film industry in the state. Such report shall include, but need not be limited to, the number of qualified film production companies and/or qualified independent film production companies which received a television writers' and directors' fees and salaries credit, the credit amounts claimed by each qualified film production company and/or qualified independent film production company, as well as the impact on employment and the economy of the state. Such report shall be based on data available from the application filed with the department of economic development for allocation of television writers' and directors' fees and salaries credits. Notwithstanding any provision of law to the contrary, the information contained in the report shall be public information. The report may also include any recommendations of changes in the calculation or administration of the credit, and any other recommendation of the commissioner of the department of economic development regarding continuing modification, repeal of such act, and such other information regarding the act as the commissioner of the department of economic development may feel useful and appropriate.

§ 2. Section 6 of a chapter of the laws of 2019, amending the tax law relating to a television writers' and directors' fees and salaries credit, as proposed in legislative bills numbers S. 5864-A and A. 6683-B, is amended to read as follows:

§ 6. **Study of the underutilization of minority and women screenwriters and directors. 1. Study. Subject to an appropriation which shall provide sufficient funding necessary to complete such study, the department of economic development shall select, through the request for proposal process, an entity independent of such department which shall serve as such department's designee for the purpose of conducting a study to investigate the statistical significance of the underutilization of minority and women screenwriters and directors. Such study shall conduct or provide for an examination of, but not be limited to, a comparison of available minority and women screenwriters and directors against the share of screenwriting and directing work such groups receive on projects in New York state to demonstrate the statistically significant underutilization of that population.**

2. Report. (a) Upon the completion of the study conducted pursuant to subdivision one of this section, the department of economic development shall deliver a report of the findings of such study to the governor, the temporary president of the senate, and the speaker of the assembly and post the study on the website of the department of economic development. (b) If the department of economic development determines that the study has found statistically significant evidence of the underutilization of minority and women screenwriters and directors against the share of screenwriting and directing work such groups receive on projects in the state, then the department of economic development shall so notify the governor, the temporary president of the senate, the speaker of the assembly, the commissioner of taxation and finance and the legislative bill drafting commission.

3. Powers. All other departments or agencies of the state or subdivisions thereof, and local governments shall, at the request of the department of economic development or its designee chosen pursuant to subdivision one of this section, provide expertise, assistance, and/or data that are relevant or material to the completion of the study directed to be completed by subdivision one of this section and the report directed to be completed by subdivision two of this section. The department of economic development, or its designee, shall also be authorized to obtain relevant information from any recognized entities representing the television industry or segments thereof towards the completion of such study.

§ 7. This act shall take effect immediately, [~~and shall apply to taxable years beginning on or after January 1, 2020~~] **provided, however, that the provisions of sections one, two, three, four, and five of this act shall take effect on the first of January next succeeding the date the department of economic development provides notice to the legislative bill drafting commission of a determination pursuant to paragraph (b) of subdivision two of section six of this act and shall apply to taxable years on and after such date; provided that the department of economic development shall notify the legislative bill drafting commission upon the occurrence of the submission of the report provided for in paragraph (b) of subdivision two of section six of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.**

§ 3. This act shall take effect immediately; provided, however that section one of this act and section 6 of a chapter of the laws of 2019, amending the tax law relating to a television writers' and directors' fees and salaries credit, as proposed in legislative bills numbers S. 5864-A and A. 6683-B, as amended by section two of this act shall take effect on the same date and in the same manner as such chapter of the laws of 2019, takes effect.

SUBPART Y

Section 1. A chapter of the laws of 2019, amending the labor law relating to ensuring that utility employees receive the prevailing wage, as proposed in legislative bills numbers S. 6265-A and A. 8083-A, is REPEALED.

§ 2. The public service law is amended by adding a new section 42-a to read as follows:

§ 42-a. Payment of wages to workers; certain cases. 1. The legislature hereby finds that the protection of critical infrastructure is furthered by the enhanced training, experience and expertise of workers in all positions at such facilities. Given that the state of New York, due to its representation as a beacon of liberty, diversity and equality, and its history of being the target of terrorist attacks, will always be a target for those who wish to do this country and this state harm, New York has a fundamental obligation to harden its infrastructure against any such threats or activity. In hardening the infrastructure there is no greater asset than the human capital that serve at the front lines of the effort to thwart terrorist attacks. The electric and steam generat-

ing facilities in the state, when active, provide a target that requires the hardening not only of the physical infrastructure but the human infrastructure as well. Turnover in such positions, for the service workers who provide cleaning, security and maintenance services at such active generating facilities will decrease if the workers are paid increased wages. The reduction of turnover will allow for the more developed and trained workforce to continue to provide the measure of safety and security the state requires. Given that important state interest, it is therefore found and declared that the workers at such facilities shall be trained to ensure their ability to meet the security needs of the facilities that they work upon. It is further found and declared that the reduction of turnover may be accomplished by the payment of rates of pay in line with those prevailing in such trade or occupation, as otherwise defined.

2. The wages paid, and benefits provided, to building service employees who are employed at a work location that is an active major electric or steam generating facility, or at a transmission or distribution facility considered critical infrastructure as determined by the division of homeland security and emergency services in consultation with the department, shall be subject to article nine of the labor law. For purposes of this section "major electric generating facility" means an electric generating facility with a nameplate generating capacity of twenty-five thousand kilowatts or more, including interconnection electric transmission lines and fuel gas transmission lines, and "major steam generating facility" means a steam generating facility with a generating capacity to be determined by the department.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the labor law relating to ensuring that utility employees receive the prevailing wage, as proposed in legislative bills numbers S. 6265-A and A. 8083-A, takes effect, provided, however, that section two of this act shall take effect on the one hundred eightieth day after it shall have become a law.

SUBPART Z

Section 1. Paragraph (b) of subdivision 2 of section 280-b of the real property law, as added by a chapter of the laws of 2019, amending the real property law relating to regulation of reverse mortgages issued under the federal home equity conversion mortgage for seniors program, as proposed in legislative bills numbers S. 4407 and A. 5626, is amended to read as follows:

(b) use the words "government insured" or other similar language [~~representing~~] in a manner that falsely represents that reverse mortgage loans are insured, supported and sponsored by any governmental entity in any commercial, mailing, advertisement or writing relating thereto; or

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the real property law relating to regulation of reverse mortgages issued under the federal home equity conversion mortgage for seniors program, as proposed in legislative bills numbers S. 4407 and A. 5626, takes effect.

SUBPART AA

Section 1. Title 9 of article 37 of the environmental conservation law, as added by a chapter of the laws of 2019 amending the environ-

mental conservation law relating to regulation of toxic chemicals in children's products, as proposed in legislative bills numbers S. 501-B and A. 6296-A, is amended to read as follows:

TITLE IX

TOXIC CHEMICALS IN CHILDREN'S PRODUCTS

Section 37-0901. Definitions.

37-0903. [~~Consumer notice~~] Applicability.

37-0905. Chemicals of concern and high-priority chemicals.

[~~37-0905.~~] 37-0907. Reporting on the use of chemicals.

[~~37-0907.~~] 37-0909. Sales prohibition.

[~~37-0909. Applicability.~~] 37-0911. Children's product safety council; established.

[~~37-0911. Enforcement and implementation~~] 37-0913. Notice to retailers and the public.

[~~37-0913. Regulations~~] 37-0915. Enforcement and implementation.

37-0917. Regulations.

§ 37-0901. Definitions.

As used in this title, unless the context otherwise indicates, the following terms have the following meanings.

1. "Children's apparel" means any item of clothing that consists of fabric or related material intended or promoted for use in children's clothing. Children's apparel does not mean protective equipment designed to prevent injury, including, but not limited to, bicycle helmets, athletic supporters, knee pads or elbow pads.

2. "Chemical" means a substance with a distinct molecular composition or a group of structurally related substances and includes the breakdown products of the substance or substances that form through decomposition, degradation or metabolism.

3. "[~~Chemicals~~] Chemical of concern" [~~means:~~

~~(a) 1,1,2,2-Tetrachloroethane (CAS 79-34-5)~~

~~(a-1) 1,2-Dibromoethane (CAS 106-93-4)~~

~~(a-2) 1,1,3,3-Tetramethyl-4-butylphenol; 4-tert-octylphenol (CAS 140-66-9)~~

~~(a-3) (1,1,3,3 - Tetramethylbutyl) Phenol; Octylphenol (CAS 27193-28-8)~~

~~(a-4) 1,3-Butadiene (CAS 106-99-0)~~

~~(b) 1,4-Dioxane (CAS 123-91-1)~~

~~(c) 2,2',3,3',4,4',5,5',6,6'-Decabromodiphenyl ether; BDE-209 (CAS 1163-19-5)~~

~~(d) 2,4-Diaminotoluene (CAS 95-80-7)~~

~~(d-1) 2,4-Dihydroxybenzophenone; resbenzophenone (CAS 131-56-6)~~

~~(e) 2-Aminotoluene (CAS 95-53-4)~~

~~(f) 2-Ethylhexanoic acid (CAS 149-57-5)~~

~~(f-1) 2-Ethyl-hexyl-2, 3, 4, 5 tetrabromobenzoate (TBB) (CAS 183658-27-7)~~

~~(g) 2-Ethyl-hexyl-4-methoxycinnamate (CAS 5466-77-3)~~

~~(g-1) 2-Napthylamine (CAS 91-59-8)~~

~~(h) 2-Methoxyethanol (CAS 109-86-4)~~

~~(i) 3,3'-Dimethylbenzidine and dyes metabolized to 3,3'-Dimethylbenzidine (CAS 119-93-7)~~

~~(i-1) 4-Hydroxybiphenol (CAS 92-69-3)~~

~~(j) 4-Nonylphenol; 4-NP and its isomer mixtures including CAS 84852-15-3 and CAS 25154-52-3 (CAS 104-40-5)~~

~~(j-1) 4,4-methylenebis(2-chloroaniline) (CAS 101-14-4)~~

~~(k) 4-Tert-octylphenol; 1,1,3,3-Tetramethyl-4-butylphenol (CAS 140-66-9)~~

~~(l) Acetaldehyde (CAS 75-07-0)~~
~~(m) Acrylonitrile (CAS 107-13-1)~~
~~(n) Aniline (CAS 62-53-3)~~
~~(o) Antimony & antimony compounds (CAS 7440-36-0)~~
~~(p) Arsenic & arsenic compounds (CAS 7440-38-2) including arsenic trioxide & dimethyl arsenic (CAS 75-60-5)~~
~~(q) Asbestos (CAS 1332-21-4)~~
~~(r) Benzene (CAS 71-43-2)~~
~~(s) Benzene, pentachloro (CAS 608-93-5)~~
~~(s-1) Benzidine and its salts (CAS 92-87-5)~~
~~(t) Benzophenone-2 (BP-2); 2,2',4,4'-tetrahydroxybenzophenone (CAS 131-55-5)~~
~~(t-1) Bis(2-ethylhexyl) tetrabromophtalate (TBPH) (CAS 26040-51-7)~~
~~(t-2) Bis(chloromethyl) propane-1-3-diyltetrakis-(2-chloroethyl) bis(phosphate)(V6)(CAS 38051-10-4)~~
~~(u) Bisphenol A (CAS 80-05-7)~~
~~(u-1) Bisphenol F (CAS 620-92-8)~~
~~(u-2) Bisphenol S (CAS 80-09-1)~~
~~(v) Butyl benzyl phthalate (BBP) (CAS 85-68-7)~~
~~(w) Butyl paraben (CAS 94-28-6)~~
~~(x) Butylated Hydroxyanisole; (BHA) (CAS 25013-16-5)~~
~~(y) C.I. solvent yellow 14 (CAS 842-07-9)~~
~~(z) Cadmium & cadmium compounds (CAS 7440-43-9)~~
~~(aa) Carbon disulfide (CAS 75-15-0)~~
~~(aa-1) Chlorinated paraffins (CAS 108171-26-2)~~
~~(bb) Cobalt & cobalt compounds (CAS 7440-48-4)~~
~~(bb-1) Decabromodiphenyl ethane (DBPE) (CAS 84852-53-9)~~
~~(bb-2) Decabromodiphenyl ether (CAS 163-19-5)~~
~~(cc) Di-2-ethylhexyl phthalate (CAS 117-81-7)~~
~~(cc-1) Di-(2-methoxyethyl) phthalate (DMEP) (CAS 117-82-8)~~
~~(dd) Dibutyl phthalate (CAS 84-74-2)~~
~~(dd-1) Dicyclohexyl phthalate (DCHP) (CAS 84-61-7)~~
~~(ee) Diethyl phthalate (CAS 84-66-2)~~
~~(ee-1) Diisobutyl phthalate (DIBP) (CAS 84-69-5)~~
~~(ff) Diisodecyl phthalate (DIDP) (CAS 26761-40-0)~~
~~(gg) Diisononyl phthalate (DINP) (CAS 28553-12-0)~~
~~(hh) Di-n-hexyl phthalate (CAS 84-75-3)~~
~~(ii) Di-n-octyl phthalate (DNOP) (CAS 117-84-0)~~
~~(ii-1) Dipentyl phthalate (DPP) (CAS 131-18-0)~~
~~(ii-2) Epichlorohydrin (CAS 106-98-9)~~
~~(jj) Estragole (CAS 140-67-0)~~
~~(kk) Ethyl paraben (CAS 120-47-8)~~
~~(ll) Ethylbenzene (CAS 100-41-4)~~
~~(mm) Ethylene glycol (CAS 107-21-1)~~
~~(nn) Ethylene glycol monoethyl ester (CAS 110-80-5)~~
~~(nn-1) Ethyl hexyl d-phenol phosphate (EHDPP) (CAS 1241-94-7)~~
~~(oo) Formaldehyde (CAS 50-0-0)~~
~~(pp) Hexabromocyclododecane (HBCD) (CAS 25637-99-4)~~
~~(qq) Hexachlorobenzene (CAS 118-74-1)~~
~~(rr) Hexachlorobutadiene (CAS 87-68-3)~~
~~(rr-1) Isopropylated triphenyl phosphate (IPTPP) (CAS 68437-41-7)~~
~~(ss) Lead & lead compounds (CAS 7439-92-1)~~
~~(tt) Mercury & mercury compounds (CAS 7439-97-6) including methyl mercury (CAS 22967-92-6)~~
~~(uu) Methyl ethyl ketone (CAS 78-93-3)~~
~~(vv) Methyl paraben (CAS 99-76-3)~~

~~(ww) Methylene chloride (CAS 75-09-2)~~
~~(ww-1) Methyl tert-butyl ether (MTBE) (CAS 1634-04-4)~~
~~(xx) Molybdenum & molybdenum compounds (CAS 7439-98-7)~~
~~(xx-1) Mono-n-butylphthalate (CAS 131-70-4)~~
~~(yy) N-methylpyrrolidone (CAS 872-50-4)~~
~~(yy-1) Nickel and nickel compounds (CAS N/A)~~
~~(zz) N-nitrosodimethylamine (CAS 62-75-9)~~
~~(aaa) N-nitrosodiphenylamine (CAS 86-30-6)~~
~~(bbb) Nonylphenol (CAS 25154-52-3)~~
~~(ccc) Para-chloroaniline (CAS 106-47-3)~~
~~(ddd) Perchloroethylene (CAS 127-18-4)~~
~~(ddd-1) Perfluorooctanoic acid (PFOA & related substances) (CAS 335-67-1)~~
~~(eee) Perfluorooctanyl sulphonic acid and its salts (PFOS) (CAS 1763-23-1)~~
~~(fff) Phenol (CAS 108-95-2)~~
~~(ggg) Phenol, 4-octyl- (CAS 1806-26-4)~~
~~(hhh) P-hydroxybenzoic acid (CAS 99-96-7)~~
~~(iii) Propyl paraben (CAS 94-13-3)~~
~~(iii-1) Short chain chlorinated paraffins (SCCP) (CAS 85535-84-8)~~
~~(jjj) Silica, crystalline (in the form of quartz or cristabolite dust) (CAS 14808-60-7)~~
~~(kkk) Styrene (CAS 100-42-5)~~
~~(lll) Tetrabromobisphenol A (CAS 79-94-7)~~
~~(lll-1) Tetrachloroethene (CAS 127-18-4)~~
~~(mmm) Toluene (CAS 108-88-3)~~
~~(mmm-1) Tricresyl phosphate (TCP) (CAS 1330-78-5)~~
~~(mmm-2) Tri-n-butyl phosphate (TNBP) (CAS 126-73-8)~~
~~(mmm-3) Triphenyl phosphate (TPP) (CAS 115-86-6)~~
~~(nnn) Tris(1,3-dichloro-2-propyl) phosphate (CAS 13674-87-3)~~
~~(nnn-1) Tris(1-chloro-2-propyl) phosphate (TCPP) (CAS 13674-84-5)~~
~~(ooo) Tris(2-chloroethyl) phosphate (CAS 115-96-8)~~
~~(ooo-1) Tris(2,3-dibromopropylphosphate) (CAS 126-72-7)~~
~~(ppp) Vinyl chloride (CAS 75-01-4)~~] **means a chemical identified by the department by rule pursuant to subdivision one of section 37-0905 of this title.**

4. "Children" means a person or persons aged twelve and under.

5. "Children's product" means a **consumer** product primarily intended for, made for or marketed for use by children, such as baby products, toys, car seats, school supplies, personal care products **as defined in section 37-0117 of this article**, a product designed or intended by the manufacturer to help a child with sucking or teething, to facilitate sleep, relaxation, or the feeding of a child, and children's novelty products, children's jewelry **as defined in section 37-0115 of this article**, children's bedding, furniture, furnishings, and apparel. "Children's product" does not include (a) batteries; [~~or~~] (b) consumer electronic products **and their component parts** including but not limited to personal computers, audio and video equipment, calculators, wireless phones, game consoles, **video toys that can be connected to a video screen and are operated at a nominal voltage exceeding twenty-four volts** and handheld devices incorporating a video screen, used to access interactive software and their associated peripherals**, accessories and peripherals to children's electronic products including plugs, keyboards and headphones, interactive software, intended for leisure and entertainment, such as computer games, and their storage media, such as compact disks**; or (c) [~~a food or beverage or an additive to a food or~~

~~beverage regulated by the United States Food and Drug Administration. "Children's product" also does not include a drug, biologic or medical device regulated by the United States Food and Drug Administration~~] sporting equipment including bicycles and tricycles, skis, snow boards, sleds, and roller skates; and hunting and fishing equipment or components thereof; (d) science kits including chemistry sets and model rockets; (e) toy engines and sets of darts with metallic points; (f) motor vehicles or their component parts, watercraft or their component parts, all-terrain vehicles or their component parts, or off-highway motorcycles or their component parts.

6. "Consumer product" means any product that is regularly used or purchased to be used for personal, family or household purposes. Consumer product shall not mean: (a) a food or beverage or an additive to a food or beverage regulated by the United States Food and Drug Administration; or (b) a drug, biologic or medical device regulated by the United States Food and Drug Administration.

[~~6.~~] 7. "Distributor" means a person who sells children's products to retail establishments on a wholesale basis.

[~~7.~~] 8. "Manufacturer" means any person who currently manufactures a children's product or whose brand name is affixed to the children's product. In the case of a children's product that was imported into the United States, "manufacturer" includes the importer or first domestic distributor of the children's product if the person who currently manufactures or assembles the children's product or whose brand name is affixed to the children's product does not have a presence in the United States.

[~~8.~~] 9. "Practical quantification limit" means the lowest level that can be reliably achieved within specified limits of precision and accuracy during routine laboratory operating conditions.

[~~9. "Dangerous~~] 10. "High-priority chemical" means (a) [~~the following chemicals:~~

~~CASRN13674-87-8 Tris (1, 3 dichloro-2-propyl) phosphate~~
~~CASRN71-43-2 Benzene~~
~~CASRN7439-92-1 lead and compounds (inorganic)~~
~~CASRN7439-97-6 Mercury and mercury compounds, including methyl mercury (CASRN 22967-92-6)~~
~~CASRN50-00-0 Formaldehyde~~
~~CASRN1332-21-4 Asbestos~~
~~CASRN7440-38-2 Arsenic and arsenic compounds including arsenic trioxide (CASRN 1327-53-3) and dimethyl arsenic (CASRN 75-60-5)~~
~~CASRN7440-43-9 Cadmium~~
~~CASRN Assorted Organohalogen flame retardants~~

~~(b) a chemical adopted by the department pursuant to section 37-0903~~] a chemical designated pursuant to paragraph (a) of subdivision two of section 37-0905 of this title; and

(b) a chemical adopted by the department pursuant to paragraph (b) of subdivision two of section 37-0905 of this title.

[~~10.~~] 11. "Intentionally added chemical" means a chemical in a product that serves an intended function in the product component.

12. "Toy" means a product designed or intended by the manufacturer to be used by children at play.

13. "Trace contaminant" means a trace amount of a chemical or chemicals that is incidental to manufacturing, including an unintended by-product of chemical reactions during the manufacture of the chil-

dren's product, a trace impurity in feed-stock, an incompletely reacted chemical mixture, or a degradation product.

14. "Very persistent" means having a half-life greater than or equal to one of the following: (a) a half-life in soil or sediment of greater than one hundred eighty days; (b) a half-life greater than or equal to sixty days in water or evidence of long-range transport.

15. "Very bioaccumulative" means having a bioconcentration factor or bioaccumulation factor greater than or equal to five thousand, or if neither are available, having a log Kow greater than 5.0.

§ 37-0903. [~~Consumer notice.~~

~~1. Publishing of lists. Within one hundred eighty days of the effective date of this title, the department shall post lists of dangerous chemicals and chemicals of concern on the department's website.~~

~~2. Periodic review. (a) The department, in consultation with the department of health, shall periodically review the list of dangerous chemicals and, may through regulation, add or remove dangerous chemicals or chemicals of concern from such lists.~~

~~(b) The department, in consultation with the department of health, may identify a chemical as a dangerous chemical if, upon such review, it is present in a children's product and meets any of the following criteria:~~

~~(i) The chemical or its metabolites have been found through biomonitoring to be present in humans;~~

~~(ii) The chemical has been found through sampling and analysis to be present in household dust, indoor air, drinking water or elsewhere in the home environment;~~

~~(iii) The chemical has been found through monitoring to be present in fish, wildlife or the natural environment; or~~

~~(iv) The sale or use of the chemical or a children's product containing the chemical has been banned in another state or states within the United States because of the health effects of such chemical.~~

~~(c) The department, in consultation with the department of health, may remove a chemical from the list of dangerous chemicals if, upon review, it determines on the basis of credible scientific evidence that such chemical no longer meets the criteria for listing under paragraph (b) of this subdivision.~~

~~(d) The department, in consultation with the department of health shall identify a chemical as a chemical of concern if, upon review, it determines that the chemical has been identified by a state, federal or international governmental entity on the basis of credible scientific evidence as:~~

~~(i) A carcinogen, reproductive or developmental toxicant, neurotoxicant, asthmagen, or endocrine disruptor;~~

~~(ii) Persistent, bioaccumulative and toxic; or~~

~~(iii) Very persistent and very bioaccumulative.~~] Applicability.

1. New children's products. The provisions of this title shall apply to chemicals of concern and high-priority chemicals in children's products sold or distributed as new and does not apply to used children's products that are sold or distributed for free at secondhand stores, yard sales, on the internet or donated to charities.

2. Exceptions. (a) The requirements of this title shall not apply to high priority chemicals used in or for industry or manufacturing, including chemicals processed or otherwise used in or for industrial or manufacturing processes and not included in the final product.

(b) Combustion. The requirements of this title shall not apply to high-priority chemicals generated solely as combustion by-products or that are present in combustible fuels.

(c) Small business exception. The requirements of this title shall not apply to children's product manufacturers that employ five persons or fewer and are independently owned and operated.

(d) Retailers. A retailer is exempt from the requirements of this title unless that retailer knowingly sells a children's product containing a high-priority chemical after the effective date of its prohibition for which that retailer has received notification pursuant to section 37-0913 of this title.

§ 37-0905. Chemicals of concern and high-priority chemicals.

1. Chemicals of concern.

(a) Within two years of the effective date of this title, the department, in consultation with the department of health, shall promulgate a list of chemicals of concern. A chemical may be listed as a chemical of concern if it has been identified by a government entity and/or identified on the basis of credible scientific evidence as being:

(i) a carcinogen, reproductive or developmental toxicant, neurotoxicant, asthmagen, or endocrine disruptor;

(ii) persistent, bioaccumulative and toxic; or

(iii) very persistent and very bioaccumulative.

(b) The department shall review lists codified or promulgated in other states as chemicals of concern to determine if such chemicals meet the criteria of paragraph (a) of this subdivision. The department at a minimum shall consider:

(i) 1,1,2,2-Tetrachloroethane (CAS 79-34-5)

(ii) 1,1,3,3-Tetramethyl-4-butylphenol; 4-tert-octylphenol (CAS 140-66-9)

(iii) 1,4-Dioxane (CAS 123-91-1)

(iv) 2,2',3,3',4,4',5,5',6,6'-Decabromodiphenyl ether; BDE-209 (CAS 1163-19-5)

(v) 2,4-Diaminotoluene (CAS 95-80-7)

(vi) 2-Aminotoluene (CAS 95-53-4)

(vii) 2-Ethylhexanoic acid (CAS 149-57-5)

(viii) 2-Ethyl-hexyl-2, 3, 4, 5 tetrabromobenzoate (TBB) (CAS 183658-27-7)

(ix) 2-Ethyl-hexyl-4-methoxycinnamate (CAS 5466-77-3)

(x) 2-Methoxyethanol (CAS 109-86-4)

(xi) 3,3'-Dimethylbenzidine and dyes metabolized to 3,3'-Dimethylbenzidine (CAS 119-93-7)

(xii) 4-Nonylphenol; 4-NP and its isomer mixtures including CAS 84852-15-3 and CAS 25154-52-3 (CAS 104-40-5)

(xiii) Acetaldehyde (CAS 75-07-0)

(xiv) Acrylonitrile (CAS 107-13-1)

(xv) Aniline (CAS 62-53-3)

(xvi) Antimony & antimony compounds (CAS 7440-36-0)

(xvii) Arsenic & arsenic compounds (CAS 7440-38-2) including arsenic trioxide & dimethyl arsenic (CAS 75-60-5)

(xviii) Asbestos (CAS 1332-21-4)

(xix) Benzene (CAS 71-43-2)

(xx) Benzene, pentachloro (CAS 608-93-5)

(xxi) Benzophenone-2 (BP-2); 2,2',4,4'-tetrahydroxybenzophenone (CAS 131-55-5)

(xxii) Bis(2-ethylhexyl) tetrabromophtalate (TBPH) (CAS 26040-51-7)

(xxiii) Bis(chloromethyl) propane-1-3-diyltetrakis-(2-chloroethyl) bis(phosphate)(V6)(CAS 38051-10-4)

(xxiv) Bisphenol A (CAS 80-05-7)

(xxv) Bisphenol F (CAS 620-92-8)

(xxvi) Bisphenol S (CAS 80-09-1)
(xxvii) Butyl benzyl phthalate (BBP) (CAS 85-68-7)
(xxviii) Butylated Hydroxyanisole; (BHA) (CAS 25013-16-5)
(xxix) C.I. solvent yellow 14 (CAS 842-07-9)
(xxx) Cadmium & cadmium compounds (CAS 7440-43-9)
(xxxi) Carbon disulfide (CAS 75-15-0)
(xxxii) Chlorinated paraffins (CAS 108171-26-2)
(xxxiii) Cobalt & cobalt compounds (CAS 7440-48-4)
(xxxiv) Decabromodiphenyl ethane (DBPE) (CAS 84852-53-9)
(xxxv) Di-2-ethylhexyl phthalate (CAS 117-81-7)
(xxxvi) Di-(2-methoxyethyl) phthalate (DMEP) (CAS 117-82-8)
(xxxvii) Dicyclohexyl phthalate (DCHP) (CAS 84-61-7)
(xxxviii) Diethyl phthalate (CAS 84-66-2)
(xxxix) Diisobutyl phthalate (DIBP) (CAS 84-69-5)
(xl) Di-n-hexyl phthalate (CAS 84-75-3)
(xli) Di-n-octyl phthalate (DNOP) (CAS 117-84-0)
(xlii) Dipentyl phthalate (DPP) (CAS 131-18-0)
(xliii) Ethylene glycol (CAS 107-21-1)
(xliv) Ethylene glycol monoethyl ester (CAS 110-80-5)
(xlv) Ethyl hexyl d-phenol phosphate (EHDPP) (CAS 1241-94-7)
(xlvi) Formaldehyde (CAS 50-0-0)
(xlvii) Hexabromocyclododecane (HBCD) (CAS 25637-99-4)
(xlviii) Hexachlorobenzene (CAS 118-74-1)
(xlix) Hexachlorobutadiene (CAS 87-68-3)
(l) Isopropylated triphenyl phosphate (IPTPP) (CAS 68437-41-7)
(li) Mercury & mercury compounds (CAS 7439-97-6) including methyl mercury (CAS 22967-92-6)
(lii) Methyl ethyl ketone (CAS 78-93-3)
(liii) Methyl paraben (CAS 99-76-3)
(liv) Methylene chloride (CAS 75-09-2)
(lv) N-methylpyrrolidone (CAS 872-50-4)
(lvi) Nickel and nickel compounds (CAS N/A)
(lvii) N-nitrosodimethylamine (CAS 62-75-9)
(lviii) N-nitrosodiphenylamine (CAS 86-30-6)
(lvix) Perchloroethylene (CAS 127-18-4)
(lx) Perfluorooctanoic acid (PFOA & related substances) (CAS 335-67-1)
(lxi) Perfluorooctanyl sulphonic acid and its salts (PFOS) (CAS 1763-23-1)
(lxii) Phenol (CAS 108-95-2)
(lxiii) Phenol, 4-octyl- (CAS 1806-26-4)
(lxiv) P-hydroxybenzoic acid (CAS 99-96-7)
(lxv) Propyl paraben (CAS 94-13-3)
(lxvi) Styrene (CAS 100-42-5)
(lxvii) Tetrabromobisphenol A (CAS 79-94-7)
(lxviii)Tetrachloroethene (CAS 127-18-4)
(lxix) Toluene (CAS 108-88-3)
(lxx) Tricresyl phosphate (TCP) (CAS 1330-78-5)
(lxxi) Tri-n-butyl phosphate (TNBP) (CAS 126-73-8)
(lxxii) Triphenyl phosphate (TPP) (CAS 115-86-6)
(lxxiii) Tris(1-chloro-2-propyl) phosphate (TCPP) (CAS 13674-84-5)
(lxxiv) Tris(2-chloroethyl) phosphate (CAS 115-96-8)
(lxxv) Tris(2,3-dibromopropylphosphate) (CAS 126-72-7)
(lxxvi) Vinyl chloride (CAS 75-01-4)
(lxxvii) Organohalogen flame retardants

(c) The department, in consultation with the department of health, shall periodically review the list of chemicals of concern and may

through regulation add or remove a chemical from the list on the basis of credible scientific evidence. The department may remove a chemical from the list of chemicals of concern if, upon review, it determines on the basis of credible scientific evidence that such chemical no longer meets the criteria for listing under paragraph (a) of this subdivision.

2. High-priority chemicals. (a) The following chemicals are designated high priority chemicals for purposes of this title:

(i) Tris (1, 3 dichloro-2-propyl) phosphate (CAS 13674-87-8)

(ii) Benzene (CAS 71-43-2)

(iii) Mercury and mercury compounds, including methyl mercury (CAS 7439-97-6)

(iv) Asbestos (CAS 1332-21-4)

(v) Arsenic and arsenic compounds (CAS 7440-38-2) including arsenic trioxide (CASRN 1327-53-3) and dimethyl arsenic (CASRN 75-60-5)

(vi) Cadmium (CAS 7440-43-9) (other than toy coatings)

(vii) Organohalogen flame retardants in upholstered bedding or furniture

(b) The department shall periodically review the list of high priority chemicals and may by rule add to the list of high-priority chemicals if the criteria of paragraph (a) of subdivision one of this section are met and the chemical is present in a children's product and meets any of the following criteria:

(i) The chemical or its metabolites have been found through biomonitoring to be present in humans;

(ii) The chemical has been found through sampling and analysis to be present in household dust, indoor air, drinking water or elsewhere in the home environment;

(iii) The chemical has been found through monitoring to be present in fish, wildlife or the natural environment; or

(iv) The sale or use of the chemical or a children's product containing the chemical has been banned in another state or states within the United States because of the health effects of such chemical or the children's product safety council established pursuant to section 37-0911 of this title has recommended the chemical be listed as a high-priority chemical. The department shall, as part of its periodic review, consider whether the sale or use of a chemical or a children's product containing the chemical has been banned in another state or within the United States because of the health effects of such chemical.

(c) The department, in consultation with the department of health, may remove a chemical from the list of high priority chemicals if it determines on the basis of credible scientific evidence that such chemical no longer meets the criteria of paragraph (b) of this subdivision.

§ [~~37-0905.~~] 37-0907. Reporting on the use of chemicals.

1. Reporting of chemical use. No later than twelve months after a [~~dangerous~~] chemical of concern or high-priority chemical appears on the [~~list published~~] lists promulgated pursuant to section [~~37-0903~~] 37-0905 of this title, every manufacturer who offers a children's product for sale or distribution in this state that contains a [~~dangerous chemical or~~] chemical of concern or a high-priority chemical shall report such chemical use at or above practical quantification limits to the department, provided however, that the department may, through regulation, establish an alternative threshold for the reporting of trace contaminants.

(a) This report must at a minimum identify the children's product, the [~~dangerous~~] high-priority chemical or chemicals of concern contained in

the children's product and the intended purpose of such chemicals. The department may also require reporting of the following information:

(i) the amount of such chemical in the children's product; or

(ii) information on the likelihood that the chemical will be released from the children's product to the environment during the product's life cycle and the extent to which users of the product are likely to be exposed to the chemical.

(b) The department is authorized to direct submission of such report to the interstate chemicals clearinghouse **and may otherwise provide for reciprocal data sharing with other states which require reporting of the same information**.

2. Waiver of reporting. Upon application by a manufacturer, the commissioner may waive all or part of the reporting requirements under subdivision one of this section for one or more specified uses of a [~~dangerous~~] **high-priority** chemical. In making such determination, the commissioner may consider: (a) if substantially equivalent information is already publicly available or that the information is not needed for the purposes of this chapter, (b) similar waivers granted by other states, and (c) whether the specified use or uses are minor in volume.

3. [~~Notice. (a) A manufacturer of a children's product containing a dangerous chemical shall notify persons that offer the children's product for sale or distribution in the state, in a form prescribed by the department, of the presence of such dangerous chemical, and provide such persons with information regarding the toxicity of such chemical.~~

~~(b) The department shall notify consumers about children's products containing chemicals of concern and dangerous chemicals. The notification shall be published on the department's website.~~

~~4.~~] Fees. The manufacturer shall pay a fee upon submission of a report of chemical use pursuant to subdivision one of this section or a waiver request pursuant to subdivision two of this section to cover the department's reasonable costs in the administration and enforcement of this title. Exclusive of fines and penalties, the state shall only recover its actual cost of administration and enforcement.

§ [~~37-0907.~~] **37-0909.** Sales prohibition.

1. Effective January first, two thousand twenty-three, no person shall distribute, sell or offer for sale in this state a children's product [~~containing~~] **in which** tris (1, 3 dichloro-2-propyl) phosphate **(CAS 13674-87-8)**, benzene **(CAS 71-43-2)**, [~~formaldehyde (other than in textiles)~~], **or** asbestos[~~, and organohalogen flame retardents~~] **(CAS 1332-21-4) is intentionally added**. This provision shall not apply: (a) to a children's product solely based on its containing an enclosed battery or enclosed electronic components [~~and~~]**;** (b) where state regulation of children's products is preempted by federal law**; (c) where the chemical is present as a trace contaminant; or (d) to an inaccessible component of a children's product that during reasonable, foreseeable use and abuse of the product would not come into direct contact with a child's skin or mouth, as determined by the department**. The commissioner may exempt a children's product from this prohibition if, in the commissioner's judgment, the lack of availability of the children's product could pose an unreasonable risk to public health, safety or welfare.

2. [~~Effective three years after being added to the dangerous chemicals list, no person shall distribute, sell, or offer for sale in this state a children's product that contains a chemical added to the dangerous chemicals list pursuant to section 37-0903 of this title~~] **(a) To the extent allowed by federal law, the department may, by regulation, prohibit the distribution, sale, or offer for sale in this state of a**

children's product that contains a chemical added to the high-priority chemicals list pursuant to section 37-0905 of this title, or a chemical recommended for prohibition by the children's product safety council pursuant to paragraph (b) of subdivision five of section 37-0911 of this title.

(b) In developing rules to prohibit a chemical pursuant to this subdivision, the department shall rely on credible scientific evidence and consider information relevant to the hazards based on the quantitative extent of potential exposures to the chemical under its intended or reasonably anticipated conditions of use.

§ 37-0911. Children's product safety council; established. 1. There shall be established, within the department, the children's product safety council. Such council shall be composed of ten members as follows:

(a) the commissioner, or the commissioner's designee, who shall be the chair of the council;

(b) the commissioner of health or his or her designee;

(c) a designee of the commissioner with expertise in epidemiology, toxicology or health risk assessment;

(d) a designee of the commissioner of health with expertise in epidemiology, toxicology or health risk assessment; and

(e) six members appointed by the governor, two of whom shall be recommended by the temporary president of the senate, and two by the speaker of the assembly.

2. (a) Of the four members appointed to the children's product safety council and recommended by the temporary president of the senate and the speaker of the assembly, the temporary president of the senate and the speaker of the assembly shall each recommend:

(i) one member who has expertise in pediatrics; and

(ii) one member who has a background or expertise in toxicology or health risk assessment.

(b) Of the two additional members appointed to the children's product safety council, the governor shall appoint members who have a background in environmental health and safety, risk assessment or medicine.

(c) The members of such council appointed pursuant to paragraph (e) of subdivision one of this section shall serve terms of two years.

(d) The members appointed pursuant to paragraph (e) of subdivision one of this section shall each serve his or her term of office or until his or her successor is appointed; provided that any vacancy in the position of an appointed member shall be filled in the same manner as the original appointment and only for the unexpired term of the vacancy.

3. The members of the children's product safety council shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties pursuant to this title.

4. The children's product safety council shall meet at such times and places as may be determined by its chair. The council shall meet at a minimum of two times per year. All meetings shall be open to the public pursuant to article seven of the public officers law. A majority of the members of such council shall constitute a quorum for the transaction of business. Action may be taken, and motions and resolutions adopted, at any meeting by the affirmative vote of a majority of the full membership of the council.

5. (a) The council shall make recommendations to the department relating to those chemicals, which the department may list as high-priority chemicals pursuant to section 37-0905 of this title. The council shall

provide the department with its first list of recommended high-priority chemicals no later than one year from the initial meeting of the council, and the council shall update the list annually thereafter. In determining what chemicals shall be recommended as high-priority chemicals the council shall, at a minimum, consider the criteria of paragraph (b) of subdivision two of section 37-0905 of this title;

(b) The council shall make recommendations to the department relating to those chemicals which should be prohibited by the department pursuant to subdivision two of section 37-0909 of this title.

(i) In determining what chemicals shall be recommended for prohibition, the council shall, at a minimum, consider those chemicals listed as high-priority chemicals pursuant to section 37-0905 of this title.

(ii) The council shall provide the department with its first list of such chemicals no later than two years from the initial meeting of the council. The council shall update the list, including a review of the chemicals listed as high-priority chemicals pursuant to section 37-0905 of this title, annually thereafter.

6. The children's product safety council shall be entitled to request and receive information from any state, municipal department, board, commission or agency that may be required or are deemed necessary for the purposes of such council.

7. Before the council advances any recommendation to the department, the council shall provide an opportunity for public and stakeholder comments. Final recommendations of the council shall be posted on the department's website within thirty days after the council adopts such recommendations.

[~~This provision shall not apply: (a) to a children's product solely based on its containing an enclosed battery or enclosed electronic components and (b) where state regulation of children's products is preempted by federal law. The commissioner may exempt a children's product from this prohibition if, in the commissioner's judgment, the lack of availability of the children's product could pose an unreasonable risk to public health, safety or welfare.~~

~~§ 37-0909. Applicability.~~

~~1. New children's products. The provisions of this title shall apply to chemicals in children's products sold or distributed as new and does not apply to used children's products that are sold or distributed for free at secondhand stores, yard sales, on the internet or donated to charities.~~

~~2. Industry. The requirements of this title shall not apply to priority chemicals used in or for industry or manufacturing, including chemicals processed or otherwise used in or for industrial or manufacturing processes and not included in the final product.~~

~~3. Transportation. The requirements of this title shall not apply to motor vehicles or their component parts, watercraft or their component parts, all terrain vehicles or their component parts, or off-highway motorcycles or their component parts, except that the use of dangerous chemicals in detachable car seats is not exempt.~~

~~4. Combustion. The requirements of this title shall not apply to dangerous chemicals generated solely as combustion by-products or that are present in combustible fuels.~~

~~5. Exceptions. The requirements of this title shall not apply to children's product makers that employ five persons or fewer, and are independently owned and operated.~~

~~6. Retailers. A retailer is exempt from the requirements of this title unless that retailer knowingly sells a children's product containing a~~

~~dangerous chemical after the effective date of its prohibition for which that retailer has received notification pursuant to subdivision three of section 37-0905 of this title.~~] § 37-0913. Notice to retailers and the public.

1. A manufacturer of a children's product containing a high-priority chemical shall notify persons that offer the children's product for sale or distribution in the state, in a form prescribed by the department, of the use of such high-priority chemical and provide such persons with information regarding the toxicity of such chemical, except that this subdivision shall apply to trace contaminants in a manner consistent with section 37-0907 of this title.

2. The department shall provide information to the public about children's products containing chemicals of concern or high priority chemicals by posting such information as reported by the manufacturers on the department's website, provided however, that the department shall not be held liable for the accuracy of a manufacturer's report.

§ [~~37-0911.~~] 37-0915. Enforcement and implementation.

1. Failure to provide notice. A children's product containing a [~~dangerous~~] high-priority chemical may not be sold, offered for sale or distributed for sale in this state unless the manufacturer has provided [~~the notification~~] a report to the department required under section [~~37-0905~~] 37-0907 of this title by the date required in such section. The commissioner may exempt a children's product from this prohibition if, in the commissioner's judgment, the lack of availability of the children's product could pose an unreasonable risk to public health, safety or welfare.

2. Statement of compliance. [~~If there are grounds to suspect that a children's product is being offered for sale in violation of this title, the~~] The department may request the manufacturer of the children's product to provide a statement of compliance on a form provided by the department, within [~~ten~~] fifteen days of receipt of a request from the department. The statement of compliance shall:

(a) attest that the children's product does not contain the [~~dangerous~~] high-priority chemical; or

(b) attest [~~and provide the department with documentation~~] that notification [~~of the presence of the dangerous chemical has been provided to the department or provide notice as required by section 37-0905 of this title~~] required by section 37-0913 of this title has been provided; [~~or~~]

(c) attest that the manufacturer has notified persons who sell the product in this state that the sale of the children's product is prohibited;

(d) attest that the presence of a high-priority chemical is only as a trace contaminant; or

(e) attest that the chemical prohibited pursuant to subdivision two of section 37-0909 of this title is only present in an inaccessible component of the children's product.

§ [~~37-0913.~~] 37-0917. Regulations.

The department may adopt any rules and regulations it deems necessary to implement the provisions of this title.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019 amending the environmental conservation law relating to regulation of toxic chemicals in children's products, as proposed in legislative bills numbers S. 501-B and A. 6296-A, takes effect.

SUBPART BB

Section 1. Section 58.10 of the local finance law, as added by chapter 643 of the laws of 2019, is amended to read as follows:

§ 58.10 Electronic open auction public bond sale pilot program. a. As used in this section:

1. "Municipality" means a county with a population of four hundred thousand or more, or a city or town with a population of one hundred thousand or more that has issued at least twenty-five million dollars in bonds within at least one of the preceding three years.

2. "Nationally recognized electronic securities bidding service" means a bidding service that is approved by the [~~state comptroller~~] **superintendent** pursuant to subdivision b of this section.

3. "Open auction" means a bond sale procedure that allows a bidder to receive information with respect to the ranking of its bids prior to the conclusion of the bidding period in accordance with the municipality's notice of such bond sale circulated in accordance with applicable requirements of this chapter.

4. "Program" means the electronic open auction public bond sale pilot program established pursuant to this section.

5. "Superintendent" means the superintendent of financial services.

b. 1. There is hereby established an electronic open auction bond sale pilot program authorizing municipalities to conduct open auction public bond sales through any nationally recognized electronic securities bidding service approved by the [~~state comptroller~~] **superintendent**. Nationally recognized electronic securities bidding services desiring to operate an electronic open auction shall apply to the [~~state comptroller~~] **superintendent** for authorization to do so by filing an application with the [~~state comptroller~~] **superintendent**. The [~~state comptroller~~] **superintendent** shall make available an application form that provides the [~~state comptroller~~] **superintendent** with information regarding the technology and security practices maintained by the nationally recognized electronic securities bidding service, the requirements to be established for bidding by bidders, the methods by which auction sales are conducted, the experience of the nationally recognized electronic securities bidding service in conducting electronic open auctions of bonds, and other information the [~~state comptroller~~] **superintendent** may deem relevant.

2. If the [~~state comptroller~~] **superintendent** determines that the requirements and conditions of the open auction are in accordance with the provisions of this chapter and the bidding service provides a secure, open and competitive opportunity for qualified bidders to submit proposals, the application shall be deemed approved.

3. The [~~state comptroller~~] **superintendent** shall post information regarding the nationally recognized electronic securities bidding services that have been approved for use by municipalities on the [~~state comptroller~~] **department of financial services** website.

c. If the chief fiscal officer of the municipality has authorized the receipt of bids in an electronic open auction format, such electronic bids may be submitted in the form of open auctions conducted through a nationally recognized electronic securities bidding service which entity shall be deemed to be the designated receiving device pursuant to section 58.00 of this title. Notice of any bond sale shall provide for the manner in which the bidding period may be extended and the basis for determination of the winning bidder.

d. Notwithstanding the provisions of subdivision one of section three hundred five of the state technology law, if the notice of sale for the open auction public bond contains a provision that bids will only be accepted electronically in the manner provided in such notice of sale, the municipality shall not be required to accept non-electronic bids in any form.

e. The municipality's chief fiscal officer shall administer the program and shall publish its policies and procedures for the procurement of nationally recognized electronic securities bidding services on the municipality's internet website. Such policies and procedures shall include policies to prevent fraud. Except as modified by this section, the municipal program shall comply with this chapter and all other applicable laws, rules and regulations related to the sale of bonds.

f. The municipality's chief fiscal officer shall review the electronic open auction bidding process to ensure that the bond sale was completed in a timely fashion; the sale was completed without errors; and the process was favorable as compared to the method currently used by the municipality.

g. The municipality shall conduct evaluations of the program annually with a summary evaluation at the end of the two year program. The municipality shall submit the evaluations to the [~~state comptroller~~] **superintendent**, the temporary president of the senate and the speaker of the assembly. Such report shall include, but not be limited to, any demonstrated evidence that sale of public bonds using electronic open auctions is comparable to the cost of issuing public bonds through the current sealed bid process, the fees associated with nationally recognized electronic securities bidding services, whether the use of electronic open auctions resulted in an increased number of bidders and whether the process was favorable as compared to the method currently used by the municipality.

§ 2. This act shall take effect immediately; provided, that the amendments to section 58.10 of the local finance law made by section one of this act shall not affect the repeal of such section and shall be deemed to repeal therewith.

SUBPART CC

Section 1. Section 2 of chapter 9 of the laws of 2020, relating to allowing the commissioner of transportation to impound or immobilize stretch limousines in certain situations, is amended to read as follows:

§ 2. This act shall take effect [~~one year~~] **on the ninetieth day** after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

§ 2. This act shall take effect immediately.

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

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

PART YY

Section 1. Subdivisions 1 and 2 of section 3656 of the public authorities law, as amended by chapter 685 of the laws of 2003, are amended to read as follows:

1. The authority shall have the power and is hereby authorized from time to time to issue bonds in such principal amounts as it may determine to be necessary pursuant to section thirty-six hundred fifty-five of this title to pay any financeable costs and to fund reserves to secure such bonds, including incidental expenses in connection therewith. Provided, however, [~~the aggregate principal amounts of such bonds issued to pay the financeable costs described in paragraph (a) of subdivision twelve of section thirty-six hundred fifty-one of this title shall not exceed four hundred fifteen million dollars, excluding bonds, notes, or other obligations issued to refund or otherwise repay bonds, notes, or other obligations theretofore issued for such purposes. Notwithstanding the foregoing limit on the amount of bonds that the authority may issue to pay the financeable costs described in paragraph (a) of subdivision twelve of section thirty-six hundred fifty-one of this title, the authority shall have the power to issue up to an additional seven hundred ninety million dollars of bonds, excluding bonds, notes, or other obligations issued to refund or otherwise repay bonds, notes, or other obligations theretofore issued for such purpose, to pay such costs if the county's indebtedness to be refunded, repaid or restructured with the payment of such bonds was originally incurred by the county to pay tax certiorari settlements or assignments of any kind to which the county is a party. Provided further, the aggregate principal amounts of such bonds issued to pay the financeable costs described in paragraph (c) of subdivision twelve of section thirty-six hundred fifty-one of this title, which resulted from certiorari proceedings commenced prior to June first, two thousand, shall not exceed four hundred million dollars, excluding bonds, notes, or other obligations issued to refund or otherwise repay bonds, notes, or other obligations theretofore issued for such purposes. And, provided further,~~] the aggregate principal amounts of such bonds issued to pay the financeable county costs described in paragraph (c) of subdivision twelve of section thirty-six hundred fifty-one of this title, which resulted from certiorari proceedings commenced on or after June first, two thousand, shall not exceed [~~four~~] **eight** hundred million dollars in the aggregate [~~for the fiscal years two thousand through two thousand seven, however, of said four hundred million dollars only fifteen million dollars may be issued in the fiscal year two thousand six and ten million dollars may be issued in the fiscal year two thousand seven~~], excluding bonds, notes, or other obligations issued to refund or otherwise repay bonds, notes, or other obligations theretofore issued for such purposes. Effective in the year two thousand six, upon request of the county, the authority shall issue, in the amount requested, bonds to pay tax certiorari settlements or judgments of any kind to which the county is a party, not to exceed fifteen million dollars; and effective in the year two thousand seven, upon request of the county, the authority shall issue, in the amount requested, bonds to pay tax certiorari settlements or judgments of any kind to which the county is a party, not to exceed

ten million dollars. Whenever this title establishes a limit on the principal amount of bonds that the authority is authorized to issue, there shall not be counted against such limit (i) amounts determined by the authority as reasonable to be used to pay the cost of issuing such bonds, (ii) the amount of bonds that would constitute interest under the Internal Revenue Code of 1986, as amended, and (iii) amounts determined by the authority as necessary to establish any reserves.

The authority shall have the power from time to time to refund any bonds of the authority by the issuance of new bonds, whether the bonds to be refunded have or have not matured, and may issue bonds partly to refund bonds of the authority then outstanding and partly to pay the financeable costs pursuant to section thirty-six hundred fifty-five of this title. Bonds issued by the authority shall be payable solely out of particular revenues or other moneys of the authority as may be designated in the proceedings of the authority under which the bonds shall be authorized to be issued, subject to any agreements entered into between the authority and the county, and subject to any agreements with the holders of outstanding bonds pledging any particular revenues or moneys; but in no event shall transitional state aid be pledged as security for or be made available for the payment of bonds.

2. The authority is authorized to issue its bonds for a period ending not later than December thirty-first, two thousand [~~seven~~] **twenty-one**. The authority may issue bonds to refund bonds previously issued without regard to the limitation in the first sentence of this subdivision, but in no event shall any bonds of the authority finally mature later than January thirty-first, two thousand [~~thirty-six~~] **fifty-one**. Notwithstanding any other provision of law, no bond of the authority shall mature more than thirty years from the date of its issue.

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

§ 3. This act shall take effect immediately.

PART ZZ

Section 1. Subdivision 1 of paragraph b of section 33.10 of the local finance law is REPEALED.

§ 2. This act shall take effect immediately.

PART AAA

Section 1. Section 3-110 of the election law, as amended by section 1 of part YY of chapter 55 of the laws of 2019, is amended to read as follows:

§ 3-110. Time allowed employees to vote. 1. [~~A~~] **If a** registered voter **does not have sufficient time outside of his or her scheduled working hours, within which to vote on any day at which he or she may vote, at any election, he or she** may, without loss of pay for up to [~~three~~] **two** hours, take off so much working time as will**, when added to his or her voting time outside his or her working hours,** enable him or her to vote [~~at any election~~].

2. [~~The employee~~] **If an employee has four consecutive hours either between the opening of the polls and the beginning of his or her working shift, or between the end of his or her working shift and the closing of the polls, he or she shall be deemed to have sufficient time**

outside his or her working hours within which to vote. If he or she has less than four consecutive hours he or she may take off so much working time as will, when added to his or her voting time outside his or her working hours enable him or her to vote, but not more than two hours of which shall be without loss of pay, provided that he or she shall be allowed time off for voting only at the beginning or end of his or her working shift, as the employer may designate, unless otherwise mutually agreed.

3. If the employee requires working time off to vote the employee shall notify his or her employer not **more than ten nor** less than two working days before the day of the election that he or she requires time off to vote in accordance with the provisions of this section.

4. Not less than ten working days before every election, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this section. Such notice shall be kept posted until the close of the polls on election day.

§ 2. This act shall take effect immediately.

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

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