STATE OF NEW YORK

S. 7505 A. 9505

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

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

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 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

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

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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); to amend the correction law, in relation to expanding the definition of internet identifiers and establishing criminal personation by a sex offender (Part B); to amend the penal law, in relation to prohibiting the use of the intoxication of a victim as defense to a criminal charge for sex crimes (Part C); to amend section 7 of part Y of chapter 57 of the laws of 2018, amend-

ing the education law relating to persons practicing in certain licensed programs or services who are exempt from practice requirements of professionals licensed by the department of education, in relation to adding the division of criminal justice services to the list of agencies not required to receive a waiver for entities providing certain professional services (Part D); to amend the state finance law, in relation to establishing the district attorney discovery compensation fund; and to amend the criminal procedure law, in relation to monies recovered by county district attorneys before the filing of an accusatory instrument (Part E); in relation to the closure of correctional facility; 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); to amend the state finance law, in relation to directing the correctional industries program to provide services in certain situations (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); to amend the executive law, in relation to the age of appointment for sworn members of the New York state police; and providing for the repeal of such provisions upon expiration thereof (Part J); to amend the penal law, in relation to the possession and sale of firearm, rifle, and shotgun components (Part K); to amend the executive law, in relation to administrative subpoenas (Part L); to amend the criminal procedure law, in relation to establishing the safe homes and families act (Part M); to amend the penal law, in relation to firearm licenses (Part N); to amend the executive law, in relation to the reporting of firearms (Part O); to amend the mental hygiene law, in relation to sharing information from mental health professionals with other states (Part P); to amend the penal law, in relation to establishing the crime of domestic violence (Part Q); to amend the penal law and the criminal procedure law, in relation to enacting the "New York Hate Crime Anti-Terrorism Act" (Part R); to amend the civil service law, in relation to reimbursement for medicare premium charges (Part S); to amend the civil practice law and rules and the state finance law, in relation to the rate of interest to be paid on judgement and accrued claims (Part T); to amend the civil service law, in relation to capping the standard medicare premium charge (Part U); to amend the civil service law, in relation to the state's contribution to the cost of health insurance premiums for future retirees of the state and their dependents (Part V); to amend the civil service law, in relation to continuing to protect and strengthen unions (Part W); to amend the state technology law and the state finance law, in relation to authorizing comprehensive technology service contracts (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

the public buildings law, in relation to the leasing of real property (Part AA); to amend the state finance law, in relation to sexual harassment disclosure with respect to state contracts (Part BB); to amend the alcoholic beverage control law, in relation to creating a higher education institution license (Part CC); to amend the alcoholic beverage control law, in relation to allowing food that is typically found in a motion picture theatre to be deemed in compliance with food requirements to serve alcoholic beverages (Part DD); to amend the alcoholic beverage control law, in relation to tied house restrictions (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); to amend the workers' compensation law, in relation to diversifying the New York state insurance fund's investment authority (Part GG); to amend the workers' compensation law, in relation to combatting the New York state insurance fund's surprise premium increases (Part HH); to amend the workers' compensation law, in relation to allowing the New York state insurance fund to enter into agreement with private insurance providers to cover out-of-state work (Part II); to amend the election law, in relation to triggering automatic manual recounts in elections that finish with a small margin of victory (Part JJ); to amend the state finance law, in relation to video lottery terminal aid (Part KK); to amend the general municipal law, in relation to enhancing flexibility within the county-wide shared services initiative (Part LL); to amend the local finance law, in relation to the voting requirements for the financial restructuring board for local governments (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); to amend the county law, the correction law and the judiciary law, in relation to authorizing shared county jails (Part OO); to amend the domestic relations law, in relation to consideration of the effects of domestic violence and other acts on future financial circumstances to determine equitable distribution of marital property (Part PP); to amend the public authorities law, in relation to ensuring pay equity at state and local public authorities (Part QQ); to amend the family court act and the criminal procedure law, in relation to orders of protection (Part RR); to amend the election law, in relation to banning campaign contributions from foreign corporations (Part SS); to amend the public officers law and the election law, in relation to requiring the disclosure of tax returns for certain elected officials and appointed employees (Part TT); to amend the executive law and the tax law, in relation to disclosure requirements for certain nonprofits (Part UU); and to provide for the administration of certain funds and accounts related to the 2020-2021 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts; to amend part D of chapter 389 of the laws of 1997 relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds or notes; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003

budget, in relation to the issuance of certain bonds or notes; to amend the New York state medical care facilities finance agency act, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, in relation to the issuance of certain bonds or notes; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, in relation to the issuance of certain bonds or notes; to amend the private housing finance law, in relation to housing program bonds and notes; to amend the state finance law, in relation to payments of bonds; to amend the civil practice law and rules, in relation to an action related to a bond; and providing for the repeal of certain provisions upon expiration thereof (Part VV)

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

Section 1. This act enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2020-2021 state fiscal year. Each component is wholly contained within a Part identified as Parts A through VV. 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~~] **2022**.

§ 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~~] **2022**, 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~~] 2022.

§ 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~~] 2022 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~~] 2022 and be applicable to all persons entering the program on or before August 31, [~~2020~~] 2022.

§ 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~~] 2022, 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~~] 2022; 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~~] 2022, 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~~] 2022, 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~~] 2022;

§ 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~~] 2022 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~~] 2022, 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~~] 2022 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-two.

§ 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~~] 2022 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~~] 2022;

§ 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~~] 2022, 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~~] 2022.

§ 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~~] 2022, 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~~] 2022;

§ 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~~] 2022 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~~] 2022, 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~~] 2022.

§ 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~~] 2022.

§ 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~~] 2022, 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~~] 2022, 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

Section 1. Subdivision 18 of section 168-a of the correction law, as added by chapter 67 of the laws of 2008, is amended to read as follows:

18. "Internet identifiers" means [~~electronic mail addresses and designations used for the purposes of chat, instant messaging, social networking or other similar internet communication~~] (a) person-specific designations, including but not limited to electronic mail addresses, phone numbers, account names, user names, screen names and gaming tags, as well as aliases used for the purposes of chatting, messaging, gaming, dating, networking, social media, file sharing, information sharing, or other internet communication or contact and (b) the name or names of internet applications, or other downloadable applications intended for use on a mobile device, sites, platforms or other software where such person-specific designations or aliases are used to engage in chat, messaging, gaming, dating, networking, social media, file sharing, information sharing, or other internet communication or contact.

§ 2. Subdivision 10 of section 168-b of the correction law, as added by chapter 67 of the laws of 2008, is amended to read as follows:

10. The division shall, upon the request of any authorized internet entity, release to such entity internet identifiers that would enable such entity to prescreen or remove sex offenders from its services or, in conformity with state and federal law, advise law enforcement and/or other governmental entities of potential violations of law and/or threats to public safety. Before releasing any information the division shall require an authorized internet entity that requests information from the registry to submit to the division the name, address and telephone number of such entity and the specific legal nature and corporate status of such entity. Except for the purposes specified in this subdi-

vision, an authorized internet entity shall not publish or in any way disclose or redisclose any information provided to it by the division pursuant to this subdivision. **An authorized internet entity or internet access provider shall review the information provided by the division pursuant to this section. Such authorized internet entity or internet access provider shall develop policies regarding the use of such information and publicly release such policies to its users, in accordance with rules and regulations promulgated by the division pursuant to this subdivision.** The division may charge an authorized internet entity a fee for access to registered internet identifiers requested by such entity pursuant to this subdivision. The division shall promulgate rules and regulations relating to procedures for the release of information in the registry, including but not limited to, the disclosure and redisclosure of such information, and the imposition of any fees**, and rules and regulations relating to criteria required for the policies to be developed by authorized internet entities and internet access providers**.

§ 3. Section 168-w of the correction law, as relettered by chapter 604 of the laws of 2005, is relettered section 168-x and a new section 168-w is added to read as follows:

§ 168-w. Criminal personation by a sex offender. 1. A person is guilty of criminal personation by a sex offender when, being required to register or verify under the provisions of this article, he or she, for the purpose of engaging in chat, messaging, gaming, dating, networking, social media, file sharing, information sharing, or other internet communication or contact, knowingly misrepresents his or her actual name, gender, date of birth, address, or status as a sex offender to another person, with the intent to defraud, deceive or injure such person or another person.

2. Any sex offender required to register or to verify pursuant to the provisions of this article who commits the crime of criminal personation by a sex offender as defined in subdivision one of this section shall be guilty of a class E felony upon conviction for the first offense, and upon conviction for a second or subsequent offense shall be guilty of a class D felony. The commission of such offense shall also be the basis for revocation of parole pursuant to section two hundred fifty-nine-i of the executive law or the basis for revocation of probation pursuant to article four hundred ten of the criminal procedure law.

§ 4. This act shall take effect immediately.

PART C

Section 1. Subdivision 6 of section 130.00 of the penal law is amended to read as follows:

6. "Mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling his **or her** conduct owing to the influence of a narcotic or intoxicating substance administered to him **or her** without his **or her** consent, or to any other act committed upon him **or her** without his **or her** consent.

§ 2. Paragraph (d) of subdivision 2 of section 130.05 of the penal law, as amended by chapter 40 of the laws of 2004, is amended and a new paragraph (e) is added to read as follows:

(d) Where the offense charged is **sexual misconduct as defined in subdivisions one and two of section 130.20,** rape in the third degree as defined in subdivision three of section 130.25, or criminal sexual act in the third degree as defined in subdivision three of section 130.40, in addition to forcible compulsion, circumstances under which, at the

time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances[~~.~~]**; or**

(e) Where the offense charged is sexual misconduct as defined in subdivisions one and two of section 130.20, rape in the third degree as defined in subdivision three of section 130.25, or criminal sexual act in the third degree as defined in subdivision three of section 130.40, in addition to forcible compulsion, circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim is under the influence of any drug, intoxicant, or other substance to a degree which renders that person unable to give knowing and voluntary consent and that condition is known or reasonably should be known to a person in the actor's situation.

§ 3. Subdivision 4 of section 130.35 of the penal law, as added by chapter 1 of the laws of 2000, is amended and a new subdivision 5 is added to read as follows:

4. Who is less than thirteen years old and the actor is eighteen years old or more[~~.~~]**; or**

5. Who is incapable of consent by reason of being mentally incapacitated as defined in subdivision six of section 130.00 of this article and such incapacitation is due in part to the conduct of the actor, and the actor intended to cause such incapacitation.

§ 4. Subdivision 4 of section 130.50 of the penal law, as amended by chapter 264 of the laws of 2003, is amended and a new subdivision 5 is added to read as follows:

4. Who is less than thirteen years old and the actor is eighteen years old or more[~~.~~]**; or**

5. Who is incapable of consent by reason of being mentally incapacitated as defined in subdivision six of section 130.00 of this article and such incapacitation is due in part to the conduct of the actor, and the actor intended to cause such incapacitation.

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

PART D

Section 1. Section 7 of part Y of chapter 57 of the laws of 2018, amending the education law relating to persons practicing in certain licensed programs or services who are exempt from practice requirements of professionals licensed by the department of education, is amended to read as follows:

§ 7. Programs and services operated, regulated, funded, or approved by the department of mental hygiene, the office of children and family services, the department of corrections and community supervision, the office of temporary and disability assistance, the state office for the aging [~~and~~]**,** the department of health**, and the division of criminal justice services** or a local governmental unit as the term is defined in section 41.03 of the mental hygiene law or a social services district as defined in section 61 of the social services law shall not be required to receive a waiver pursuant to section 6503-a of the education law and, further, such programs and services shall also be considered to be approved settings for the receipt of supervised experience for the professions governed by articles 153, 154 and 163 of the education law.

§ 2. This act shall take effect immediately.

PART E

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

§ 99-hh. District attorney 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 district attorney discovery compensation fund.

2. (a) Such fund shall consist of two 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 two million dollars of future state sanctioned deferred prosecution agreement funds which have been secured by January first of the subsequent year. If two million dollars in future funding has not been secured, the office of the Manhattan district attorney shall transfer two 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 district attorney 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 digital evidence transmission technology.

§ 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 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.

§ 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 facilities 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

Section 1. Paragraph a of subdivision 2 of section 162 of the state finance law, as amended by section 164 of subpart B of part C of chapter 62 of the laws of 2011, is amended to read as follows:

a. Commodities **and services** produced by the correctional industries program of the department of corrections and community supervision and provided to the state pursuant to subdivision two of section one hundred eighty-four of the correction law;

§ 2. Subparagraph (iii) of paragraph b of subdivision 4 of section 162 of the state finance law, as amended by chapter 430 of the laws of 1997, is amended and a new subparagraph (iv) is added to read as follows:

(iii) if, within ten days of the notification required by subparagraph (i) of this paragraph, no preferred source or facilitating entity identified in paragraph e of subdivision six of this section indicates intent to provide the service, [~~then the service shall be procured in accordance with section one hundred sixty-three of this article. If, after such period, a preferred source elects to bid on the service, award shall be made in accordance with section one hundred sixty-three of this article or as otherwise provided by law~~] **state agencies or political subdivisions or public benefit corporations having their own purchasing agency shall make reasonable efforts to provide a notification describing their requirements to the correctional industries program of the department of corrections and community supervision, and if the correctional industries program of the department of corrections and community supervision provides a notice of intent to provide the service in the form, function and utility required, at a price in accordance with the price provisions set forth herein, then the service shall be purchased from the correctional industries program of the department of corrections and community supervision**.

(iv) if, within ten days of the notification required by subparagraph (iii) of this paragraph, the correctional industries program of the department of corrections and community supervision does not indicate intent to provide the service, then the service shall be procured in accordance with section one hundred sixty-three of this article. If, after such period, a preferred source elects to bid on the service, award shall be made in accordance with section one hundred sixty-three of this article or as otherwise provided by law.

§ 3. The opening paragraph of subdivision 5 of section 162 of the state finance law, as amended by section 164 of subpart B of part C of chapter 62 of the laws of 2011, is amended to read as follows:

The prices to be charged for commodities **and services** produced by the correctional industries program of the department of corrections and community supervision shall be established by the commissioner of corrections and community supervision in accordance with section one hundred eighty-six of the correction law.

§ 4. This act shall take effect immediately.

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

Section 1. Subdivision 3 of section 215 of the executive law, as amended by chapter 478 of the laws of 2004, is amended to read as follows:

3. The sworn members of the New York state police shall be appointed by the superintendent and permanent appointees may be removed by the superintendent only after a hearing. No person shall be appointed to the New York state police force as a sworn member unless he or she shall be a citizen of the United States, between the ages of twenty-one and twenty-nine years except that in the superintendent's discretion, the maximum age may be extended to thirty-five years. The superintendent may waive the maximum age for appointment in the case of any individual employed by the office of parks, recreation and historic preservation as a police officer, as defined in section 1.20 of the criminal procedure law, who is appointed to the New York state police as a result of the New York state police assuming the law enforcement responsibilities of that state agency. Notwithstanding any other provision of law or any general or special law to the contrary the time spent on military duty, not exceeding a total of [~~six~~] seven years, shall be subtracted from the age of any applicant who has passed his or her twenty-ninth birthday, solely for the purpose of permitting qualification as to age and for no other purpose. Such limitations as to age however shall not apply to persons appointed to the positions of counsel, first assistant counsel, assistant counsel, and assistant deputy superintendent for employee relations nor to any person appointed to the bureau of criminal investigation pursuant to section two hundred sixteen of this article nor shall any person be appointed unless he or she has fitness and good moral character and shall have passed a physical and mental examination based upon standards provided by the rules and regulations of the superintendent. Appointments shall be made for a probationary period which, in the case of appointees required to attend and complete a basic training program at the state police academy, shall include such time spent attending the basic school and terminate one year after successful completion thereof. All other sworn members shall be subject to a probationary period of one year from the date of appointment. Following satisfactory completion of the probationary period the member shall be a permanent appointee. Voluntary resignation or withdrawal from the New York state police during such appointment shall be submitted to the

superintendent for approval. Reasonable time shall be required to account for all equipment issued or for debts or obligations to the state to be satisfied. Resignation or withdrawal from the division during a time of emergency, so declared by the governor, shall not be approved if contrary to the best interest of the state and shall be a misdemeanor. No sworn member removed from the New York state police shall be eligible for reappointment. The superintendent shall make rules and regulations subject to approval by the governor for the discipline and control of the New York state police and for the examination and qualifications of applicants for appointment as members thereto and such examinations shall be held and conducted by the superintendent subject to such rules and regulations. The superintendent is authorized to charge a fee of twenty dollars as an application fee for any person applying to take a competitive examination for the position of trooper, and a fee of five dollars for any competitive examination for a civilian position. The superintendent shall promulgate regulations subject to the approval of the director of the budget, to provide for a waiver of the application fee when the fee would cause an unreasonable hardship on the applicant and to establish a fee schedule and charge fees for the use of state police facilities.

§ 2. This act shall take effect immediately; provided, however, that the amendments to subdivision 3 of section 215 of the executive law made by section one of this act shall expire and be deemed repealed April 1, 2023.

PART K

Section 1. Section 265.00 of the penal law is amended by adding a new subdivision 31 to read as follows:

31. "Unfinished frame or receiver" means a piece of any material that does not constitute the frame or receiver of a firearm, rifle, or shotgun, but that has been shaped or formed in any way for the purpose of becoming the frame or receiver of a firearm, rifle, or shotgun. Such term shall not include a piece of material that has had its size or external shape altered to facilitate transportation or storage or has had its chemical composition altered.

§ 2. Subdivision 10 of section 265.02 of the penal law, as added by chapter 1 of the laws of 2013, is amended and a new subdivision 11 is added to read as follows:

(10) Such person possesses an unloaded firearm and also commits any violent felony offense as defined in subdivision one of section 70.02 of this chapter as part of the same criminal transaction[~~.~~]**; or**

(11) Such person possesses a major component of a firearm, rifle, or shotgun, or an unfinished frame or receiver, and such person is prohibited from possessing a shotgun or rifle pursuant to: (i) this article; (ii) subsection (g) of section 922 of title 18 of the United States Code; or (iii) a temporary or final extreme risk protection order issued under article sixty-three-A of the civil practice law and rules.

§ 3. The penal law is amended by adding a new section 400.04 to read as follows:

§ 400.04 Sale or transfer of firearm, rifle, or shotgun components.

1. No commercial transfer of a major component of a firearm, rifle, or shotgun, or an unfinished frame or receiver, shall take place unless a dealer in firearms that is validly licensed pursuant to section 400.00 of this article or section 923 of title 18 of the United States Code, acts as an intermediary between the transferor and the ultimate trans-

feree of such major component or unfinished frame or receiver. Such transfer between the dealer and transferee must occur in person. Prior to completing a transfer pursuant to this section the dealer in firearms must verify the identity of the transferee by examining a valid state identification document of the transferee issued by the department of motor vehicles or, if such transferee is not a resident of the state of New York, a valid identification document issued by such transferee's state or country of residence containing a photograph of such transferee.

2. Every dealer in firearms shall keep a record book and enter at the time of every transaction involving the transfer of a major component of a firearm, rifle, or shotgun, or an unfinished frame or receiver, the date, name, age, and residence of any person to whom such major component or unfinished frame or receiver is delivered, and, in the case of a receiver or a frame of a firearm, rifle, or shotgun, or an unfinished frame or receiver, the serial number engraved, cast or stamped thereon or, if none, the serial number assigned to the unfinished frame or receiver pursuant to this section.

3. No dealer in firearms may complete a transfer pursuant to this section unless (i) the frame or receiver of a firearm, rifle, or shotgun, or unfinished frame or receiver, is conspicuously engraved, cast, or stamped with a unique serial number, or (ii) in the case of an unfinished frame or receiver that lacks such a unique serial number, the dealer in firearms first requests and obtains a unique serial number for each unfinished frame or receiver pursuant to subdivision four of this section and provides the unique serial number assigned to the unfinished frame or receiver to the transferee.

4. Upon the request of a dealer in firearms made pursuant to subdivision three of this section, the division of criminal justice services shall issue a unique serial number for each unfinished frame or receiver, transmit the serial number to the requesting dealer, and maintain a record of each serial number issued, the date of issuance, and the identity of the requesting dealer.

5. Every transferee taking possession of an unfinished frame or receiver shall ensure that the unique serial number assigned to such unfinished frame or receiver pursuant to this section is permanently and conspicuously engraved, cast, or stamped upon the unfinished frame or receiver in a manner that meets or exceeds the requirements imposed on licensed importers and licensed manufacturers of firearms pursuant to subsection (i) of section 923 of title 18 of the United States Code and regulations issued pursuant thereto, within thirty days of taking possession of such unfinished frame or receiver.

6. Any person not a validly licensed dealer in firearms pursuant to section 400.00 of this article or section 923 of title 18 of the United States Code who violates subdivision one or five of this section shall be guilty of a class D felony. Any dealer in firearms who violates subdivision three of this section shall be guilty of a class B misdemeanor and any license of such dealer issued pursuant to section 400.00 of this article shall be revoked. Any dealer in firearms who violates subdivision one or two of this section, for a first offense, shall be guilty of a violation and subject to the fine of one thousand dollars and for a second offense, shall be guilty of a class B misdemeanor and any license of such dealer issued pursuant to section 400.00 of this article shall be revoked.

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

PART L

Section 1. The executive law is amended by adding a new section 216-e to read as follows:

§ 216-e. Subpoena authority for investigations of online sexual offenses against minors. 1. Except as provided in subdivision two of this section, in any investigation where a minor is a potential victim of any offense specified in articles two hundred thirty, two hundred thirty-five, or two hundred sixty-three of the penal law, and upon reasonable cause to believe that an internet service account or online identifier has been used in the commission of such offense, the superintendent of the state police and/or the superintendent's authorized designee shall have the authority to issue in writing and cause to be served an administrative subpoena requiring the production of records and testimony relevant to the investigation of such offense, including the following information related to the subscriber or customer of an internet service account or online identifier:

(a) Name;

(b) Internet username;

(c) Billing and service address;

(d) Electronic mail address;

(e) Internet protocol address;

(f) Telephone number of account holder;

(g) Method of access to the internet;

(h) Local and long distance telephone connection records, or records of session times and durations;

(i) Telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address;

(j) Account status;

(k) Length of service, including start date, and types of service utilized;

(l) Means and source of payment for such service, including any credit card or bank account number.

2. The following information shall not be subject to disclosure pursuant to an administrative subpoena issued under this section:

(a) The contents of stored or in-transit electronic communications;

(b) Account memberships related to internet groups, newsgroups, mailing lists, or specific areas of interest;

(c) Account passwords; and

(d) Account content, including electronic mail in any form, address books, contacts, financial records, web surfing history, internet proxy content, and files or other digital documents stored with the account or pursuant to use of the account.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.

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, in the interest of public safety, take temporary custody of any firearm, rifle, electronic dart gun, elec-

tronic 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 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 (d) of this subdivision.

(c) A weapon described in paragraph (a) of this subdivision that is utilized in the commission of an offense, that is unlawfully possessed, or that a court orders to be surrendered pursuant to subdivision two or subdivision three of section eight hundred forty-two-a of the family court act shall be declared a nuisance as provided in subdivision one of section 400.05 of the penal law and either disposed of in the manner described in subdivision two or retained as provided in subdivision three of section 400.05 of the penal law.

(d) Not less than forty-eight hours and not more than one hundred twenty hours or, in the event that a Saturday, Sunday or legal holiday occurs during such period, one hundred forty-four hours after a weapon, other than a weapon described in paragraph (c) of this subdivision, is taken into temporary custody as provided in paragraph (a) of this subdivision, the owner or person who was in lawful possession of such weapon shall have the right to arrange for the sale or transfer of such weapon to a dealer, or to himself or herself, in the manner provided in subdivision six of section 400.05 of the penal law.

§ 3. Section 140.10 of the criminal procedure law is amended by adding a new subdivision 7 to read as follows:

7. (a) Upon investigating a report of a crime or offense between members of the same family or household as such terms are defined in section 530.11 of this chapter and section eight hundred twelve of the family court act, a law enforcement officer may, in the interest of the safety of members of the same family or household or other person or persons, take temporary custody of any firearm, rifle or shotgun or any other weapon that is in plain sight or is discovered pursuant to a lawful search.

(b) Upon taking custody of any firearm, rifle or shotgun or any other weapon described in paragraph (a) of this subdivision, the law enforcement officer shall provide the owner or any other adult residing on the premises with a receipt describing the items taken into temporary custody and shall provide instructions for claiming the items.

(c) A weapon described in paragraph (a) of this subdivision that is used in the commission of an offense or is unlawfully possessed shall be declared a nuisance as provided in subdivision one of section 400.05 of the penal law and either disposed of in the manner described in subdivi-

sion two or retained as provided in subdivision three of section 400.05 of the penal law.

(d) A firearm or other weapon which is taken into temporary custody and which has not been declared a nuisance pursuant to paragraph (c) of this subdivision, shall be retained for a period not to exceed one year. Prior to the expiration of such time period, the owner of the item shall have the right to reclaim the item or arrange for the sale or transfer of the item. Nothing in this subdivision authorizes the return of a firearm, rifle or shotgun to a person who is not authorized to possess a firearm, rifle or shotgun.

§ 4. 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 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, 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 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, consistent with such rights as the defendant may derive from this article or the constitution of this state or the United States.

§ 6. 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, consistent with such rights as the defendant may derive from this article or the constitution of this state or the United States.

§ 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 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, 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, 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, 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**.

[~~(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. This act shall take effect on the first of November next succeeding the date upon which it shall have become a law.

PART O

Section 1. Subdivisions 4 and 5 of section 230 of the executive law, as added by chapter 189 of the laws of 2000, are amended and three new subdivisions 6, 7, and 8 are added to read as follows:

4. The superintendent of the division of state police shall establish and maintain within the division a criminal gun clearinghouse as a central repository of information regarding all guns seized, forfeited, found or otherwise coming into the possession of any state or local law enforcement agency which are believed to have been used in the commission of a crime. The superintendent of the division of state police shall adopt and promulgate regulations prescribing reporting procedures for such state or local law enforcement agencies, including the form for reporting such information. In addition to any other information which the superintendent of the division of state police may require, the form shall require (a) the serial number or other identifying information on the gun, if available and (b) a brief description of the circumstances under which the gun came into the possession of the law enforcement agency, including the crime which was or may have been committed with the gun. **Whenever a state or local law enforcement agency seizes or recovers a gun that was unlawfully possessed, recovered from a crime scene, or is reasonably believed to have been used in or associated with the commission of a crime, or is otherwise recovered as an abandoned or discarded gun, the agency shall report such seized or recovered gun to the criminal gun clearinghouse as soon as practicable, but in no case more than twenty-four hours after the agency has taken possession of such gun. Every report made to the criminal gun clearinghouse will result in the prompt submission of a request to the national tracing center of the bureau of alcohol, tobacco, firearms and explosives to trace the movement of the subject gun and such federal agency will be requested to provide the results of such a trace to the superintendent of the division of state police and to the law enforcement agency that submitted the clearinghouse report.**

5. [~~In any case where a state or local law enforcement agency investigates the commission of a crime in this state and a specific gun is known to have been used in such crime, such agency shall submit a request to the national tracing center of the United States Department of Treasury, bureau of alcohol, tobacco and firearms to trace the movement of such gun and such federal agency shall be requested to provide the superintendent of the division of state police and the local law enforcement agency with the results of such a trace. This subdivision shall not apply where the source of a gun is already known to a local law enforcement agency.~~] **All state and local law enforcement agencies shall participate in the bureau of alcohol, tobacco, firearms and explosives collective data sharing program for the purpose of sharing gun trace reports among all law enforcement agencies in the state on a reciprocal basis.**

6. (a) Whenever a state or local law enforcement agency seizes or recovers a gun that was unlawfully possessed, recovered from the scene of a crime, or is reasonably believed to have been used or associated with the commission of a crime, or is recovered by the agency as an abandoned or discarded gun, the agency shall arrange for every such gun that is determined to be suitable for test-firing and of a type that is eligible for national integrated ballistic information network data entry and correlation to be test-fired as soon as practicable, and the results of that test-firing shall be submitted forthwith to the national

integrated ballistic information network to determine whether the gun is associated or related to a crime, criminal event, or any individual associated or related to a crime or criminal event or reasonably believed to be associated or related to a crime or criminal event.

(b) Whenever a state or local law enforcement agency recovers any ammunition cartridge case that is of a type that is eligible for national integrated ballistic information network data entry and correlation at a crime scene, or has reason to believe that such recovered ammunition cartridge case is related to or associated with the commission of a crime or the unlawful discharge of a gun, the agency shall, as soon as practicable, arrange for the ballistics information to be submitted to the national integrated ballistic information network.

7. Whenever a state or local law enforcement agency seizes or recovers any gun, the agency shall promptly enter the make, model, caliber, and serial number of the gun into the national crime information center (NCIC) system to determine whether the gun was reported stolen.

8. The superintendent may adopt rules and regulations to effectuate the provisions of this section.

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

PART P

Section 1. Paragraph 13 of subdivision (c) of section 33.13 of the mental hygiene law, as amended by chapter 491 of the laws of 2008, subparagraph (ii) as amended by chapter 37 of the laws of 2011, is amended to read as follows:

13. to the state division of criminal justice services for the sole purposes of:

(i) providing, facilitating, evaluating or auditing access by the commissioner of mental health to criminal history information pursuant to subdivision (i) of section 7.09 of this chapter; or

(ii) providing information to the criminal justice information services division of the federal bureau of investigation by the commissioner of mental health or the commissioner of developmental disabilities, for the purposes of responding to queries to the national instant criminal background check system regarding attempts to purchase or otherwise take possession of firearms, in accordance with applicable federal laws or regulations[~~.~~]; or

(iii) providing information to law enforcement entities in states other than New York for the sole purpose of determining eligibility to purchase, possess, or carry a firearm, provided that the law enforcement entity obtains and provides a confidentiality waiver to the division of criminal justice services, where legally necessary.

§ 2. Paragraph 15 of subdivision (c) of section 33.13 of the mental hygiene law, as added by chapter 1 of the laws of 2013, is amended to read as follows:

15. to the division of criminal justice services, names and other non-clinical identifying information for the sole [~~purpose~~] purposes of:

(i) implementing the division's responsibilities and duties under sections 400.00 and 400.02 of the penal law[~~.~~]; or

(ii) providing information to law enforcement entities in states other than New York for the sole purpose of determining eligibility to purchase, possess, or carry a firearm, provided that the law enforcement entity obtains and provides a confidentiality waiver to the division of criminal justice services, where legally necessary.

§ 3. This act shall take effect immediately.

PART Q

Section 1. The penal law is amended by adding a new section 120.65 to read as follows:

§ 120.65 Domestic violence.

A person is guilty of domestic violence when he or she:

1. commits a serious offense as defined in paragraph (c) of subdivision seventeen of section 265.00 of this chapter and the person against whom the offense is committed is a member of the same family or household as defined in subdivision one of section 530.11 of the criminal procedure law; or

2. commits the crime of assault in the third degree as defined in subdivisions one and two of section 120.00 of this article, or criminal obstruction of breathing or blood circulation as defined in section 121.11 of this title, forcible touching as defined in section 130.52 of this title, or sexual abuse in the second degree as defined in section 130.60 of this title, or sexual abuse in the third degree as defined in section 130.55 of this title, or unlawful imprisonment in the second degree as defined in section 135.05 of this title and the person against whom the offense is committed is a current or former spouse, parent, or guardian of the victim, a person with whom the victim shares a child in common, a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or a person similarly situated to a spouse, parent, or guardian of the victim.

Domestic violence is a class A misdemeanor.

§ 2. Paragraph (c) of subdivision 17 of section 265.00 of the penal law, as added by chapter 60 of the laws of 2018, is amended to read as follows:

(c) 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.

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

PART R

Section 1. Short title. This act shall be known and may be cited as the "New York Hate Crime Anti-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

Section 1. Section 167-a of the civil service law, as amended by section 1 of part I of chapter 55 of the laws of 2012, is amended to read as follows:

§ 167-a. Reimbursement for medicare premium charges. Upon exclusion from the coverage of the health benefit plan of supplementary medical insurance benefits for which an active or retired employee or a dependent covered by the health benefit plan is or would be eligible under the federal old-age, survivors and disability insurance program, an amount

equal to the **standard medicare** premium charge for such supplementary medical insurance benefits for such active or retired employee and his or her dependents, if any, shall be paid monthly or at other intervals to such active or retired employee from the health insurance fund. **Furthermore, effective January first, two thousand twenty-one there shall be no payment whatsoever for the income related monthly adjustment amount for amounts (premiums) incurred on or after January first, two thousand twenty to any active or retired employee and his or her dependents, if any.** Where appropriate, such **standard medicare premium** amount may be deducted from contributions payable by the employee or retired employee; or where appropriate in the case of a retired employee receiving a retirement allowance, such **standard medicare premium** amount may be included with payments of his or her retirement allowance. All state employer, employee, retired employee and dependent contributions to the health insurance fund, including contributions from public authorities, public benefit corporations or other quasi-public organizations of the state eligible for participation in the health benefit plan as authorized by subdivision two of section one hundred sixty-three of this article, shall be adjusted as necessary to cover the cost of reimbursing federal old-age, survivors and disability insurance program premium charges under this section. This cost shall be included in the calculation of premium or subscription charges for health coverage provided to employees and retired employees of the state, public authorities, public benefit corporations or other quasi-public organizations of the state; provided, however, the state, public authorities, public benefit corporations or other quasi-public organizations of the state shall remain obligated to pay no less than its share of such increased cost consistent with its share of premium or subscription charges provided for by this article. All other employer contributions to the health insurance fund shall be adjusted as necessary to provide for such payments.

§ 2. This act shall take effect immediately and shall apply on January 1, 2020 for the income related monthly adjustment amount for amounts, premiums, incurred on or after January 1, 2020.

PART T

Section 1. Section 5004 of the civil practice law and rules, as amended by chapter 258 of the laws of 1981, is amended to read as follows:

§ 5004. Rate of interest. [~~**Interest shall be at the rate of nine per centum per annum, except where otherwise provided by statute.**~~] **Notwithstanding any other provision of law or regulation to the contrary, including any law or regulation that limits the annual rate of interest to be paid on a judgment or accrued claim, the annual rate of interest to be paid on a judgment or accrued claim shall be calculated at the one-year United States treasury bill rate. For the purposes of this section, the "one-year United States treasury bill rate" means the weekly average one-year constant maturity treasury yield, as published by the board of governors of the federal reserve system, for the calendar week preceding the date of the entry of the judgment awarding damages. Provided however, that this section shall not apply to any provision of the tax law which provides for the annual rate of interest to be paid on a judgment or accrued claim.**

§ 2. Section 16 of the state finance law, as amended by chapter 681 of the laws of 1982, is amended to read as follows:

§ 16. Rate of interest on judgments and accrued claims against the state. The rate of interest to be paid by the state upon any judgment or accrued claim against the state shall [~~not exceed nine per centum per annum~~] be calculated at the one-year United States treasury bill rate. For the purposes of this section, the "one-year United States treasury bill rate" means the weekly average one-year constant maturity treasury yield, as published by the board of governors of the federal reserve system, for the calendar week preceding the date of the entry of the judgment awarding damages. Provided however, that this section shall not apply to any provision of the tax law which provides for the annual rate of interest to be paid on a judgment or accrued claim.

§ 3. This act shall take effect immediately, and shall be deemed to have been in full force and effect on and after April 1, 2020.

PART U

Section 1. Section 167-a of the civil service law, as amended by section 1 of part I of chapter 55 of the laws of 2012, is amended to read as follows:

§ 167-a. Reimbursement for medicare premium charges. Upon exclusion from the coverage of the health benefit plan of supplementary medical insurance benefits for which an active or retired employee or a dependent covered by the health benefit plan is or would be eligible under the federal old-age, survivors and disability insurance program, an amount equal to the standard medicare premium charge for such supplementary medical insurance benefits for such active or retired employee and his or her dependents, if any, shall be paid monthly or at other intervals to such active or retired employee from the health insurance fund; provided, however, such payment for the standard medicare premium charge shall not exceed one hundred forty-four dollars and sixty cents per month. Where appropriate, such standard medicare premium amount may be deducted from contributions payable by the employee or retired employee; or where appropriate in the case of a retired employee receiving a retirement allowance, such standard medicare premium amount may be included with payments of his or her retirement allowance. All state employer, employee, retired employee and dependent contributions to the health insurance fund, including contributions from public authorities, public benefit corporations or other quasi-public organizations of the state eligible for participation in the health benefit plan as authorized by subdivision two of section one hundred sixty-three of this article, shall be adjusted as necessary to cover the cost of reimbursing federal old-age, survivors and disability insurance program premium charges under this section. This cost shall be included in the calculation of premium or subscription charges for health coverage provided to employees and retired employees of the state, public authorities, public benefit corporations or other quasi-public organizations of the state; provided, however, the state, public authorities, public benefit corporations or other quasi-public organizations of the state shall remain obligated to pay no less than its share of such increased cost consistent with its share of premium or subscription charges provided for by this article. All other employer contributions to the health insurance fund shall be adjusted as necessary to provide for such payments.

§ 2. This act shall take effect immediately and shall apply to the standard medicare premium amount on and after April 1, 2020.

PART V

Section 1. Section 167 of the civil service law is amended by adding a new subdivision 10 to read as follows:

10. Notwithstanding any inconsistent provision of law, the state's contribution for the cost of premium or subscription charges for the coverage of retired state employees who are enrolled in the statewide and the supplementary health benefit plans established pursuant to this article and who are hired on or after October first, two thousand twenty shall be as set forth in this subdivision.

(a) For state employees who retire from a position at or equated to grade ten or higher with at least ten but less than twenty years of service, the state shall pay fifty percent of the cost of premium or subscription charges for the individual coverage of such retired state employees. Such contributions shall increase by two percent of the cost of premium or subscription charges for each year of service in excess of ten years, to a maximum of sixty-eight percent of the cost of premium or subscription charges. For state employees who retire from a position at or equated to grade ten or higher with twenty or more years of service, the state shall pay seventy-four percent of the cost of premium or subscription charges for the individual coverage of such retired state employees. Such contributions shall increase by one percent of the cost of premium or subscription charges for each year of service in excess of twenty years, to a maximum of eighty-four percent of the cost of premium or subscription charges.

(b) For state employees who retire from a position at or equated to grade nine or lower with at least ten but less than twenty years of service, the state shall pay fifty-four percent of the cost of premium or subscription charges for the individual coverage of such retired state employees. Such contributions shall increase by two percent of the cost of premium or subscription charges for each year of service in excess of ten years, to a maximum of seventy-two percent of the cost of premium or subscription charges. For state employees who retire from a position at or equated to grade nine or lower with twenty or more years of service, the state shall pay seventy-eight percent of the cost of premium or subscription charges for the individual coverage of such retired state employees. Such contributions shall increase by one percent of the cost of premium or subscription charges for each year of service in excess of twenty years, to a maximum of eighty-eight percent of the cost of premium or subscription charges.

(c) For state employees who retire from a position at or equated to grade ten or higher with at least ten but less than twenty years of service, the state shall pay thirty-five percent of the cost of premium or subscription charges for the coverage of dependents of such retired state employees; such contribution shall increase by two percent of the cost of premium or subscription charges for each year of service in excess of ten years, to a maximum of fifty-three percent of the cost of premium or subscription charges for such dependents. For state employees who retire from a position at or equated to grade ten or higher with twenty or more years of service, the state shall pay fifty-nine percent of the cost of premium or subscription charges for the coverage of dependents of such retired state employees; such contribution shall increase by one percent of the cost of premium or subscription charges for each year of service in excess of twenty years, to a maximum of sixty-nine percent of the cost of premium or subscription charges for such dependents.

(d) For state employees who retire from a position at or equated to grade nine or lower with at least ten but less than twenty years of

service, the state shall pay thirty-nine percent of the cost of premium or subscription charges for the coverage of dependents of such retired state employees; such contribution shall increase by two percent of the cost of premium or subscription charges for each year of service in excess of ten years, to a maximum of fifty-seven percent of the cost of premium or subscription charges for such dependents. For state employees who retire from a position at or equated to grade nine or lower with twenty or more years of service, the state shall pay sixty-three percent of the cost of premium or subscription charges for the coverage of dependents of such retired state employees; such contribution shall increase by one percent of the cost of premium or subscription charges for each year of service in excess of twenty years, to a maximum of seventy-three percent of the cost of premium or subscription charges for such dependents.

(e) With respect to all such retired state employees, each increment of one or two percent of the cost of premium or subscription charges for each year of service shall be applicable for whole years of service to the state and shall not be applied on a pro-rata basis for partial years of service.

(f) The provisions of this subdivision shall not be applicable to:

(1) Members of the New York state and local police and fire retirement system;

(2) Members in the uniformed personnel in institutions under the jurisdiction of the state department of corrections and community supervision or who are security hospital treatment assistants, as defined in section eighty-nine of the retirement and social security law; and

(3) Any state employee determined to have retired with an ordinary, accidental, or performance of duty disability retirement benefit.

(g) For the purposes of determining the cost of premium or subscription charges to be paid by the state on behalf of retired state employees enrolled in the New York state health insurance program who are hired on or after October first, two thousand twenty, the state shall consider all years of service that a retired state employee has accrued in a public retirement system of the state or an optional retirement program established pursuant to article three, eight-B, or one hundred twenty-five-A of the education law. The provisions of this paragraph may not be used to grant eligibility for retiree state health insurance coverage to a retiree who is not otherwise eligible to enroll in the New York state health insurance program as a retiree.

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

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 specified 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

Section 1. Section 103 of the state technology law is amended by adding a new subdivision 22 to read as follows:

22. To issue procurements for technology, as defined in section one hundred one of this article, in the manner as prescribed in this subdivision.

(a) Notwithstanding section one hundred sixty-three of the state finance law, or any other provision of law to the contrary, the office may issue solicitations for comprehensive technology service contracts and may award comprehensive technology service contracts for technology as prescribed in this subdivision. A comprehensive technology service

contract shall mean any contract for both the design and build of any technology by a single entity or multiple entities acting as one, which may include any and all technology as defined in this article and shall result in a complete and operable system delivered to the state.

(b) For all procurements conducted pursuant to this section, the office shall advertise in the contract reporter and on the website of the office for no less than fifteen business days, a request for proposals which shall include a detailed description of the work to be performed, any minimum and mandatory qualifications, a brief description of how the proposals will be scored, and any other criteria that the office deems necessary and appropriate. Scoring criteria shall be drafted and sealed by the office prior to the opening of any bids. Such scoring criteria shall be objective to the extent practicable and shall include cost. If the winning proposal scores less than five percent higher than the penultimate proposal, the office shall be empowered to request such two bidders to re-submit their cost proposals with the same or lower cost within ten business days' notice, which the office shall then evaluate based on the original sealed scoring criteria for final award.

(c) The office shall include in every contract awarded pursuant to this section a clause which limits the ability of any cost increase of the contract to no more than ten percent of the original bid price of the contractor. Any request for an increase in contract price shall be subject to approval of the director of the division of the budget and the office of the state comptroller. Such clause shall also specify that if the vendor refuses to complete the contract according to the specific terms of the contract as solely determined by the state and unless otherwise agreed to in writing by the state, the contractor shall be liable for return of all monies paid by the state to the contractor as a result of the subject contract, documented state out of pocket expenses up to the time of termination of the contract for work performed by the state in furtherance of the goals of the contract, and any documented cover costs which the state incurs as a result of re-procurement of the contract, regardless of fault. The state shall also retain all title and interest in any custom-built work product delivered to the state up to and including the time of termination, regardless of payment or refund of associated monies to or by the state.

(d) All terms used in this section shall have the same meaning otherwise prescribed in this chapter or in articles eleven and nine of the state finance law, except for those specifically defined in this section.

§ 2. Subdivisions 3 and 4 of section 163-a of the state finance law, subdivision 3 as added by chapter 430 of the laws of 1997 and subdivision 4 as amended by section 10 of part O of chapter 55 of the laws of 2012, are amended and a new subdivision 5 is added to read as follows:

3. A vendor has furnished at government request specifications or information regarding a product or service they provide, but such vendor has not been directly requested to write specifications for such product or service or an agency technology procurement proposal; [~~or~~]

4. The [~~state agency together with~~] director of the office of information technology services, upon request by a state agency, determines that the restriction is not in the best interest of the state[~~. Such office shall notify each member of the advisory council established in article one of the state technology law of any such waiver of these restrictions.~~]; or

5. For the office of information technology services, the restrictions contained within this section shall not apply to procurements issued pursuant to section one hundred three of the state technology law.

§ 3. This act shall take effect immediately.

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, interface, 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 12 of section 3 of the public buildings law, as amended by section 48 of part T of chapter 57 of the laws of 2007, is amended to read as follows:

12. Lease from time to time buildings, rooms or premises in the county of Albany, and elsewhere as required, for providing space for departments, commissions, boards and officers of the state government, upon such terms and conditions as he or she deems most advantageous to the state. Any such lease shall, however, be for a term not exceeding [~~ten~~] **fifteen** years, but may provide for optional renewals on the part of the state, for terms of [~~ten~~] **fifteen** years or less. Each such lease shall contain a clause stating that the contract of the state thereunder shall be deemed executory only to the extent of moneys available therefor and that no liability shall be incurred by the state beyond the money available for such purpose. Notwithstanding the provisions of any other law, except section sixteen hundred seventy-six of the public authorities law relating to use of dormitory authority facilities by the aged, the commissioner of general services shall have sole and exclusive authority to lease space for state departments, agencies, commissions, boards and officers within the county of Albany. Any buildings, rooms or premises, now or hereafter held by the commissioner of general services under lease, may be sublet, in part or in whole, provided that in the judgment of the commissioner, and the occupying department, commission, board, and officers of the state government, such buildings, rooms or premises are not for a time needed. **Notwithstanding any other provision of law to the contrary, if bonds or notes are issued pursuant to section sixteen hundred eighty-n of the public authorities law for the purpose of acquiring a building or other facility previously financed by a lease or lease-purchase obligation as authorized herein, the state agency which is the tenant in occupancy shall be authorized to remit tax payments or payments in lieu of thereof to the appropriate taxing authority in a manner consistent with the process and term established under the original lease or lease-purchase for the subject property for a period coincident with the term of the lease as established at the commencement of the term thereof. The state may undertake a certiorari review of assessments that may be imposed from time to time.**

§ 2. This act shall take effect on the same date as the reversion of subdivision 12 of section 3 of the public buildings law as provided in section 27 of chapter 95 of the laws of 2000, as amended.

PART BB

Section 1. Section 139-l of the state finance law, as added by section 1 of subpart A of part KK of chapter 57 of the laws of 2018, is amended to read as follows:

§ 139-l. Statement on sexual harassment **and reports on sexual harassment**, in bids. 1. (a) Every bid hereafter made to the state or any public department or agency thereof, where competitive bidding is required by statute, rule or regulation, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalty of perjury:

"By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law."

(b) Every bid hereafter made to the state or any public department or agency thereof, where competitive bidding is not required by statute, rule or regulation, for work or services performed or to be performed or goods sold or to be sold, may contain, at the discretion of the department, agency or official, the certification required pursuant to paragraph (a) of this subdivision.

2. (a) Every bid hereafter made to the state or any public department or agency thereof, where competitive bidding is required by statute, rule or regulation, for work or services performed or to be performed or goods sold or to be sold, shall include a report listing (i) the name of the bidder; (ii) the total number of adverse judgments or administrative rulings arising from allegations of sexual harassment during the preceding year; (iii) total number of employees; (iv) whether any equitable relief was ordered against the bidder in any adverse judgment or administrative ruling; (v) the total number of settlements, defined as any written commitment or written agreement, including any agreed judgment, stipulation, decree, agreement to settle, assurance of discontinuance, or otherwise between an employee or a nonemployee and a bidder, under which the bidder directly or indirectly provides to an individual compensation or other consideration due to an allegation that the individual has been a victim of sexual harassment, that has been entered into during the preceding year that relate to any alleged act of sexual harassment that occurred in the workplace of the bidder; and (vi) the total number of settlements entered into during the previous year that relate to any alleged act of sexual harassment committed by a corporate executive without regard to whether that behavior occurred in the workplace of the bidder. The information required by this subdivision shall be provided in electronic format in such form as prescribed by the division of human rights.

(b) On or before the fifteenth of February of each year, copies of the reports required by paragraph (a) of this subdivision received in the previous calendar year shall be transmitted from the contracting agency

to the division of human rights and the office of the state comptroller. The office of the state comptroller shall prepare an annual report summarizing such data, which shall be submitted to the governor, the temporary president of the senate, the speaker of the assembly and the chairpersons of the senate finance, the assembly ways and means committees, the attorney general, the commissioner of labor, and the commissioner of the division of human rights by the thirty-first of July each year following the effective date of this section. Such report shall include the name of the bidder; the total number of adverse judgments or administrative rulings during the preceding year; the total number of employees; whether any equitable relief was ordered against the bidder in any adverse judgment or administrative ruling; and the total number of settlements, as defined in subparagraph (v) of paragraph (a) of this subdivision, entered into during the preceding year.

[~~2.~~] 3. Notwithstanding the foregoing, the statement required by paragraph (a) of subdivision one of this section and the report required by paragraph (a) of subdivision two of this section may be submitted electronically in accordance with the provisions of subdivision seven of section one hundred sixty-three of this chapter.

[~~3.~~] 4. A bid shall not be considered for award nor shall any award be made to a bidder who has not complied with [~~subdivision~~] subdivisions one and two of this section; provided, however, that if the bidder cannot make the foregoing certification, such bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor.

[~~4.~~] 5. Any bid hereafter made to the state or any public department, agency or official thereof, by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where such bid contains the statement required by subdivision one of this section and the report required by subdivision two of this section, shall be deemed to have been authorized by the board of directors of such bidder, and such authorization shall be deemed to include the signing and submission of such bid and the inclusion therein of such statement and such report as the act and deed of the corporation.

§ 2. This act shall take effect on the first of July next succeeding the date upon which it shall have become a law and shall apply to all contracts with the state entered into on and after such effective date.

PART CC

Section 1. Subdivision 3 of section 17 of the alcoholic beverage control law, as amended by section 8 of chapter 522 of the laws of 2018, is amended to read as follows:

3. To revoke, cancel or suspend for cause any license or permit issued under this chapter and/or to impose a civil penalty for cause against any holder of a license or permit issued pursuant to this chapter. Any civil penalty so imposed shall not exceed the sum of ten thousand dollars as against the holder of any retail permit issued pursuant to sections ninety-five, ninety-seven, ninety-eight, ninety-nine-d, and paragraph f of subdivision one of section ninety-nine-b of this chapter, and as against the holder of any retail license issued pursuant to sections fifty-three-a, fifty-four, fifty-four-a, fifty-five, fifty-five-a, sixty-three, sixty-four, sixty-four-a, sixty-four-b, sixty-four-c, seventy-six-f, seventy-nine, eighty-one and eighty-one-a of this chapter, and as against the holder of any license issued pursuant to section forty of this chapter, and the sum of thirty thousand

dollars as against the holder of a license issued pursuant to sections thirty, thirty-one, fifty-three, sixty-one-a, sixty-one-b, seventy-six, seventy-six-a, and seventy-eight of this chapter, provided that the civil penalty against the holder of a wholesale license issued pursuant to section fifty-three of this chapter shall not exceed the sum of ten thousand dollars where that licensee violates provisions of this chapter during the course of the sale of beer at retail to a person for consumption at home, and the sum of one hundred thousand dollars as against the holder of any license issued pursuant to sections fifty-one, sixty-one, and sixty-two of this chapter. Any civil penalty so imposed shall be in addition to and separate and apart from the terms and provisions of the bond required pursuant to section one hundred twelve of this chapter. Provided that no appeal is pending on the imposition of such civil penalty, in the event such civil penalty imposed by the division remains unpaid, in whole or in part, more than forty-five days after written demand for payment has been sent by first class mail to the address of the licensed premises, a notice of impending default judgment shall be sent by first class mail to the licensed premises and by first class mail to the last known home address of the person who signed the most recent license application. The notice of impending default judgment shall advise the licensee: (a) that a civil penalty was imposed on the licensee; (b) the date the penalty was imposed; (c) the amount of the civil penalty; (d) the amount of the civil penalty that remains unpaid as of the date of the notice; (e) the violations for which the civil penalty was imposed; and (f) that a judgment by default will be entered in the supreme court of the county in which the licensed premises are located, or other court of civil jurisdiction or any other place provided for the entry of civil judgments within the state of New York unless the division receives full payment of all civil penalties due within twenty days of the date of the notice of impending default judgment. If full payment shall not have been received by the division within thirty days of mailing of the notice of impending default judgment, the division shall proceed to enter with such court a statement of the default judgment containing the amount of the penalty or penalties remaining due and unpaid, along with proof of mailing of the notice of impending default judgment. The filing of such judgment shall have the full force and effect of a default judgment duly docketed with such court pursuant to the civil practice law and rules and shall in all respects be governed by that chapter and may be enforced in the same manner and with the same effect as that provided by law in respect to execution issued against property upon judgments of a court of record. A judgment entered pursuant to this subdivision shall remain in full force and effect for eight years notwithstanding any other provision of law.

§ 2. Subdivision 3 of section 17 of the alcoholic beverage control law, as amended by section 9 of chapter 522 of the laws of 2018, is amended to read as follows:

3. To revoke, cancel or suspend for cause any license or permit issued under this chapter and/or to impose a civil penalty for cause against any holder of a license or permit issued pursuant to this chapter. Any civil penalty so imposed shall not exceed the sum of ten thousand dollars as against the holder of any retail permit issued pursuant to sections ninety-five, ninety-seven, ninety-eight, ninety-nine-d, and paragraph f of subdivision one of section ninety-nine-b of this chapter, and as against the holder of any retail license issued pursuant to sections fifty-three-a, fifty-four, fifty-four-a, fifty-five, fifty-five-a, sixty-three, sixty-four, sixty-four-a, sixty-four-b,

sixty-four-c, seventy-six-f, seventy-nine, eighty-one, and eighty-one-a of this chapter, **and as against the holder of any license issued pursuant to section forty of this chapter,** and the sum of thirty thousand dollars as against the holder of a license issued pursuant to sections thirty, thirty-one, fifty-three, sixty-one-a, sixty-one-b, seventy-six, seventy-six-a and seventy-eight of this chapter, provided that the civil penalty against the holder of a wholesale license issued pursuant to section fifty-three of this chapter shall not exceed the sum of ten thousand dollars where that licensee violates provisions of this chapter during the course of the sale of beer at retail to a person for consumption at home, and the sum of one hundred thousand dollars as against the holder of any license issued pursuant to sections fifty-one, sixty-one and sixty-two of this chapter. Any civil penalty so imposed shall be in addition to and separate and apart from the terms and provisions of the bond required pursuant to section one hundred twelve of this chapter. Provided that no appeal is pending on the imposition of such civil penalty, in the event such civil penalty imposed by the division remains unpaid, in whole or in part, more than forty-five days after written demand for payment has been sent by first class mail to the address of the licensed premises, a notice of impending default judgment shall be sent by first class mail to the licensed premises and by first class mail to the last known home address of the person who signed the most recent license application. The notice of impending default judgment shall advise the licensee: (a) that a civil penalty was imposed on the licensee; (b) the date the penalty was imposed; (c) the amount of the civil penalty; (d) the amount of the civil penalty that remains unpaid as of the date of the notice; (e) the violations for which the civil penalty was imposed; and (f) that a judgment by default will be entered in the supreme court of the county in which the licensed premises are located, or other court of civil jurisdiction, or any other place provided for the entry of civil judgments within the state of New York unless the division receives full payment of all civil penalties due within twenty days of the date of the notice of impending default judgment. If full payment shall not have been received by the division within thirty days of mailing of the notice of impending default judgment, the division shall proceed to enter with such court a statement of the default judgment containing the amount of the penalty or penalties remaining due and unpaid, along with proof of mailing of the notice of impending default judgment. The filing of such judgment shall have the full force and effect of a default judgment duly docketed with such court pursuant to the civil practice law and rules and shall in all respects be governed by that chapter and may be enforced in the same manner and with the same effect as that provided by law in respect to execution issued against property upon judgments of a court of record. A judgment entered pursuant to this subdivision shall remain in full force and effect for eight years notwithstanding any other provision of law.

§ 3. The alcoholic beverage control law is amended by adding a new article 3-A to read as follows:

ARTICLE 3-A

MISCELLANEOUS LICENSES

Section 40. Higher education institution license.

§ 40. Higher education institution license. 1. Any college or university accredited by the board of regents of the New York state education department may apply to the liquor authority for a higher education institution license as provided for in this section. Such application shall be in writing and shall contain such information as the liquor

authority shall require. Such application shall be accompanied by a check or draft for the amount required by this subdivision for such license. If the liquor authority shall approve the application it shall issue a license in such form as shall be determined by its rules. The annual fee for a higher education institution license shall be two thousand dollars.

2. A licensee under this section shall have the following privileges:

(a) To operate a manufacturing facility or facilities at the licensed premises for the production of mead, beer, cider, liquor, and wine; the licensee may: (i) sell in bulk such alcoholic beverages to any person licensed under this chapter to manufacture the class of alcoholic beverage to be purchased, or to a permittee engaged in the manufacture of products which are unfit for beverage use; (ii) sell or deliver such alcoholic beverages to persons outside the state pursuant to the laws of the place of such delivery;

(b) To sell to manufacturers, wholesalers, and retailers licensed or permitted in this state any alcoholic beverage manufactured by the licensee which that manufacturer, wholesaler or retailer may sell. All such alcoholic beverages sold by the licensee must be securely sealed in a container and have attached thereto a label as shall be required by section one hundred seven-a of this chapter;

(c) (i) (A) To sell at retail for on and off premises consumption any alcoholic beverage manufactured by the licensee and any New York state labeled alcoholic beverage provided that for on-premises consumption the licensee regularly keeps food available such as sandwiches, soups and other such foods, whether fresh, processed, pre-cooked or frozen, and/or food items intended to complement the tasting of alcoholic beverages, which shall mean a diversified selection of food that is ordinarily consumed without the use of tableware and can be conveniently consumed while standing or walking, including but not limited to: cheeses, fruits, vegetables, chocolates, breads, mustards and crackers. (B) Sales made under clause (A) for off-premises consumption may be made only to customers who are physically present upon the licensed premises and such sale shall be concluded by the customer's taking, with him or her, of the sealed containers purchased by such customer at the time the customer leaves the licensed premises. Such sales shall not be made where the order is placed by letter, telephone, fax, or email, or where the customer otherwise does not place the order while the customer is physically present upon the licensed premises; (ii) to operate a restaurant, hotel, catering establishment, or other food and drinking establishment at the licensed premises and sell at such place, at retail for consumption on the premises, any alcoholic beverage manufactured by the licensee and any New York state labeled alcoholic beverage; (iii) to apply to the authority for a license under this chapter to sell other alcoholic beverages at retail for consumption at the licensed premises. All of the provisions of this chapter relative to licenses to sell beer, liquor or wine at retail for consumption on the premises shall apply as far as applicable; (iv) to sell alcoholic beverages manufactured by the licensee at the state fair, recognized county fairs and at farmers markets operated on a not-for-profit basis; (v) to sell alcoholic beverages produced by the licensee in bulk by the keg, cask, or barrel for consumption and not for resale at a clam-bake, barbeque, picnic or similar outdoor gathering;

(d) To manufacture, bottle and sell food condiments and products such as honey, mustards, sauces, jams, jellies, mulling spices and other alcoholic beverage related foods in addition to other such food and

crafts on and from the licensed premises. Such license shall authorize the holder thereof to store and sell gift items in a tax-paid room upon the licensed premises incidental to the sale of alcoholic beverages. These gift items shall be limited to the following categories: (i) non-alcoholic beverages for consumption on or off premises, including but not limited to bottled water, juice and soda beverages; (ii) food items for the purpose of complementing alcoholic beverages, which shall mean a diversified selection of food that is ordinarily consumed without the use of tableware and can be conveniently consumed while standing or walking. Such food items shall include but need not be limited to: cheeses, fruits, vegetables, chocolates, breads, baked goods, mustards and crackers; (iii) food items, which shall include locally produced farm products and any food or food product not specifically prepared for immediate consumption upon the premises. Such food items may be combined into a package containing alcoholic beverages; (iv) alcoholic beverage supplies and accessories, which shall include any item utilized for the storage, serving or consumption of alcoholic beverages or for decorative purposes. These supplies may be sold as single items or may be combined into a package containing alcoholic beverages; (v) alcoholic beverage equipment and supplies including, but not limited to: honey, home alcoholic beverage-making kits, pumps, filters, yeasts, chemicals and other alcoholic beverage additives, bottling equipment, bottles, alcoholic beverage storage and fermenting vessels, barrels, and books or other written material to assist alcoholic beverage makers to produce and bottle alcoholic beverages; and (vi) souvenir items, which shall include, but need not be limited to: artwork, crafts, clothing, agricultural products and any other articles which can be construed to propagate tourism within the region.

(e) To engage in any other business on the licensed premises as is compatible with the mission of a college and university and compatible with the policy and purposes of this chapter in consideration of the effect of the particular businesses on the community and area in the vicinity of the licensed premises.

(f) Notwithstanding any contrary provision of law or of any rule or regulation promulgated pursuant thereto, and in addition to the activities which may otherwise be carried out by any person licensed under this section, such person may, on the premises designated in such license: (i) produce, package, bottle, sell and deliver soft drinks and other non-alcoholic beverages; (ii) recover carbon dioxide and yeast; (iii) store bottles, packages and supplies necessary or incidental to all such operations; (iv) package, bottle, sell and deliver wine products; (v) allow for the premises including space and equipment to be rented by a licensed tenant alcoholic beverage producer for the purposes of alternation.

(g) The authority is hereby authorized to promulgate rules and regulations to effectuate the provisions of this section. In prescribing such rules and regulations, the authority shall promote the expansion and profitability of alcoholic beverage production and of tourism in New York, thereby promoting the conservation, production and enhancement of New York sate agricultural lands.

3.(a) Any activities authorized under this section and carried out by an entity licensed pursuant to this section shall not be violative of subdivision one of section one hundred one, subdivision sixteen of section one hundred five, or subdivision thirteen of section one hundred six of this chapter provided such entity has no interests direct or

indirect in the manufacture, wholesale, or retail of alcoholic beverages other than at the licensed premises.

(b) Provided however that if the licensed entity has an interest in the manufacture or wholesale or alcoholic beverages at another location, such interest shall be permissible where: (i) the interest is total ownership, or (ii) where the interest is less than total ownership, and (A) the manufacturer or wholesaler does not, directly or indirectly, exercise control over or participate in management of the retail business of the licensed entity; (B) the interest does not result in the retail business of the licensed entity purchasing alcoholic beverages from the manufacturer or wholesaler to the exclusion, in whole or part, of alcoholic beverages offered for sale by other persons; (C) the products and services of the manufacturer or wholesaler are not offered discriminatorily in that they are offered to all retailers in the local market on the same terms; and (D) the retail business of the licensed entity purchases alcoholic beverages from a wholesaler licensed under this chapter without an interest in the retail business of such licensed entity when purchasing alcoholic beverages not manufactured by the licensee.

(c) Provided further that if the licensed entity has an interest in retail sale of alcoholic beverages at another location, such interest shall be permissible where: (i) the interest is total ownership, or (ii) where the interest is less than total ownership, and (A) the retailer does not, directly or indirectly, exercise control over or participate in management of the manufacturing or wholesaling business of the licensed entity; (B) the interest does not result in the retail business of the licensed entity purchasing alcoholic beverages from the manufacturer or wholesaler to the exclusion, in whole or in part, of alcoholic beverages offered for sale by other persons; (C) the retail business purchases alcoholic beverages from a wholesaler licensed under this chapter without an interest in the retail business when purchasing alcoholic beverages not manufactures by the licensee.

§ 4. Subdivision 1 of section 56-a of the alcoholic beverage control law, as amended by chapter 522 of the laws of 2018, is amended to read as follows:

1. In addition to the annual fees provided for in this chapter, there shall be paid to the authority with each initial application for a license filed pursuant to section thirty, thirty-one, forty, fifty-one, fifty-one-a, fifty-two, fifty-three, fifty-eight, fifty-eight-c, fifty-eight-d, sixty-one, sixty-two, seventy-six, seventy-seven or seventy-eight of this chapter, a filing fee of four hundred dollars; with each initial application for a license filed pursuant to section sixty-three, sixty-four, sixty-four-a or sixty-four-b of this chapter, a filing fee of two hundred dollars; with each initial application for a license filed pursuant to section fifty-three-a, fifty-four, fifty-five, fifty-five-a, seventy-nine, eighty-one or eighty-one-a of this chapter, a filing fee of one hundred dollars; with each initial application for a permit filed pursuant to section ninety-one, ninety-one-a, ninety-two, ninety-two-a, ninety-three, ninety-three-a, if such permit is to be issued on a calendar year basis, ninety-four, ninety-five, ninety-six or ninety-six-a, or pursuant to paragraph b, c, e or j of subdivision one of section ninety-nine-b of this chapter if such permit is to be issued on a calendar year basis, or for an additional bar pursuant to subdivision four of section one hundred of this chapter, a filing fee of twenty dollars; and with each application for a permit under section ninety-three-a of this chapter, other than a permit to be issued on a calendar

year basis, section ninety-seven, ninety-eight, ninety-nine, or ninety-nine-b of this chapter, other than a permit to be issued pursuant to paragraph b, c, e or j of subdivision one of section ninety-nine-b of this chapter on a calendar year basis, a filing fee of ten dollars.

§ 5. This act shall take effect October 1, 2020, provided that the amendments to subdivision 3 of section 17 of the alcoholic beverage control law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 4 of chapter 118 of the laws of 2012, as amended, when upon such date the provisions of section two of this act shall take effect.

PART DD

Section 1. Section 106 of the alcoholic beverage control law is amended by adding a new subdivision 16 to read as follows:

16. A person holding a retail on-premises license for a movie theatre granted pursuant to section sixty-four-a of this chapter shall:

(a) for every purchase of an alcoholic beverage, require the purchaser to provide written evidence of age as set forth in paragraph (b) of subdivision two of section sixty-five-b of this chapter; and

(b) allow the purchase of only one alcoholic beverage per transaction; and

(c) only permit the sale or delivery of alcoholic beverages directly to an individual holding a ticket for a motion picture with a Motion Picture Association of America rating of "PG-13", "R", or "NC-17"; and

(d) not commence the sale of alcoholic beverages until one hour prior to the start of the first motion picture and cease all sales of alcoholic beverages after the conclusion of the final motion picture.

§ 2. Subdivision 6 of section 64-a of the alcoholic beverage control law, as amended by chapter 475 of the laws of 2011, is amended to read as follows:

6. No special on-premises license shall be granted except for premises in which the principal business shall be (a) the sale of food or beverages at retail for consumption on the premises or (b) the operation of a legitimate theatre**, including a motion picture theatre that is a building or facility which is regularly used and kept open primarily for the exhibition of motion pictures for at least five out of seven days a week, or on a regular seasonal basis of no less than six contiguous weeks, to the general public where all auditorium seating is permanently affixed to the floor and at least sixty-five percent of the motion picture theatre's annual gross revenues is the combined result of admission revenue for the showing of motion pictures and the sale of food and non-alcoholic beverages,** or such other lawful adult entertainment or recreational facility as the liquor authority, giving due regard to the convenience of the public and the strict avoidance of sales prohibited by this chapter, shall by regulation classify for eligibility. [~~**Nothing contained in this subdivision shall be deemed to authorize the issuance of a license to a motion picture theatre, except those meeting the definition of restaurant and meals, and where all seating is at tables where meals are served.**~~]

§ 3. Subdivision 8 of section 64-a of the alcoholic beverage control law, as added by chapter 531 of the laws of 1964, is amended to read as follows:

8. Every special on-premises licensee shall regularly keep food available for sale to its customers for consumption on the premises. The availability of sandwiches, soups or other foods, whether fresh, proc-

essed, pre-cooked or frozen, shall be deemed compliance with this requirement. **For motion picture theatres licensed under paragraph (b) of subdivision six of this section, food that is typically found in a motion picture theatre, including but not limited to: popcorn, candy, and light snacks, shall be deemed to be in compliance with this requirement.** The licensed premises shall comply at all times with all the regulations of the local department of health. Nothing contained in this subdivision, however, shall be construed to require that any food be sold or purchased with any liquor, nor shall any rule, regulation or standard be promulgated or enforced requiring that the sale of food be substantial or that the receipts of the business other than from the sale of liquor equal any set percentage of total receipts from sales made therein.

§ 4. Subdivision 9 of section 64-a of the alcoholic beverage control law is renumbered subdivision 10 and a new subdivision 9 is added to read as follows:

9. In the case of a motion picture theatre applying for a license under this section, any municipality required to be notified under section one hundred ten-b of this chapter may express an opinion with respect to whether the application should be approved, and such opinion may be considered in determining whether good cause exists to deny any such application.

§ 5. This act shall take effect immediately.

PART EE

Section 1. Subdivision 1 of section 101 of the alcoholic beverage control law is amended by adding a new paragraph (a-1) to read as follows:

(a-1) Notwithstanding the provisions of paragraph (a) of this subdivision, it shall be lawful for a manufacturer or wholesaler to hold, directly or indirectly, an interest in a premises licensed under this chapter where alcoholic beverages are sold at retail, provided that:

(i) the manufacturer or wholesaler does not, directly or indirectly, exercise control over or participate in the management of the retailer's business or business decisions;

(ii) the interest does not result in the retailer purchasing alcoholic beverages from the manufacturer or wholesaler to the exclusion, in whole or in part, of alcoholic beverages offered for sale by other persons;

(iii) the products and services of the manufacturer or wholesaler are not offered discriminatorily in that they are offered to all retailers in the local market on the same terms; and

(iv) the retailer purchases alcoholic beverages from a wholesaler licensed under this chapter without an interest in the retailer.

§ 2. Subdivision 1 of section 101 of the alcoholic beverage control law is amended by adding a new paragraph (a-2) to read as follows:

(a-2) The provisions of paragraphs (a) and (a-1) of this subdivision shall not apply to a manufacturer or wholesaler with complete ownership of a premises where alcoholic beverages are sold at retail.

§ 3. Subdivision 1 of section 101 of the alcoholic beverage control law is amended by adding a new paragraph (c-1) to read as follows:

(c-1) The direct or indirect operation and management of a retail premises licensed under this chapter by a manufacturer or wholesaler with complete ownership of the premises shall not constitute a prohibited gift or service.

§ 4. Section 105 of the alcoholic beverage control law is amended by adding a new subdivision 16-a to read as follows:

16-a. Notwithstanding the provisions of subdivision sixteen of this section, it shall be lawful for a retail licensee for off-premises consumption to hold, directly or indirectly, an interest in a manufacturer or wholesaler, provided that:

(a) the retail licensee does not exercise, direct or indirect, control over or participate in the management of the manufacturer or wholesaler's business or business decisions;

(b) the interest does not result in the retailer purchasing the manufacturer or wholesaler's alcoholic beverages to the exclusion, in whole or in part, of alcoholic beverages offered for sale by other persons; and

(c) the retail licensee purchases its alcoholic beverages from a wholesaler licensed under this chapter that the retail licensee does not hold an interest in.

§ 5. Section 105 of the alcoholic beverage control law is amended by adding a new subdivision 16-b to read as follows:

16-b. The provisions of subdivisions sixteen and sixteen-a of this section shall not apply to a retail licensee for off-premises consumption with complete ownership of a manufacturer or wholesaler.

§ 6. Section 106 of the alcoholic beverage control law is amended by adding a new subdivision 13-a to read as follows:

13-a. Notwithstanding the provisions of subdivision thirteen of this section, it shall be lawful for a retail licensee for on-premises consumption to hold, directly or indirectly, an interest in a manufacturer or wholesaler licensed under this chapter, provided that:

(a) the retail licensee does not exercise, direct or indirect, control over or participate in the management of the manufacturer or wholesaler's business or business decisions;

(b) the interest does not result in the retailer purchasing the manufacturer or wholesaler's alcoholic beverages to the exclusion, in whole or in part, of alcoholic beverages offered for sale by other persons; and

(c) the retail licensee purchases its alcoholic beverages from a wholesaler licensed under this chapter that the retail licensee does not hold an interest in.

§ 7. Section 106 of the alcoholic beverage control law is amended by adding a new subdivision 13-b to read as follows:

13-b. The provisions of paragraph a of subdivision thirteen and subdivision thirteen-a shall not apply to a retail licensee for on-premises consumption with complete ownership of a manufacturer or wholesaler.

§ 8. This act shall take effect immediately.

PART FF

Section 1. Paragraph (b) of subdivision 5 of section 106 of the alcoholic beverage control law, as amended by chapter 83 of the laws of 1995, is amended to read as follows:

(b) On any other day between four ante meridiem and eight ante meridiem**; provided, however, for a premises located within an international airport owned or operated by the Port Authority of New York and New Jersey, on any other day between three ante meridiem and six ante meridiem; provided further that such hours for a premises located within an international airport owned or operated by the Port Authority of New**

York and New Jersey 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

Section 1. The section heading and subdivisions 1, 2, 3 and 7 of section 87 of the workers' compensation law, the section heading and subdivision 1 as amended and subdivisions 2, 3 and 7 as added by section 20 of part GG of chapter 57 of the laws of 2013, are amended to read as follows:

[~~Investment of surplus or reserve~~] Investments. 1. Any of the reserve funds belonging to the state insurance fund, by order of the commissioners, approved by the superintendent of financial services, may be invested in the types of [~~securities~~] investments described in [~~subdivisions one, two, three, four, five, six, eleven, twelve, twelve-a, thirteen, fourteen, fifteen, nineteen, twenty, twenty-one, twenty-one-a, twenty-four, twenty-four-a, twenty-four-b, twenty-four-c and twenty-five of section two hundred thirty-five of the banking law or in paragraph~~] paragraphs one through four of subsection (b) of section one thousand four hundred two of the insurance law and paragraphs one, two, three, four, five, six, seven, and eleven of subsection (a) of section one thousand four hundred four of the insurance law except that a minimum of [~~up to~~] five percent of such reserve funds [~~may~~] shall be invested in the types of securities [~~of any solvent American institution as~~] described in [~~such paragraph irrespective of the rating of such institution's obligations or other similar qualitative standards described therein~~] paragraphs one through four of subsection (b) of section one thousand four hundred two of the insurance law.

2. Any [~~of the surplus~~] funds belonging to the state insurance fund exceeding seventy percent of the aggregate of loss reserves, loss expense reserves, and unearned premium reserves, by order of the commissioners, approved by the superintendent of financial services, may be invested in the types of [~~securities described in subdivisions one, two, three, four, five, six, eleven, twelve, twelve-a, thirteen, fourteen, fifteen, nineteen, twenty, twenty-one, twenty-one-a, twenty-four, twenty-four-a, twenty-four-b, twenty-four-c and twenty-five of section two hundred thirty-five of the banking law or, up to fifty percent of surplus funds, in the types of securities or~~] investments described in [~~paragraphs two, three, eight and ten of~~] paragraphs one through four of subsection (b) of section one thousand four hundred two of the insurance law and subsection (a) of section one thousand four hundred four of the insurance law, [~~except that up to ten percent of surplus funds may be invested in the securities of any solvent American institution as described in such paragraphs irrespective of the rating of such institution's obligations or other similar qualitative standards described therein,~~] but such investments shall not be subject to the qualitative standards or quantitative limitations which are set forth with respect to any investment permitted by such subsection and, up to fifteen percent of [~~surplus~~] such funds, in [~~securities or~~] investments which do not otherwise qualify for investment under this section as shall be made with the care, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims as provided for the state insurance fund under this article, but shall not include any direct derivative instru-

ment or derivative transaction except for hedging purposes. [~~Notwithstanding any other provision in this subdivision, the aggregate amount that the state insurance fund may invest in the types of securities or investments described in paragraphs three, eight and ten of subsection (a) of section one thousand four hundred four of the insurance law and as a prudent person acting in a like capacity would invest as provided in this subdivision shall not exceed fifty percent of such surplus funds.~~]

3. Any [~~of the surplus or reserve~~] funds belonging to the state insurance fund, upon like approval of the superintendent of financial services, may be loaned on the pledge of any such securities. The commissioners, upon like approval of the superintendent of financial services, may also sell any of such securities or investments.

7. Notwithstanding any provision in this section, the [~~surplus and reserve~~] funds of the state insurance fund shall not be invested in any investment that has been found by the superintendent of financial services to be against public policy or in any investment prohibited by the provisions of [~~paragraph six of subsection (a) of section one thousand four hundred four of the insurance law or by the provisions of~~] paragraph one, two, three, four, six, **seven,** eight, nine or ten of subsection (a) of section one thousand four hundred seven of the insurance law **or in excess of any limitation provided under sections one thousand four hundred eight and one thousand four hundred nine of the insurance law**.

§ 2. This act shall take effect July 1, 2020; provided, however, if this act shall become a law after such date it shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2020.

PART HH

Section 1. Paragraph (a) of subdivision 5 of section 54 of the workers' compensation law, as amended by chapter 469 of the laws of 2017, is amended to read as follows:

(a) Cancellation and termination of insurance contracts. No contract of insurance issued by an insurance carrier against liability arising under this chapter shall be cancelled within the time limited in such contract for its expiration unless notice is given as required by this section. When cancellation is due to non-payment of premiums and assessments, such cancellation shall not be effective until at least ten days after a notice of cancellation of such contract, on a date specified in such notice, shall be filed in the office of the chair and also served on the employer. When cancellation is due to any reason other than non-payment of premiums and assessments, such cancellation shall not be effective until at least thirty days after a notice of cancellation of such contract, on a date specified in such notice, shall be filed in the office of the chair and also served on the employer; provided, however, in either case, that if the employer has secured insurance with another insurance carrier which becomes effective prior to the expiration of the time stated in such notice, the cancellation shall be effective as of the date of such other coverage. No insurer shall refuse to renew any policy insuring against liability arising under this chapter unless at least thirty days prior to its expiration notice of intention not to renew has been filed in the office of the chair and also served on the employer.

Such notice shall be served on the employer by delivering it to him, her or it or by sending it by mail, by certified or registered letter, return receipt requested, addressed to the employer at his, her or its last known place of business; provided that, if the employer be a partnership, then such notice may be so given to any of one of the partners, and if the employer be a corporation then the notice may be given to any agent or officer of the corporation upon whom legal process may be served; and further provided that an employer may designate any person or entity at any address to receive such notice including the designation of one person or entity to receive notice on behalf of multiple entities insured under one insurance policy and that service of notice at the address so designated upon the person or entity so designated by delivery or by mail, by certified or registered letter, return receipt requested, shall satisfy the notice requirement of this section. [~~Provided, however, the~~] **The** right to cancellation of a policy of insurance in the state **insurance** fund**, however,** shall be exercised only for non-payment of premiums and assessments**, or failure by the employer to cooperate with a payroll audit,** or as provided in section ninety-four of this chapter. **The state insurance fund may cancel a policy for the employer's failure to cooperate with a payroll audit if the employer fails (i) either to make or keep an appointment during regular business hours with a payroll auditor, after the state insurance fund has made at least two attempts to arrange an appointment including contacting the employer's broker or accountant, if any, or (ii) to furnish business records in the course of a payroll audit as required pursuant to sections ninety-five and one hundred thirty-one of this chapter. At least fifteen days in advance of sending a notice of cancellation for failure to cooperate with a payroll audit, the state insurance fund shall send a warning notice to the employer in the same manner as provided in this subdivision for serving a notice of cancellation. Such notice shall specify a means of contacting the state insurance fund to set up an audit appointment. The state insurance fund will be required to provide only one such warning notice to an employer related to any particular payroll audit prior to cancellation.**

The provisions of this subdivision shall not apply with respect to policies containing coverage pursuant to subsection (j) of section three thousand four hundred twenty of the insurance law relating to every policy providing comprehensive personal liability insurance on a one, two, three or four family owner-occupied dwelling.

In the event such cancellation or termination notice is not filed with the chair within the required time period, the chair shall impose a penalty in the amount of up to five hundred dollars for each ten-day period the insurance carrier or state insurance fund failed to file the notification. All penalties collected pursuant to this subdivision shall be deposited in the uninsured employers' fund.

§ 2. Section 93 of the workers' compensation law, as amended by section 24 of part GG of chapter 57 of the laws of 2013, is amended to read as follows:

§ 93. Collection of premium in case of default. a. If a policyholder shall default in any payment required to be made by [~~him~~] **such policyholder** to the state insurance fund **or shall fail to cooperate with a payroll audit as specified in subdivision five of section fifty-four of this chapter,** after due notice, [~~his~~] **such policyholder's** insurance in the state **insurance** fund may be cancelled and the amount due from [~~him~~] **such policyholder** shall be collected by civil action brought against [~~him~~] **such policyholder** in any county wherein the state insurance fund

maintains an office in the name of the commissioners of the state insurance fund and the same, when collected, shall be paid into the state insurance fund, and such policyholder's compliance with the provisions of this chapter requiring payments to be made to the state insurance fund shall date from the time of the payment of said money to the state insurance fund.

b. An employer, whose policy of insurance has been cancelled by the state insurance fund for non-payment of premium and assessments, or for failure to cooperate with a payroll audit, or [~~withdraws~~] cancelled pursuant to section ninety-four of this article, is ineligible to contract for a subsequent policy of insurance with the state insurance fund [~~while~~] until the state insurance fund receives full cooperation from such employer in completing any payroll audit on the cancelled policy and the billed premium on the cancelled policy [~~remains uncollected~~] is paid, including any additional amounts billed following the completion of any payroll audit.

c. The state insurance fund shall not be required to write a policy of insurance for any employer which is owned or controlled or the majority interest of which is owned or controlled, directly or indirectly, by any person who directly or indirectly owns or controls or owned or controlled at the time of cancellation an employer whose former policy of insurance with the state insurance fund was cancelled for non-payment of premium and assessments, or for failure to cooperate with a payroll audit, or [~~withdraws~~] cancelled pursuant to section ninety-four of this article, or who is or was at the time of cancellation the president, vice-president, secretary or treasurer of such an employer until the state insurance fund receives full cooperation from such employer in completing any payroll audit and the billed premium on the cancelled policy is paid, including any additional amounts billed following the completion of any payroll audit.

For purposes of this subdivision, "person" [~~shall include individuals, partnerships, corporations, and other associations~~] means any individual, firm, company, partnership, corporation, limited liability company, joint venture, joint-stock association, association, trust or any other legal entity whatsoever.

§ 3. Section 95 of the workers' compensation law, as amended by chapter 135 of the laws of 1998, is amended to read as follows:

§ 95. Record and audit of payrolls. (1) Every employer who is insured in the state insurance fund shall keep a true and accurate record of the number of [~~his~~] its employees, the classification of its employees, information regarding employee accidents and the wages paid by [~~him~~] such employer, as well as such records relating to any person performing services under a subcontract with such employer who is not covered under the subcontractor's own workers' compensation insurance policy, and shall furnish, upon demand, a sworn statement of the same. Such record and any other records of an employer containing such information pertaining to any policy period including, but not limited to, any payroll book, payroll and distribution records, cash book, check book, bank account statements, commission records, ledgers, journals, registers, vouchers, contracts, tax returns and reports, and computer programs for retrieving data, certificates of insurance pertaining to subcontractors and any other business records specified by the rules of the board shall be open to inspection by the state insurance fund at any time and as often as may be necessary to verify the number of employees [~~and~~], the amount of the payroll, the classification of employees and information regarding employee accidents. Any employer who shall fail

to keep [~~such~~] any record required by this section, who shall willfully fail to furnish such record or who shall willfully falsify any such record[~~,~~] shall be guilty of a misdemeanor and subject to any penalties otherwise provided by law.

(2) Employers subject to [~~subdivision~~] subsection (e) of section two thousand three hundred four of the insurance law and subdivision two of section eighty-nine of this article shall keep a true and accurate record of hours worked for all construction classification employees. The willful failure to keep such record, or the knowing falsification of any such record, may be prosecuted as insurance fraud in accordance with the provisions of section 176.05 of the penal law.

§ 4. Subdivision 1 of section 131 of the workers' compensation law, as amended by chapter 6 of the laws of 2007, is amended to read as follows:

(1) Every employer subject to the provisions of this chapter shall keep a true and accurate record of the number of [~~his or her~~] its employees, the classification of its employees, information regarding employee accidents and the wages paid by [~~him or her~~] such employer for a period of four years after each entry therein, [~~which~~] as well as such records relating to any person performing services under a subcontract of such employer that is not covered under the subcontractor's own workers' compensation insurance policy. Such records shall be open to inspection at any time, and as often as may be necessary to verify the same by investigators of the board, by the authorized auditors, accountants or inspectors of the carrier with whom the employer is insured, or by the authorized auditors, accountants or inspectors of any workers' compensation insurance rating board or bureau operating under the authority of the insurance law and of which board or bureau such carrier is a member or the group trust of which the employer is a member. Any and all records required by law to be kept by such employer upon which the employer makes or files a return concerning wages paid to employees and any other records of an employer containing such information pertaining to any policy period including, but not limited to, any payroll book, payroll and distribution records, cash book, check book, bank account statements, commission records, ledgers, journals, registers, vouchers, contracts, tax returns and reports, and computer programs for retrieving data, certificates of insurance pertaining to subcontractors and any other business records specified by the rules of the board shall form part of the records described in this section and shall be open to inspection in the same manner as provided in this section. Any employer who shall fail to keep such records, who shall willfully fail to furnish such record as required in this section or who shall falsify any such records, shall be guilty of a misdemeanor and subject to a fine of not less than five nor more than ten thousand dollars in addition to any other penalties otherwise provided by law, except that any such employer that has previously been subject to criminal penalties under this section within the prior ten years shall be guilty of a class E felony, and subject to a fine of not less than ten nor more than twenty-five thousand dollars in addition to any penalties otherwise provided by law.

§ 5. This act shall take effect July 1, 2020.

PART II

Section 1. Section 76 of the workers' compensation law is amended by adding a new subdivision 1-a to read as follows:

1-a. a. The purposes of the state insurance fund are hereby enlarged to permit it to enter agreements with insurers licensed to write workers' compensation insurance in states outside New York to issue policies to state insurance fund policyholders covering those policyholders' obligations to secure the payment of workers' compensation benefits under the laws of states other than New York. The state insurance fund shall also be authorized to receive premiums into its workers' compensation fund for policies written under such agreements and to pay from such fund: (i) reimbursement of all losses and loss adjustment expenses paid by a licensed insurer under such policies; and (ii) fees to such a licensed insurer for administering claims and policies covered by such agreements.

b. For a policyholder to be eligible for insurance in states other than New York provided through agreements entered under this subdivision, either: (i) the policyholder's workers' compensation premiums with the state insurance fund covering its employees under this chapter must be greater than the premiums charged to cover the policyholder's obligations to pay workers' compensation benefits in all states, in the aggregate, other than New York; or (ii) the payroll for the policyholder's operations in New York must be greater than the policyholder's payroll in all states, in the aggregate, other than New York for the prior policy period. For determining eligibility, "premiums" mean estimated premiums as determined by the state insurance fund at the beginning of the policy period. In addition, for a policyholder to be eligible for insurance in states other than New York through the state insurance fund, the policyholder must meet the state insurance fund's underwriting criteria for other states coverage as specified by rules of the commissioners.

§ 2. This act shall take effect immediately.

PART JJ

Section 1. Section 9-211 of the election law is amended by adding a new subdivision 6 to read as follows:

6. (a) Notwithstanding any other provision of law, within fifteen days after each general, special or primary election conducted by the board of elections, the board of elections or a bipartisan committee appointed by such board shall conduct a complete audit of the voter verifiable audit records of every voting machine or system within the jurisdiction of such board in the following circumstances:

(i) In a state-wide election where a 0.2% margin of victory exists.

(ii) In any public election that is not a state-wide election where a 0.5% margin of victory exists.

(b) For the purposes of this section, margin of victory shall mean the margin of victory for all votes cast in the entire election following the initial canvass of votes.

(c) Audits under this section shall be performed manually.

§ 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

Section 1. Section 54-l of the state finance law, as added by section 1 of part J of chapter 57 of 2011, paragraph b of subdivision 2 as amended by section 1 of part X of chapter 55 of the laws of 2014 and

subdivision 5 as added by section 5 of part S of chapter 39 of the laws of 2019, is amended to read as follows:

§ 54-l. State assistance to eligible cities [~~and eligible municipalities~~] in which a video lottery gaming facility is located. 1. Definitions. When used in this section, unless otherwise expressly stated:

[~~a.~~] "Eligible city" shall mean a city with a population equal to or greater than one hundred twenty-five thousand and less than one million in which a video lottery gaming facility is located and operating as of January first, two thousand nine pursuant to section sixteen hundred seventeen-a of the tax law.

[~~b. "Eligible municipality" shall mean a county, city, town or village in which a video lottery gaming facility is located pursuant to section sixteen hundred seventeen-a of the tax law that is not located in a city with a population equal to or greater than one hundred twenty-five thousand.~~]

2. [~~a.~~] Within the amount appropriated therefor, an eligible city shall receive an amount equal to the state aid payment received in the state fiscal year commencing April first, two thousand eight from an appropriation for aid to municipalities with video lottery gaming facilities.

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

3. [~~a.~~] State aid payments made to an eligible city pursuant to [~~paragraph a of~~] subdivision two of this section shall be used to increase support for public schools in such city.

[~~b. State aid payments made to an eligible municipality pursuant to paragraph b of subdivision two of this section shall be used by such eligible municipality to: (i) defray local costs associated with a video lottery gaming facility, or (ii) minimize or reduce real property taxes.~~]

4. Payments of state aid pursuant to this section shall be made on or before June thirtieth of each state fiscal year to the chief fiscal officer of each eligible city [~~and each eligible municipality~~] on audit and warrant of the state comptroller out of moneys appropriated by the legislature for such purpose to the credit of the local assistance fund in the general fund of the state treasury.

[~~5. The town and county in which the facility defined in paragraph five of subdivision a of section sixteen hundred seventeen-a of the tax law is located shall receive assistance payments made pursuant to this section at the same dollar level realized by the village of Monticello, Sullivan county, the town of Thompson, Sullivan county, and Sullivan county. Each village in which the facility defined in paragraph five of subdivision a of section sixteen hundred seventeen-a of the tax law is located shall receive assistance payments made pursuant to this section at the rate of fifty percent of the dollar level realized by the village of Monticello. Any payments made pursuant to this subdivision shall not commence until the facility defined in paragraph five of subdivision a of section sixteen hundred seventeen-a of the tax law has realized revenue for a period of twelve consecutive months.~~]

§ 2. This act shall take effect immediately.

PART LL

Section 1. Subdivision 8 of section 239-bb of the general municipal law, as added by section 1 of part EE of chapter 55 of the laws of 2018, is amended to read as follows:

8. For each county, new shared services actions [~~not included~~] in [~~a previously~~] **an** approved and submitted plan pursuant to this section or part BBB of chapter fifty-nine of the laws of two thousand seventeen, may be eligible for funding to match savings from such action, subject to available appropriation. Savings that are actually and demonstrably realized by the participating local governments are eligible for matching funding. For actions that are part of an approved plan transmitted to the secretary of state in accordance with paragraph b of subdivision seven of this section, savings achieved [~~from~~] **during either: (i)** January first through December thirty-first from new actions implemented on or after January first through December thirty-first of the year immediately following an approved [~~and transmitted~~] plan**, or (ii) July first of the year immediately following an approved plan through June thirtieth of the subsequent year from new actions implemented July first of the year immediately following an approved plan through June thirtieth of the subsequent year** may be eligible for matching funding. Only net savings between local governments for each action would be eligible for matching funding. Savings from internal efficiencies or any other action taken by a local government without the participation of another local government are not eligible for matching funding. Each county and all of the local governments within the county that are part of any action to be implemented as part of an approved plan must collectively apply for the matching funding and agree on the distribution and use of any matching funding in order to qualify for matching funding. **Each county shall be authorized to submit one consolidated application for matching funds for each approved and transmitted plan. All actions from a plan for which matching funds will be requested shall adhere to the same twelve-month period beginning either January first or July first. The secretary of state shall develop the application with any necessary requirements for receipt of state matching funds.**

§ 2. This act shall take effect immediately.

PART MM

Section 1. Subdivision 1 of section 160.05 of the local finance law, as added by chapter 67 of the laws of 2013, is amended to read as follows:

1. There shall be a financial restructuring board for local governments which shall consist of ten members: the director of the budget who shall be chair of the board, the attorney general, the state comptroller, and the secretary of state, each of whom may designate a representative to attend sessions of the board on his or her behalf, and six members appointed by the governor, one of whom upon the recommendation of the temporary president of the senate, one of whom upon the recommendation of the speaker of the assembly, and four other members appointed by the governor, one of whom shall have significant experience in municipal financial and restructuring matters. In making such appointments, the governor shall consider regional diversity. Appointees shall serve at the pleasure of his or her appointing authority. The appointee of the governor who has been designated as having significant experience in municipal financial and restructuring matters shall receive fair compensation for his or her services performed pursuant to this section in an amount to be determined by the director of the budget and all members

shall be reimbursed for all reasonable expenses actually and necessarily incurred by him or her in the performance of his or her duties. The board shall have the power to act by an affirmative vote of a majority of the total number of members **present at the meeting** and shall render its findings and recommendations within six months of being requested to act by a fiscally eligible municipality. The provisions of section seventeen of the public officers law shall apply to members of the board. No member of the board shall be held liable for the performance of any function or duty authorized by this section. The work of the board shall be conducted with such staff as the director of the budget, the secretary of state, the attorney general and the state comptroller shall make available. All proceedings, meetings and hearings conducted by the board shall be held in the city of Albany.

§ 2. This act shall take effect immediately.

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

Section 1. Section 217 of the county law is amended to read as follows:

§ 217. County jail. Each county shall continue to maintain a county jail as prescribed by law**; provided, however, this section shall not prohibit counties from jointly maintaining a county jail pursuant to a shared services agreement**.

§ 2. Subdivision 1 of section 500-a of the correction law is amended by adding a new paragraph (h) to read as follows:

(h) Notwithstanding any other law to the contrary, nothing in this subdivision shall prohibit counties from jointly maintaining a county jail pursuant to a shared services agreement.

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

1. Except as provided in subdivision two of this section, the sheriff of each county shall have custody of the county jail of such county**; provided however, that for counties jointly maintaining a county jail pursuant to a shared services agreement, the sheriff of the county in which such jail is located shall consult with the sheriff of any county using the jail pursuant to a shared services agreement**.

§ 4. Section 500 of the correction law, as amended by chapter 131 of the laws of 2014, is amended to read as follows:

§ 500. Application of article. The provisions of this article shall apply to any all local correctional facilities as defined by subdivision sixteen of section two of this chapter **and shall apply to any county jail maintained by more than one county pursuant to a shared services agreement**.

§ 5. Subdivision 2 of section 40 of the correction law, as amended by chapter 247 of the laws of 2018, is amended to read as follows:

2. "Local correctional facility" means any jail, penitentiary, state, county or municipal lockup, court detention pen, hospital prison ward or specialized secure juvenile detention facility for older youth**, or jail jointly maintained by more than one county pursuant to a shared services agreement**.

§ 6. Subdivision 1 of section 751 of the judiciary law, as amended by chapter 399 of the laws of 1988, is amended to read as follows:

1. Except as provided in subdivisions (2), (3) and (4), punishment for a contempt, specified in section seven hundred fifty, may be by fine, not exceeding one thousand dollars, or by imprisonment, not exceeding thirty days, in the jail of the county where the court is sitting, or

both, in the discretion of the court. **If the county jail in which the court is sitting has entered into a shared services agreement to maintain a joint county jail, the person may be imprisoned in a jail in another county that is a party to that agreement.** Where the punishment for contempt is based on a violation of an order of protection issued under section 530.12 or 530.13 of the criminal procedure law, imprisonment may be for a term not exceeding three months. Where a person is committed to jail, for the nonpayment of a fine, imposed under this section, he must be discharged at the expiration of thirty days; but where he is also committed for a definite time, the thirty days must be computed from the expiration of the definite time.

Such a contempt, committed in the immediate view and presence of the court, may be punished summarily; when not so committed, the party charged must be notified of the accusation, and have a reasonable time to make a defense.

§ 7. This act shall take effect immediately; provided that the amendments to subdivision 1 of section 500-c of the correction law made by section three of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART PP

Section 1. Subparagraph 9 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:

(9) the probable future financial circumstances of each party **including acts of domestic violence as provided in section four hundred fifty-nine-a of the social services law by one party against another that have inhibited or continue to inhibit a party's earning capacity or ability to obtain meaningful employment**;

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

Section 1. The opening paragraph of subdivision 1 of section 812 of the family court act, as amended by chapter 109 of the laws of 2019, is amended to read as follows:

The family court and the criminal courts shall have concurrent jurisdiction over any proceeding concerning acts which would constitute disorderly conduct, unlawful dissemination or publication of an intimate image, harassment in the first degree, harassment in the second degree, aggravated harassment in the second degree, sexual misconduct, forcible touching, sexual abuse in the third degree, sexual abuse in the second degree as set forth in subdivision one of section 130.60 of the penal law, stalking in the first degree, stalking in the second degree, stalking in the third degree, stalking in the fourth degree, criminal mischief, menacing in the second degree, menacing in the third degree, reckless endangerment, criminal obstruction of breathing or blood circulation, strangulation in the second degree, strangulation in the first degree, assault in the second degree, assault in the third degree, an attempted assault, identity theft in the first degree, identity theft in the second degree, identity theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree, coercion in the second degree or coercion in the third degree as set forth in subdivisions one, two and three of section 135.60 of the penal law between spouses or former spouses, or between parent and child or between members of the same family or household except that if the respondent would not be criminally responsible by reason of age pursuant to section 30.00 of the penal law, then the family court shall have exclusive jurisdiction over such proceeding. Notwithstanding a complainant's election to proceed in family court, the criminal court shall not be divested of jurisdiction to hear a family offense proceeding pursuant to this section. **The family court may also issue an order of protection based on any circumstances that the court determines require an order for the purposes established in paragraph (b) of subdivision two of this section.** In any proceeding pursuant to this article, a court shall not deny an order of protection, or dismiss a petition, solely on the basis that the acts or events alleged are not relatively contemporaneous with the date of the petition, the conclusion of the fact-finding or the conclusion of the dispositional hearing. For purposes of this article, "disorderly conduct" includes disorderly conduct not in a public place. For purposes of this article, "members of the same family or household" shall mean the following:

§ 2. Paragraph (a) of subdivision 1 of section 821 of the family court act, as amended by section 6 of part NN of chapter 55 of the laws of 2018, is amended to read as follows:

(a) An allegation that**: (i)** the respondent assaulted or attempted to assault his or her spouse, or former spouse, parent, child or other member of the same family or household or engaged in disorderly conduct, harassment, sexual misconduct, forcible touching, sexual abuse in the third degree, sexual abuse in the second degree as set forth in subdivision one of section 130.60 of the penal law, stalking, criminal mischief, menacing, reckless endangerment, criminal obstruction of breathing or blood circulation, strangulation, identity theft in the first degree, identity theft in the second degree, identity theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree, coercion in the second degree or coercion in the third degree as set forth in subdivisions one, two and three of section 135.60 of the penal law, toward any such person; **or (ii) the respondent is the spouse, or former spouse, parent, child or other member of the same**

family or household as the petitioner and circumstances exist that require an order of protection for the purposes established in paragraph (b) of subdivision two of section eight hundred twelve of this article;

§ 3. Subdivision 3-a of section 530.12 of the criminal procedure law, as added by chapter 186 of the laws of 1997, is amended to read as follows:

3-a. Emergency powers when family court not in session; issuance of temporary orders of protection. Upon the request of the petitioner, a local criminal court may on an ex parte basis issue a temporary order of protection pending a hearing in family court, provided that a sworn affidavit, verified in accordance with subdivision one of section 100.30 of this chapter, is submitted: (i) alleging that the family court is not in session; (ii) alleging that**: (A)** a family offense, as defined in subdivision one of section eight hundred twelve of the family court act and subdivision one of section 530.11 of this article, has been committed; **or (B) circumstances exist that require an order of protection for the purposes established in paragraph (b) of subdivision two of section eight hundred twelve of the family court act; the respondent is the spouse, or former spouse, parent, child or other member of the same family or household as the petitioner and circumstances exist that require an order of protection for the purposes established in paragraph (b) of subdivision two of section eight hundred twelve of the family court act;** (iii) alleging that a family offense petition has been filed or will be filed in family court on the next day the court is in session; and (iv) showing good cause. Upon appearance in a local criminal court, the petitioner shall be advised that he or she may continue with the proceeding either in family court or upon the filing of a local criminal court accusatory instrument in criminal court or both. Upon issuance of a temporary order of protection where petitioner requests that it be returnable in family court, the local criminal court shall transfer the matter forthwith to the family court and shall make the matter returnable in family court on the next day the family court is in session, or as soon thereafter as practicable, but in no event more than four calendar days after issuance of the order. The local criminal court, upon issuing a temporary order of protection returnable in family court pursuant to this subdivision, shall immediately forward, in a manner designed to insure arrival before the return date set in the order, a copy of the temporary order of protection and sworn affidavit to the family court and shall provide a copy of such temporary order of protection to the petitioner; provided, however, that where a copy of the temporary order of protection and affidavit are transmitted to the family court by facsimile or other electronic means, the original order and affidavit shall be forwarded to the family court immediately thereafter. Any temporary order of protection issued pursuant to this subdivision shall be issued to the respondent, and copies shall be filed as required in subdivisions six and eight of this section for orders of protection issued pursuant to this section. Any temporary order of protection issued pursuant to this subdivision shall plainly state the date that such order expires which, in the case of an order returnable in family court, shall be not more than four calendar days after its issuance, unless sooner vacated or modified by the family court. A petitioner requesting a temporary order of protection returnable in family court pursuant to this subdivision in a case in which a family court petition has not been filed shall be informed that such temporary order of protection shall expire as provided for herein, unless the petitioner files a petition pursuant to subdivision one of section eight hundred

twenty-one of the family court act on or before the return date in family court and the family court issues a temporary order of protection or order of protection as authorized under article eight of the family court act. Nothing in this subdivision shall limit or restrict the petitioner's right to proceed directly and without court referral in either a criminal or family court, or both, as provided for in section one hundred fifteen of the family court act and section 100.07 of this chapter.

§ 4. This act shall take effect immediately.

PART SS

Section 1. The election law is amended by adding a new section 14-116-a to read as follows:

§ 14-116-a. Restriction on contributions from foreign-influenced corporations or entities. 1. No corporation, limited liability company, joint-stock association or other corporate entity doing business in this state that is foreign-influenced, nor any foreign national, shall directly or indirectly pay or use or offer, consent or agree to pay or use any money or property for or in aid of any political party, committee or organization, or for, or in aid of, any corporation, limited liability company, joint-stock, other association, or other corporate entity organized or maintained for political purposes, or for, or in aid of, any candidate for political office or for nomination for such office, or for any political purpose whatsoever, or for the reimbursement or indemnification of any person for moneys or property so used. Any officer, director, stock-holder, member, owner, attorney or agent of any corporation, limited liability company, joint-stock association or other corporate entity which violates any of the provisions of this section, who participates in, aids, abets or advises or consents to any such violations, and any person who solicits or knowingly receives any money or property in violation of this section, shall be guilty of a misdemeanor. Any such contribution may result in the assessment of a civil fine, not to exceed ten thousand dollars per contribution, in addition to any other penalties under the law.

2. For purposes of this section, "foreign-influenced" shall mean any entity for which at least one of the following conditions is met:

(a) a single foreign national holds, owns, controls, or otherwise has direct or indirect beneficial ownership of five percent or more of the total equity, outstanding voting shares, membership units, or other applicable ownership interest in the entity making the contribution, expenditure or payment; or

(b) two or more foreign nationals, in aggregate, hold, own, control, or otherwise have direct or indirect beneficial ownership of ten percent or more of the total equity outstanding voting shares, membership units, or other applicable ownership interest of the entity; or

(c) one or more foreign nationals, in aggregate, hold more than ten percent of the board of director seats in the entity's governing board; or

(d) a foreign national participates directly or indirectly in the entity's decision-making process with respect to the entity's political activities in the United States, including the entity's political activities with respect to a covered election.

3. For purposes of this section, "foreign national" shall have the same meaning as the term defined in subsection b of section 30121 of

title 52 of the United States Code, including but not limited to a foreign government or a foreign principal.

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

PART TT

Section 1. Section 10 of the public officers law, as amended by chapter 29 of the laws of 1977, is amended to read as follows:

§ 10. Official oaths. **1.** Every officer shall take and file the oath of office required by law, and every judicial officer of the unified court system, in addition, shall file a copy of said oath in the office of court administration, before he shall be entitled to enter upon the discharge of any of his official duties. An oath of office may be administered by a judge of the court of appeals, the attorney general, or by any officer authorized to take, within the state, the acknowledgment of the execution of a deed of real property, or by an officer in whose office the oath is required to be filed or by his duly designated assistant, or may be administered to any member of a body of officers, by a presiding officer or clerk, thereof, who shall have taken an oath of office. An oath of office may be administered to any state or local officer who is a member of the armed forces of the United States by any commissioned officer, in active service, of the armed forces of the United States. In addition to the requirements of any other law, the certificate of the officer in the armed forces administering the oath of office under this section shall state (a) the rank of the officer administering the oath, and (b) that the person taking the oath was at the time, enlisted, inducted, ordered or commissioned in or serving with, attached to or accompanying the armed forces of the United States. The fact that the officer administering the oath was at the time duly commissioned and in active service with the armed forces, shall be certified by the secretary of the army, secretary of the air force or by the secretary of the navy, as the case may be, of the United States, or by a person designated by him to make such certifications, but the place where such oath was administered need not be disclosed. The oath of office of a notary public or commissioner of deeds shall be filed in the office of the clerk of the county in which he shall reside. The oath of office of every state officer shall be filed in the office of the secretary of state; of every officer of a municipal corporation, including a school district, with the clerk thereof; and of every other officer, including the trustees and officers of a public library and the officers of boards of cooperative educational services, in the office of the clerk of the county in which he shall reside, if no place be otherwise provided by law for the filing thereof.

2. The oath of office of a statewide elected official, member of the legislature, head of a state agency or elected local official, as such terms are used in section seventy-three-a of this chapter, shall be filed together with a certification that such official will annually file his or her New York state income tax return with the joint commission on public ethics as required by section seventy-three-a of this chapter. Notwithstanding the provisions of subdivision (e) of section six hundred ninety-seven of the tax law, such certification shall also constitute authorization for the department of taxation and finance to disclose to the joint commission on public ethics any income tax return filed with such department that was required to be filed with such commission pursuant to section seventy-three-a of this chapter upon

notification by such commission that such return was not filed as so required.

§ 2. Section 13 of the public officers law is amended to read as follows:

§ 13. Notice of neglect to file oath or undertaking. The officer or body making the appointment or certificate of election of a public officer shall, if the officer be required to give an official undertaking to be filed in an office other than that in which the written appointment or certificate of election is to be filed, forthwith give written notice of such appointment or election to the officer in whose office the undertaking is to be filed. **The officer or body making the appointment or certificate of election of a statewide elected official, member of the legislature, head of a state agency or elected local official, as such terms are used in section seventy-three-a of this chapter, shall also forthwith give written notice of such appointment or election to the joint commission on public ethics.** If any officer shall neglect, within the time required by law, to take and file an official oath, or execute and file an official undertaking, the officer, with whom or in whose office such oath or undertaking is required to be filed, shall forthwith give notice of such neglect, if of an appointive officer, to the authority appointing such officer; if of an elective officer, to the officer, board or body authorized to fill a vacancy in such office, if any, or if none and a vacancy in the office may be filled by a special election, to the officer, board or body authorized to call or give notice of a special election to fill such vacancy; except that the notice of failure of a justice of the peace to file his official oath, shall be given to the town clerk of the town for which the justice was elected.

§ 3. Paragraph h of subdivision 1 of section 30 of the public officers law, as amended by chapter 209 of the laws of 1954, is amended to read as follows:

h. His refusal or neglect to file his official oath**, certification pursuant to subdivision two of section ten of this chapter, if required,** or undertaking, if one is required, before or within thirty days after the commencement of the term of office for which he is chosen, if an elective office, or if an appointive office, within thirty days after notice of his appointment, or within thirty days after the commencement of such term; or to file a renewal undertaking within the time required by law, or if no time be so specified, within thirty days after notice to him in pursuance of law, that such renewal undertaking is required. The neglect or failure of any state or local officer to execute and file his oath of office**, certification required by subdivision two of section ten of this chapter** and official undertaking within the time limited therefor by law, shall not create a vacancy in the office if such officer was on active duty in the armed forces of the United States and absent from the county of his residence at the time of his election or appointment, and shall take his oath of office and execute his official undertaking within thirty days after receipt of notice of his election or appointment, and provided such oath of office**, certification required by subdivision two of section ten of this chapter** and official undertaking be filed within ninety days following the date it has been taken and subscribed, any inconsistent provision of law, general, special, or local to the contrary, notwithstanding.

§ 4. Subdivision 1 of section 73-a of the public officers law is amended by adding a new paragraph (n) to read as follows:

(n) The term "elected local official" shall mean an elected official of a local agency who receives annual compensation for such position in excess of one hundred thousand dollars.

§ 5. Paragraphs (a), (e) and (k) of subdivision 2 of section 73-a of public officers law, paragraphs (a) and (e) as amended and paragraph (k) as added by section 5 of part A of chapter 399 of the laws of 2011, are amended to read as follows:

(a) Every statewide elected official, state officer or employee, member of the legislature, legislative employee and political party chairman and every candidate for statewide elected office or for member of the legislature shall file an annual statement of financial disclosure containing the information and in the form set forth in subdivision three of this section. **Every statewide elected official, member of the legislature, or head of a state agency shall also file, and every elected local official shall file a copy of his or her New York state income tax return, including any schedules and attachments to such return, for the preceding year.** On or before the fifteenth day of May with respect to the preceding calendar year: (1) every member of the legislature, every candidate for member of the legislature and legislative employee shall file such statement**, and such tax return, if required,** with the legislative ethics commission which shall provide such statement along with any requests for exemptions or deletions**, and such tax return, if required,** to the joint commission on public ethics for filing and rulings with respect to such requests for exemptions or deletions, on or before the thirtieth day of June; [~~and~~] (2) all other individuals required to file such statement shall file it**, and such tax return, if required,** with the joint commission on public ethics**; and (3) any elected local official shall file such tax return with such commission**, except that:

(i) a person who is subject to the reporting requirements of this subdivision and who timely filed with the internal revenue service an application for automatic extension of time in which to file his or her individual income tax return for the immediately preceding calendar or fiscal year shall be required to file such financial disclosure statement on or before May fifteenth but may, without being subjected to any civil penalty on account of a deficient statement, indicate with respect to any item of the disclosure statement that information with respect thereto is lacking but will be supplied in a supplementary statement of financial disclosure, which shall be filed**, together with any required tax return,** on or before the seventh day after the expiration of the period of such automatic extension of time within which to file such individual income tax return, provided that failure to file or to timely file such supplementary statement of financial disclosure or the filing of an incomplete or deficient supplementary statement of financial disclosure shall be subject to the notice and penalty provisions of this section respecting annual statements of financial disclosure as if such supplementary statement were an annual statement;

(ii) a person who is required to file an annual financial disclosure statement with the joint commission on public ethics, and who is granted an additional period of time within which to file such statement due to justifiable cause or undue hardship, in accordance with required rules and regulations on the subject adopted pursuant to paragraph [~~e~~] **(c)** of subdivision nine of section ninety-four of the executive law shall file such statement within the additional period of time granted; and the legislative ethics commission shall notify the joint commission on public ethics of any extension granted pursuant to this paragraph;

(iii) candidates for statewide office who receive a party designation for nomination by a state committee pursuant to section 6-104 of the election law shall file such statement within ten days after the date of the meeting at which they are so designated;

(iv) candidates for statewide office who receive twenty-five percent or more of the vote cast at the meeting of the state committee held pursuant to section 6-104 of the election law and who demand to have their names placed on the primary ballot and who do not withdraw within fourteen days after such meeting shall file such statement within ten days after the last day to withdraw their names in accordance with the provisions of such section of the election law;

(v) candidates for statewide office and candidates for member of the legislature who file party designating petitions for nomination at a primary election shall file such statement within ten days after the last day allowed by law for the filing of party designating petitions naming them as candidates for the next succeeding primary election;

(vi) candidates for independent nomination who have not been designated by a party to receive a nomination shall file such statement within ten days after the last day allowed by law for the filing of independent nominating petitions naming them as candidates in the next succeeding general or special election;

(vii) candidates who receive the nomination of a party for a special election shall file such statement within ten days after the date of the meeting of the party committee at which they are nominated;

(viii) a candidate substituted for another candidate, who fills a vacancy in a party designation or in an independent nomination, caused by declination, shall file such statement within ten days after the last day allowed by law to file a certificate to fill a vacancy in such party designation or independent nomination;

(ix) with respect to all candidates for member of the legislature, the legislative ethics commission shall within five days of receipt provide the joint commission on public ethics the statement filed pursuant to subparagraphs (v), (vi), (vii) and (viii) of this paragraph.

(e) Any person required to file such statement **and/or file such tax return** who commences employment after May fifteenth of any year and political party chairman shall file such statement **and, if required, such tax return** within thirty days after commencing employment or of taking the position of political party chairman, as the case may be. In the case of members of the legislature and legislative employees, such statements shall be filed with the legislative ethics commission within thirty days after commencing employment, and the legislative ethics commission shall provide such statements to the joint commission on public ethics within forty-five days of receipt.

(k) The joint commission on public ethics shall**: (i)** post for at least five years beginning for filings made on January first, two thousand thirteen the annual statement of financial disclosure and any amendments filed by each person subject to the reporting requirements of this subdivision who is an elected official on its website for public review within thirty days of its receipt of such statement or within ten days of its receipt of such amendment that reflects any corrections of deficiencies identified by the commission or by the reporting individual after the reporting individual's initial filing. Except upon an individual determination by the commission that certain information may be deleted from a reporting individual's annual statement of financial disclosure, none of the information in the statement posted on the commission's website shall be otherwise deleted**;**

(ii) post for at least five years beginning for filings made for the two thousand nineteen calendar year any income tax return filed pursuant to this subdivision, provided, however, that prior to posting any tax return to the commission shall redact such information as it, in consultation with the commissioner of taxation and finance or his or her delegate, deems appropriate or required by law. An official shall be entitled to request at the time of filing of a tax return particular redactions to such return that the commission shall make if it deems such redactions to be appropriate.

§ 6. The election law is amended by adding a new section 6-169 to read as follows:

§ 6-169. Notice of transparency requirements. The state board of elections or other board of elections, as the case may be, shall notify each person nominated or designated as a candidate for elective office, not later than ten days after such nomination or designation, that such office may be subject to certification requirements pursuant to section ten of the public officers law and subject to financial and tax disclosure requirements pursuant to section seventy-three-a of the public officers law.

§ 7. This act shall take effect immediately and shall apply to elections conducted and appointments made on or after such date.

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 taxation and finance.

§ 1-a. Subdivision 2 of section 172-e of the executive law, as added by section 1 of part F of chapter 286 of the laws of 2016, is amended to read as follows:

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. 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 detailed 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 **and the department of taxation and finance** within thirty days of the close of a reporting period.

§ 2. Subdivision 2 of section 172-f of the executive law, as added by section 1 of part G of chapter 286 of the laws of 2016, is amended to read as follows:

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. 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 **and the department of taxation and finance** 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)~~] **(v)** of paragraph (a) of this subdivision, the financial report need only include donations deposited into such accounts.

§ 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 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 taxation and finance 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 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 taxation and finance 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. Section 171 of the tax law is amended by adding a new subdivision twenty-ninth to read as follows:

Twenty-ninth. The commissioner shall receive all annual reports required to be filed with the department pursuant to either subdivision one or two of section one hundred seventy-two-b of the executive law, subdivision four of section one hundred seventy-two-e of the executive law, or subdivision four of section one hundred seventy-two-f of the executive law and shall publish such schedules on the department's website.

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

PART VV

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

1. DOL-Child performer protection account (20401).
2. Proprietary vocational school supervision account (20452).
3. Local government records management account (20501).
4. Child health plus program account (20810).
5. EPIC premium account (20818).
6. Education - New (20901).
7. VLT - Sound basic education fund (20904).
8. Sewage treatment program management and administration fund (21000).
9. Hazardous bulk storage account (21061).
10. Utility environmental regulatory account (21064).
11. Federal grants indirect cost recovery account (21065).
12. Low level radioactive waste account (21066).
13. Recreation account (21067).
14. Public safety recovery account (21077).
15. Environmental regulatory account (21081).
16. Natural resource account (21082).
17. Mined land reclamation program account (21084).
18. Great lakes restoration initiative account (21087).
19. Environmental protection and oil spill compensation fund (21200).
20. Public transportation systems account (21401).
21. Metropolitan mass transportation (21402).
22. Operating permit program account (21451).
23. Mobile source account (21452).
24. Statewide planning and research cooperative system account (21902).
25. New York state thruway authority account (21905).
26. Mental hygiene program fund account (21907).
27. Mental hygiene patient income account (21909).
28. Financial control board account (21911).
29. Regulation of racing account (21912).
30. State university dormitory income reimbursable account (21937).
31. Criminal justice improvement account (21945).
32. Environmental laboratory reference fee account (21959).
33. Training, management and evaluation account (21961).
34. Clinical laboratory reference system assessment account (21962).

35. Indirect cost recovery account (21978).
36. High school equivalency program account (21979).
37. Multi-agency training account (21989).
38. Bell jar collection account (22003).
39. Industry and utility service account (22004).
40. Real property disposition account (22006).
41. Parking account (22007).
42. Courts special grants (22008).
43. Asbestos safety training program account (22009).
44. Camp Smith billeting account (22017).
45. Batavia school for the blind account (22032).
46. Investment services account (22034).
47. Surplus property account (22036).
48. Financial oversight account (22039).
49. Regulation of Indian gaming account (22046).
50. Rome school for the deaf account (22053).
51. Seized assets account (22054).
52. Administrative adjudication account (22055).
53. Federal salary sharing account (22056).
54. New York City assessment account (22062).
55. Cultural education account (22063).
56. Local services account (22078).
57. DHCR mortgage servicing account (22085).
58. Housing indirect cost recovery account (22090).
59. DHCR-HCA application fee account (22100).
60. Low income housing monitoring account (22130).
61. Corporation administration account (22135).
62. New York State Home for Veterans in the Lower-Hudson Valley account (22144).
63. Deferred compensation administration account (22151).
64. Rent revenue other New York City account (22156).
65. Rent revenue account (22158).
66. Tax revenue arrearage account (22168).
67. New York state medical indemnity fund account (22240).
68. State university general income offset account (22654).
69. Lake George park trust fund account (22751).
70. State police motor vehicle law enforcement account (22802).
71. Highway safety program account (23001).
72. DOH drinking water program account (23102).
73. NYCCC operating offset account (23151).
74. Commercial gaming revenue account (23701).
75. Commercial gaming regulation account (23702).
76. Highway use tax administration account (23801).
77. New York state secure choice administrative account (23806).
78. Fantasy sports administration account (24951).
79. Highway and bridge capital account (30051).
80. Aviation purpose account (30053).
81. State university residence hall rehabilitation fund (30100).
82. State parks infrastructure account (30351).
83. Clean water/clean air implementation fund (30500).
84. Hazardous waste remedial cleanup account (31506).
85. Youth facilities improvement account (31701).
86. Housing assistance fund (31800).
87. Housing program fund (31850).
88. Highway facility purpose account (31951).
89. Information technology capital financing account (32215).

90. New York racing account (32213).
91. Capital miscellaneous gifts account (32214).
92. New York environmental protection and spill remediation account (32219).
93. Mental hygiene facilities capital improvement fund (32300).
94. Correctional facilities capital improvement fund (32350).
95. New York State Storm Recovery Capital Fund (33000).
96. OGS convention center account (50318).
97. Empire Plaza Gift Shop (50327).
98. Centralized services fund (55000).
99. Archives records management account (55052).
100. Federal single audit account (55053).
101. Civil service EHS occupational health program account (55056).
102. Banking services account (55057).
103. Cultural resources survey account (55058).
104. Neighborhood work project account (55059).
105. Automation & printing chargeback account (55060).
106. OFT NYT account (55061).
107. Data center account (55062).
108. Intrusion detection account (55066).
109. Domestic violence grant account (55067).
110. Centralized technology services account (55069).
111. Labor contact center account (55071).
112. Human services contact center account (55072).
113. Tax contact center account (55073).
114. Department of law civil recoveries account (55074).
115. Executive direction internal audit account (55251).
116. CIO Information technology centralized services account (55252).
117. Health insurance internal service account (55300).
118. Civil service employee benefits division administrative account (55301).
119. Correctional industries revolving fund (55350).
120. Employees health insurance account (60201).
121. Medicaid management information system escrow fund (60900).
122. New York state cannabis revenue fund.
123. Behavioral health parity compliance fund.

§ 1-a. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to any account within the following federal funds, provided the comptroller has made a determination that sufficient federal grant award authority is available to reimburse such loans:

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

§ 2. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2021, up to the unencumbered balance or the following amounts:

Economic Development and Public Authorities:

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

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

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

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

Education:

1. $2,487,000,000 from the general fund to the state lottery fund, education account (20901), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.

2. $978,000,000 from the general fund to the state lottery fund, VLT education account (20904), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.

3. $168,000,000 from the general fund to the New York state commercial gaming fund, commercial gaming revenue account (23701), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 97-nnnn of the state finance law that are in excess of the amounts deposited in such fund for purposes pursuant to section 1352 of the racing, pari-mutuel wagering and breeding law.

4. $5,000,000 from the interactive fantasy sports fund, fantasy sports education account (24950), to the state lottery fund, education account (20901), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law.

5. An amount up to the unencumbered balance from the charitable gifts trust fund, elementary and secondary education account (24901), to the general fund, for payment of general support for public schools pursuant to section 3609-a of the education law.

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

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

8. $900,000 from the general fund to the miscellaneous special revenue fund, Batavia school for the blind account (22032).

9. $900,000 from the general fund to the miscellaneous special revenue fund, Rome school for the deaf account (22053).

10. $343,400,000 from the state university dormitory income fund (40350) to the miscellaneous special revenue fund, state university dormitory income reimbursable account (21937).

11. $8,318,000 from the general fund to the state university income fund, state university income offset account (22654), for the state's share of repayment of the STIP loan.

12. $47,000,000 from the state university income fund, state university hospitals income reimbursable account (22656) to the general fund for

hospital debt service for the period April 1, 2020 through March 31, 2021.

13. $25,390,000 from the miscellaneous special revenue fund, office of the professions account (22051), to the miscellaneous capital projects fund, office of the professions electronic licensing account (32222).

14. $24,000,000 from any of the state education department's special revenue and internal service funds to the miscellaneous special revenue fund, indirect cost recovery account (21978).

15. $4,200,000 from any of the state education department's special revenue or internal service funds to the capital projects fund (30000).

16. $1,500,000 from the miscellaneous special revenue fund, office of the professions account (22051), to the general fund from fees charged to each non-licensee owner of a firm that is incorporating as a professional service corporation formed to lawfully engage in the practice of public accountancy.

Environmental Affairs:

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

2. $5,000,000 from any of the department of environmental conservation's special revenue federal funds to the conservation fund (21150) or Marine Resources Account (21151) as necessary to avoid diversion of conservation funds.

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

4. $1,000,000 from any of the office of parks, recreation and historic preservation special revenue federal funds to the miscellaneous capital projects fund, I love NY water account (32212).

5. $28,000,000 from the general fund to the environmental protection fund, environmental protection fund transfer account (30451).

6. $1,800,000 from the general fund to the hazardous waste remedial fund, hazardous waste oversight and assistance account (31505).

7. An amount up to or equal to the cash balance within the special revenue-other waste management & cleanup account (21053) to the capital projects fund (30000) for services and capital expenses related to the management and cleanup program as put forth in section 27-1915 of the environmental conservation law.

8. $3,600,000 from the miscellaneous special revenue fund, public service account (22011) to the miscellaneous special revenue fund, utility environmental regulatory account (21064).

9. $4,000,000 from the general fund to the enterprise fund, state fair account (50051).

Family Assistance:

1. $7,000,000 from any of the office of children and family services, office of temporary and disability assistance, or department of health special revenue federal funds and the general fund, in accordance with agreements with social services districts, to the miscellaneous special revenue fund, office of human resources development state match account (21967).

2. $4,000,000 from any of the office of children and family services or office of temporary and disability assistance special revenue federal funds to the miscellaneous special revenue fund, family preservation and support services and family violence services account (22082).

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

4. $125,000,000 from any of the office of temporary and disability assistance or department of health special revenue funds to the general fund.

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

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

7. $205,000,000 from the miscellaneous special revenue fund, youth facility per diem account (22186), to the general fund.

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

9. $5,000,000 from the miscellaneous special revenue fund, state central registry (22028), to the general fund.

10. $600,000 from the miscellaneous special revenue fund, veterans remembrance and cemetery maintenance and operation fund (20201), to the capital projects fund (30000).

General Government:

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

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

3. $292,400,000 from the health insurance reserve receipts fund (60550) to the general fund.

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

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

6. $3,000,000 from the miscellaneous special revenue fund, surplus property account (22036), to the general fund.

7. $19,000,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the general fund.

8. $1,826,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the miscellaneous special revenue fund, authority budget office account (22138).

9. $1,000,000 from the agencies enterprise fund, parking services account (22007), to the general fund, for the purpose of reimbursing the costs of debt service related to state parking facilities.

10. $9,628,000 from the general fund to the centralized services fund, COPS account (55013).

11. $11,460,000 from the general fund to the agencies internal service fund, central technology services account (55069), for the purpose of enterprise technology projects.

12. $10,000,000 from the general fund to the agencies internal service fund, state data center account (55062).

13. $20,000,000 from the miscellaneous special revenue fund, workers' compensation account (21995), to the miscellaneous capital projects

fund, workers' compensation board IT business process design fund, (32218).

14. $12,000,000 from the agencies enterprise fund, parking services account (22007), to the centralized services, building support services account (55018).

15. $30,000,000 from the general fund to the internal service fund, business services center account (55022).

16. $8,000,000 from the general fund to the internal service fund, building support services account (55018).

17. $1,500,000 from the agencies enterprise fund, special events account (20120), to the general fund.

Health:

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

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

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

4. $33,134,000 from the HCRA resources fund (20800) to the miscellaneous special revenue fund, empire state stem cell trust fund account (22161).

5. $6,000,000 from the miscellaneous special revenue fund, certificate of need account (21920), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

6. $2,000,000 from the miscellaneous special revenue fund, vital health records account (22103), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

7. $2,000,000 from the miscellaneous special revenue fund, professional medical conduct account (22088), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

8. $91,304,000 from the HCRA resources fund (20800) to the capital projects fund (30000).

9. $6,550,000 from the general fund to the medical marihuana trust fund, health operation and oversight account (23755).

10. An amount up to the unencumbered balance from the miscellaneous special revenue fund, certificate of need account (21920), to the general fund.

11. An amount up to the unencumbered balance from the charitable gifts trust fund, health charitable account (24900), to the general fund, for payment of general support for primary, preventive, and inpatient health care, dental and vision care, hunger prevention and nutritional assistance, and other services for New York state residents with the overall goal of ensuring that New York state residents have access to quality health care and other related services.

12. $3,000,000 from the miscellaneous special revenue fund, New York State cannabis revenue fund, to the general fund.

Labor:

1. $600,000 from the miscellaneous special revenue fund, DOL fee and penalty account (21923), to the child performer's protection fund, child performer protection account (20401).

2. $11,700,000 from the unemployment insurance interest and penalty fund, unemployment insurance special interest and penalty account (23601), to the general fund.

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

Mental Hygiene:

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

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

3. $3,000,000 from the chemical dependence service fund, substance abuse services fund account (22700), to the mental hygiene capital improvement fund (32305).

Public Protection:

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

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

3. $22,773,000 from the general fund to the correctional industries revolving fund, correctional industries internal service account (55350).

4. $60,000,000 from any of the division of homeland security and emergency services special revenue federal funds to the general fund.

5. $11,149,000 from the miscellaneous special revenue fund, criminal justice improvement account (21945), to the general fund.

6. $115,420,000 from the state police motor vehicle law enforcement and motor vehicle theft and insurance fraud prevention fund, state police motor vehicle enforcement account (22802), to the general fund for state operation expenses of the division of state police.

7. $120,500,000 from the general fund to the correctional facilities capital improvement fund (32350).

8. $5,000,000 from the general fund to the dedicated highway and bridge trust fund (30050) for the purpose of work zone safety activities provided by the division of state police for the department of transportation.

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

10. $9,830,000 from the miscellaneous special revenue fund, legal services assistance account (22096), to the general fund.

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

12. $7,980,000 from the miscellaneous special revenue fund, fingerprint identification & technology account (21950), to the general fund.

13. $1,100,000 from the state police motor vehicle law enforcement and motor vehicle theft and insurance fraud prevention fund, motor vehicle theft and insurance fraud account (22801), to the general fund.

14. $25,000,000 from the miscellaneous special revenue fund, statewide public safety communications account (22123), to the general fund.

Transportation:

1. $31,000,000 from the general fund to the MTA financial assistance fund, mobility tax trust account (23651) for disbursements related to part NN of chapter 54 of the laws of 2016.

2. $20,000,000 from the general fund to the mass transportation operating assistance fund, public transportation systems operating assistance account (21401), of which $12,000,000 constitutes the base need for operations.

3. $727,500,000 from the general fund to the dedicated highway and bridge trust fund (30050).

4. $244,250,000 from the general fund to the MTA financial assistance fund, mobility tax trust account (23651).

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

6. $3,000,000 from the miscellaneous special revenue fund, traffic adjudication account (22055), to the general fund.

7. $11,721,000 from the mass transportation operating assistance fund, metropolitan mass transportation operating assistance account (21402), to the capital projects fund (30000).

8. $5,000,000 from the miscellaneous special revenue fund, transportation regulation account (22067) to the general fund, for disbursements made from such fund for motor carrier safety that are in excess of the amounts deposited in the general fund for such purpose pursuant to section 94 of the transportation law.

Miscellaneous:

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

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

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

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

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

§ 3. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, on or before March 31, 2021:

1. Upon request of the commissioner of environmental conservation, up to $12,745,400 from revenues credited to any of the department of environmental conservation special revenue funds, including $4,000,000 from the environmental protection and oil spill compensation fund (21200), and $1,834,600 from the conservation fund (21150), to the environmental conservation special revenue fund, indirect charges account (21060).

2. Upon request of the commissioner of agriculture and markets, up to $3,000,000 from any special revenue fund or enterprise fund within the department of agriculture and markets to the general fund, to pay appropriate administrative expenses.

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

4. Upon request of the commissioner of the division of housing and community renewal, up to $6,221,000 from revenues credited to any division of housing and community renewal federal or miscellaneous special

revenue fund to the miscellaneous special revenue fund, housing indirect cost recovery account (22090).

5. Upon request of the commissioner of the division of housing and community renewal, up to $5,500,000 may be transferred from any miscellaneous special revenue fund account, to any miscellaneous special revenue fund.

6. Upon request of the commissioner of health up to $13,225,000 from revenues credited to any of the department of health's special revenue funds, to the miscellaneous special revenue fund, administration account (21982).

§ 4. On or before March 31, 2021, the comptroller is hereby authorized and directed to deposit earnings that would otherwise accrue to the general fund that are attributable to the operation of section 98-a of the state finance law, to the agencies internal service fund, banking services account (55057), for the purpose of meeting direct payments from such account.

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

§ 6. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget and upon consultation with the state university chancellor or his or her designee, on or before March 31, 2021, up to $16,000,000 from the state university income fund general revenue account (22653) to the state general fund for debt service costs related to campus supported capital project costs for the NY-SUNY 2020 challenge grant program at the University at Buffalo.

§ 7. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget and upon consultation with the state university chancellor or his or her designee, on or before March 31, 2021, up to $6,500,000 from the state university income fund general revenue account (22653) to the state general fund for debt service costs related to campus supported capital project costs for the NY-SUNY 2020 challenge grant program at the University at Albany.

§ 8. Notwithstanding any law to the contrary, the state university chancellor or his or her designee is authorized and directed to transfer estimated tuition revenue balances from the state university collection fund (61000) to the state university income fund, state university general revenue offset account (22655) on or before March 31, 2021.

§ 9. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to $1,019,748,300 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of July 1, 2020 through June 30, 2021 to support operations at the state university.

§ 10. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up

to $20,000,000 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of July 1, 2020 to June 30, 2021 to support operations at the state university in accordance with the maintenance of effort pursuant to subparagraph (4) of paragraph h of subdivision 2 of section 355 of the education law.

§ 11. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the state university chancellor or his or her designee, up to $55,000,000 from the state university income fund, state university hospitals income reimbursable account (22656), for services and expenses of hospital operations and capital expenditures at the state university hospitals; and the state university income fund, Long Island veterans' home account (22652) to the state university capital projects fund (32400) on or before June 30, 2021.

§ 12. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller, after consultation with the state university chancellor or his or her designee, is hereby authorized and directed to transfer moneys, in the first instance, from the state university collection fund, Stony Brook hospital collection account (61006), Brooklyn hospital collection account (61007), and Syracuse hospital collection account (61008) to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals. Notwithstanding any law to the contrary, the comptroller is also hereby authorized and directed, after consultation with the state university chancellor or his or her designee, to transfer moneys from the state university income fund to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to pay hospital operating costs or to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals on or before March 31, 2021.

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

§ 14. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $650 million from the unencumbered balance of any special revenue fund or account, agency fund or account, internal service fund or account, enterprise fund or account, or any combination of such funds and accounts, to the general fund. The amounts transferred pursuant to this authorization shall be in addition to any other transfers expressly authorized in the 2020-21 budget. Transfers from federal funds, debt service funds, capital projects funds, the community projects fund, or

funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

§ 15. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $100 million from any non-general fund or account, or combination of funds and accounts, to the miscellaneous special revenue fund, technology financing account (22207), the miscellaneous capital projects fund, the federal capital projects account (31350), information technology capital financing account (32215), or the centralized technology services account (55069), for the purpose of consolidating technology procurement and services. The amounts transferred to the miscellaneous special revenue fund, technology financing account (22207) pursuant to this authorization shall be equal to or less than the amount of such monies intended to support information technology costs which are attributable, according to a plan, to such account made in pursuance to an appropriation by law. Transfers to the technology financing account shall be completed from amounts collected by non-general funds or accounts pursuant to a fund deposit schedule or permanent statute, and shall be transferred to the technology financing account pursuant to a schedule agreed upon by the affected agency commissioner. Transfers from funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

§ 16. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $400 million from any non-general fund or account, or combination of funds and accounts, to the general fund for the purpose of consolidating technology procurement and services. The amounts transferred pursuant to this authorization shall be equal to or less than the amount of such monies intended to support information technology costs which are attributable, according to a plan, to such account made in pursuance to an appropriation by law. Transfers to the general fund shall be completed from amounts collected by non-general funds or accounts pursuant to a fund deposit schedule. Transfers from funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

§ 17. Notwithstanding any provision of law to the contrary, as deemed feasible and advisable by its trustees, the power authority of the state of New York is authorized and directed to transfer to the state treasury to the credit of the general fund $20,000,000 for the state fiscal year commencing April 1, 2020, the proceeds of which will be utilized to support energy-related state activities.

§ 18. Notwithstanding any provision of law, rule or regulation to the contrary, the New York state energy research and development authority is authorized and directed to make the following contributions to the state treasury to the credit of the general fund on or before March 31, 2021: (a) $913,000; and (b) $23,000,000 from proceeds collected by the authority from the auction or sale of carbon dioxide emission allowances allocated by the department of environmental conservation.

§ 19. Notwithstanding any provision of law, rule or regulation to the contrary, the New York state energy research and development authority is authorized and directed to transfer five million dollars to the credit of the Environmental Protection Fund on or before March 31, 2021 from proceeds collected by the authority from the auction or sale of carbon dioxide emission allowances allocated by the department of environmental conservation.

§ 20. Subdivision 5 of section 97-rrr of the state finance law, as amended by section 21 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

5. Notwithstanding the provisions of section one hundred seventy-one-a of the tax law, as separately amended by chapters four hundred eighty-one and four hundred eighty-four of the laws of nineteen hundred eighty-one, and notwithstanding the provisions of chapter ninety-four of the laws of two thousand eleven, or any other provisions of law to the contrary, during the fiscal year beginning April first, two thousand [~~nineteen~~] twenty, the state comptroller is hereby authorized and directed to deposit to the fund created pursuant to this section from amounts collected pursuant to article twenty-two of the tax law and pursuant to a schedule submitted by the director of the budget, up to [~~$2,185,995,000~~] $1,999,516,000, as may be certified in such schedule as necessary to meet the purposes of such fund for the fiscal year beginning April first, two thousand [~~nineteen~~] twenty.

§ 21. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2021, the following amounts from the following special revenue accounts to the capital projects fund (30000), for the purposes of reimbursement to such fund for expenses related to the maintenance and preservation of state assets:

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

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

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

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

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

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

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

8. $7,300,000 from the miscellaneous special revenue fund, state university general income reimbursable account (22653).

9. $132,000,000 from the miscellaneous special revenue fund, state university revenue offset account (22655).

10. $48,000,000 from the state university dormitory income fund, state university dormitory income fund (40350).

11. $1,000,000 from the miscellaneous special revenue fund, litigation settlement and civil recovery account (22117).

§ 22. Notwithstanding any provision of law to the contrary, in the event that federal legislation, federal regulatory actions, federal executive actions or federal judicial actions in federal fiscal year 2021 reduce federal financial participation in Medicaid funding to New York state or its subdivisions by $850 million or more in state fiscal

years 2020-21 or 2021-22, the director of the division of the budget shall notify the temporary president of the senate and the speaker of the assembly in writing that the federal actions will reduce expected funding to New York state. The director of the division of the budget shall prepare a plan that shall be submitted to the legislature, which shall (a) specify the total amount of the reduction in federal financial participation in Medicaid, (b) itemize the specific programs and activities that will be affected by the reduction in federal financial participation in Medicaid, and (c) identify the general fund and state special revenue fund appropriations and related disbursements that shall be reduced, and in what program areas, provided, however, that such reductions to appropriations and disbursements shall be applied equally and proportionally to the programs affected by the reduction in federal financial participation in Medicaid. Upon such submission, the legislature shall have 90 days after such submission to either prepare its own plan, which may be adopted by concurrent resolution passed by both houses, or if after 90 days the legislature fails to adopt their own plan, the reductions to the general fund and state special revenue fund appropriations and related disbursements identified in the division of the budget plan will go into effect automatically.

§ 23. Notwithstanding any provision of law to the contrary, in the event that federal legislation, federal regulatory actions, federal executive actions or federal judicial actions in federal fiscal year 2021 reduce federal financial participation or other federal aid in funding to New York state that affects the state operating funds financial plan by $850 million or more in state fiscal years 2020-21 or 2021-22, exclusive of any cuts to Medicaid, the director of the division of the budget shall notify the temporary president of the senate and the speaker of the assembly in writing that the federal actions will reduce expected funding to New York state. The director of the division of the budget shall prepare a plan that shall be submitted to the legislature, which shall (a) specify the total amount of the reduction in federal aid, (b) itemize the specific programs and activities that will be affected by the federal reductions, exclusive of Medicaid, and (c) identify the general fund and state special revenue fund appropriations and related disbursements that shall be reduced, and in what program areas, provided, however, that such reductions to appropriations and disbursements shall be applied equally and proportionally. Upon such submission, the legislature shall have 90 days after such submission to either prepare its own plan, which may be adopted by concurrent resolution passed by both houses, or if after 90 days the legislature fails to adopt their own plan, the reductions to the general fund and state special revenue fund appropriations and related disbursements identified in the division of the budget plan will go into effect automatically.

§ 24. Notwithstanding any provision of law to the contrary, if the financial plan required under sections twenty-two or twenty-three of this article estimates that the General Fund is reasonably anticipated to end the fiscal year with an imbalance of $500 million or more, the director of the division of the budget shall prepare a plan that shall be submitted to the legislature, which shall identify the general fund and state special revenue fund aid to localities appropriations and related disbursements that may be reduced to eliminate the imbalance identified in the General Fund, provided, however, that the total reduction in disbursements identified in such plan shall not exceed an amount equal to 1.0 percent of estimated disbursements in state operating funds for fiscal year 2020-2021. The legislature shall have 30 days

after such submission to either prepare its own plan, which may be adopted by concurrent resolution passed by both houses and implemented by the division of the budget, of if after 30 days the legislature fails to adopt its own plan, the reductions to the general fund and state special revenue fund aid to localities appropriations and related disbursements identified in the division of the budget plan will go into effect automatically. To the extent the State is obligated to make payment to any individual or entity pursuant to any appropriation to which an adjustment or reduction is applied in accordance with this section, such obligation shall be reduced commensurate with any adjustments or reductions made by the director of the budget and/or by the legislature. The following types of appropriations shall be exempt from reduction in any plan prepared by the budget director and/or any plan adopted by the legislature: (a) public assistance payments for families and individuals and payments for eligible aged, blind and disabled persons related to supplemental social security; (b) any reductions that would violate federal law; (c) payments of debt service and related expenses for which the state is constitutionally obligated to pay debt service or is contractually obligated to pay debt service, subject to an appropriation, including where the state has a contingent contractual obligation; and (d) payments the state is obligated to make pursuant to court orders or judgments.

§ 25. Subdivision 6 of section 4 of the state finance law, as amended by section 25 of part BBB of chapter 59 of the laws of 2018, is amended to read as follows:

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

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

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

§ 26. Subdivision 4 of section 40 of the state finance law, as amended by section 26 of part BBB of chapter 59 of the laws of 2018, is amended to read as follows:

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

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

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

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

§ 28. Subdivision 1 of section 16 of part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, as amended by section 28 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed [~~eight billion four hundred ninety-four million nine hundred seventy-nine thousand~~] **eight billion eight hundred seventeen million two hundred ninety-nine thousand** dollars [~~$8,494,979,000~~] **$8,817,299,000**, and shall include all bonds, notes and other obligations issued pursuant to chapter 56 of the laws of 1983, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the correctional facilities capital improvement fund to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the department of corrections and community supervision from the correctional facilities capital improvement fund for capital projects. The aggregate amount of bonds, notes or other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the department of corrections and community supervision; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than [~~eight billion four hundred ninety-four million nine hundred seventy-nine thou-~~

~~sand~~] **eight billion eight hundred seventeen million two hundred ninety-nine thousand** dollars [~~$8,494,979,000~~] **$8,817,299,000**, only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

§ 29. Subdivision (a) of section 27 of part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, as amended by section 32 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding any provisions of law to the contrary, the urban development corporation is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [~~two hundred seventy-one million six hundred thousand~~] **three hundred twenty-three million one hundred thousand** dollars [~~$271,600,000~~] **$323,100,000**, excluding bonds issued to finance one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital projects including IT initiatives for the division of state police, debt service and leases; and to reimburse the state general fund for disbursements made therefor. Such bonds and notes of such authorized issuer shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to such authorized issuer for debt service and related expenses pursuant to any service contract executed pursuant to subdivision (b) of this section and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 30. Subdivision 3 of section 1285-p of the public authorities law, as amended by section 35 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

3. The maximum amount of bonds that may be issued for the purpose of financing environmental infrastructure projects authorized by this section shall be [~~five billion six hundred thirty-eight million ten thousand~~] **six billion three hundred seventy-four million ten thousand** dollars [~~$5,638,010,000~~] **$6,374,010,000**, exclusive of bonds issued to fund any debt service reserve funds, pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay bonds or notes previously issued. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable thereon,

nor shall they be payable out of any funds other than those appropriated by the state to the corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision one of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

§ 31. Subdivision (a) of section 48 of part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, as amended by section 36 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000 but notwithstanding the provisions of section 18 of the urban development corporation act, the corporation is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [~~two hundred eighty-six million~~] three hundred fourteen million dollars [~~$286,000,000~~] $314,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital costs related to homeland security and training facilities for the division of state police, the division of military and naval affairs, and any other state agency, including the reimbursement of any disbursements made from the state capital projects fund, and is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [~~$952,800,000 nine hundred fifty-two million eight hundred thousand~~] $1,115,800,000 one billion one hundred fifteen million eight hundred thousand dollars, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing improvements to State office buildings and other facilities located statewide, including the reimbursement of any disbursements made from the state capital projects fund. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision (b) of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

§ 32. Paragraph (c) of subdivision 19 of section 1680 of the public authorities law, as amended by section 38 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, the dormitory authority shall not issue any bonds for state university educational facilities purposes if the principal amount of bonds to be issued when added to the aggregate principal amount of bonds issued by the dormitory authority on and after July first, nineteen hundred eighty-eight for state university educational facilities will exceed [~~thirteen billion eight hundred forty-one million eight hundred sixty-four thousand~~] fourteen billion seven hundred forty-one million eight hundred sixty-four thousand dollars [~~$13,841,864,000~~] $14,741,864,000; provided, however, that bonds issued or to be issued shall be excluded from such limitation if: (1) such bonds are issued to refund state university construction bonds and state university construction notes previously issued by the housing finance agency; or (2) such bonds are issued to refund bonds of the authority or other

obligations issued for state university educational facilities purposes and the present value of the aggregate debt service on the refunding bonds does not exceed the present value of the aggregate debt service on the bonds refunded thereby; provided, further that upon certification by the director of the budget that the issuance of refunding bonds or other obligations issued between April first, nineteen hundred ninety-two and March thirty-first, nineteen hundred ninety-three will generate long term economic benefits to the state, as assessed on a present value basis, such issuance will be deemed to have met the present value test noted above. For purposes of this subdivision, the present value of the aggregate debt service of the refunding bonds and the aggregate debt service of the bonds refunded, shall be calculated by utilizing the true interest cost of the refunding bonds, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding bonds from the payment dates thereof to the date of issue of the refunding bonds to the purchase price of the refunding bonds, including interest accrued thereon prior to the issuance thereof. The maturity of such bonds, other than bonds issued to refund outstanding bonds, shall not exceed the weighted average economic life, as certified by the state university construction fund, of the facilities in connection with which the bonds are issued, and in any case not later than the earlier of thirty years or the expiration of the term of any lease, sublease or other agreement relating thereto; provided that no note, including renewals thereof, shall mature later than five years after the date of issuance of such note. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the state university of New York, and the state university construction fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

§ 33. Paragraph (c) of subdivision 14 of section 1680 of the public authorities law, as amended by section 39 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, (i) the dormitory authority shall not deliver a series of bonds for city university community college facilities, except to refund or to be substituted for or in lieu of other bonds in relation to city university community college facilities pursuant to a resolution of the dormitory authority adopted before July first, nineteen hundred eighty-five or any resolution supplemental thereto, if the principal amount of bonds so to be issued when added to all principal amounts of bonds previously issued by the dormitory authority for city university community college facilities, except to refund or to be substituted in lieu of other bonds in relation to city university community college facilities will exceed the sum of four hundred twenty-five million dollars and (ii) the dormitory authority shall not deliver a series of bonds issued for city university facilities, including community college facilities, pursuant to a resolution of the dormitory authority adopted on or after July first, nineteen hundred eighty-five, except to refund or to be substituted for or in lieu of other bonds in relation to city university facilities and except for bonds issued pursuant to a resolution supplemental to a resolution of the dormitory authority adopted prior to July first, nineteen hundred eighty-five, if the principal amount of bonds so to be issued when added to the principal amount of bonds previously issued pursuant to any such resolution, except bonds issued to refund or

to be substituted for or in lieu of other bonds in relation to city university facilities, will exceed [~~eight billion six hundred seventy-four million two hundred fifty-six thousand~~] nine billion two hundred twenty-two million seven hundred thirty-two thousand dollars [~~$8,674,256,000~~] $9,222,732,000. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the city university, and the fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

§ 34. Subdivision 10-a of section 1680 of the public authorities law, as amended by section 40 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

10-a. Subject to the provisions of chapter fifty-nine of the laws of two thousand, but notwithstanding any other provision of the law to the contrary, the maximum amount of bonds and notes to be issued after March thirty-first, two thousand two, on behalf of the state, in relation to any locally sponsored community college, shall be [~~one billion five million six hundred two thousand~~] one billion fifty-one million six hundred forty thousand dollars [~~$1,005,602,000~~] $1,051,640,000. Such amount shall be exclusive of bonds and notes issued to fund any reserve fund or funds, costs of issuance and to refund any outstanding bonds and notes, issued on behalf of the state, relating to a locally sponsored community college.

§ 35. Subdivision 1 of section 17 of part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, as amended by section 41 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed eight hundred [~~four~~] forty million [~~six~~] three hundred fifteen thousand dollars [~~$804,615,000~~] $840,315,000, which authorization increases the aggregate principal amount of bonds, notes and other obligations authorized by section 40 of chapter 309 of the laws of 1996, and shall include all bonds, notes and other obligations issued pursuant to chapter 211 of the laws of 1990, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the youth facilities improvement fund, to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the office of children and family services from the youth facilities improvement fund for capital projects. The aggregate amount of bonds, notes and other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the office of children and family services; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than eight hundred [~~four~~] forty million [~~six~~] three hundred fifteen thousand dollars [~~$804,615,000~~] $840,315,000, only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of

the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

§ 36. Paragraph b of subdivision 2 of section 9-a of section 1 of chapter 392 of the laws of 1973, constituting the New York state medical care facilities finance agency act, as amended by section 42 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

b. The agency shall have power and is hereby authorized from time to time to issue negotiable bonds and notes in conformity with applicable provisions of the uniform commercial code in such principal amount as, in the opinion of the agency, shall be necessary, after taking into account other moneys which may be available for the purpose, to provide sufficient funds to the facilities development corporation, or any successor agency, for the financing or refinancing of or for the design, construction, acquisition, reconstruction, rehabilitation or improvement of mental health services facilities pursuant to paragraph a of this subdivision, the payment of interest on mental health services improvement bonds and mental health services improvement notes issued for such purposes, the establishment of reserves to secure such bonds and notes, the cost or premium of bond insurance or the costs of any financial mechanisms which may be used to reduce the debt service that would be payable by the agency on its mental health services facilities improvement bonds and notes and all other expenditures of the agency incident to and necessary or convenient to providing the facilities development corporation, or any successor agency, with funds for the financing or refinancing of or for any such design, construction, acquisition, reconstruction, rehabilitation or improvement and for the refunding of mental hygiene improvement bonds issued pursuant to section 47-b of the private housing finance law; provided, however, that the agency shall not issue mental health services facilities improvement bonds and mental health services facilities improvement notes in an aggregate principal amount exceeding [~~nine billion three hundred thirty-three million three hundred eight thousand~~] nine billion nine hundred twenty-seven million two hundred seventy-six thousand dollars [~~$9,333,308,000~~] $9,927,276,000, excluding mental health services facilities improvement bonds and mental health services facilities improvement notes issued to refund outstanding mental health services facilities improvement bonds and mental health services facilities improvement notes; provided, however, that upon any such refunding or repayment of mental health services facilities improvement bonds and/or mental health services facilities improvement notes the total aggregate principal amount of outstanding mental health services facilities improvement bonds and mental health facilities improvement notes may be greater than [~~nine billion three hundred thirty-three million three hundred eight thousand~~] nine billion nine hundred twenty-seven million two hundred seventy-six thousand dollars

[~~$9,333,308,000~~] $9,927,276,000, only if, except as hereinafter provided with respect to mental health services facilities bonds and mental health services facilities notes issued to refund mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law, the present value of the aggregate debt service of the refunding or repayment bonds to be issued shall not exceed the present value of the aggregate debt service of the bonds to be refunded or repaid. For purposes hereof, the present values of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the authority including estimated accrued interest from the sale thereof. Such bonds, other than bonds issued to refund outstanding bonds, shall be scheduled to mature over a term not to exceed the average useful life, as certified by the facilities development corporation, of the projects for which the bonds are issued, and in any case shall not exceed thirty years and the maximum maturity of notes or any renewals thereof shall not exceed five years from the date of the original issue of such notes. Notwithstanding the provisions of this section, the agency shall have the power and is hereby authorized to issue mental health services facilities improvement bonds and/or mental health services facilities improvement notes to refund outstanding mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law and the amount of bonds issued or outstanding for such purposes shall not be included for purposes of determining the amount of bonds issued pursuant to this section. The director of the budget shall allocate the aggregate principal authorized to be issued by the agency among the office of mental health, office for people with developmental disabilities, and the office of [~~alcoholism and substance abuse services~~] addiction services and supports, in consultation with their respective commissioners to finance bondable appropriations previously approved by the legislature.

§ 37. Subdivision (a) of section 28 of part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, as amended by section 43 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding any provisions of law to the contrary, one or more authorized issuers as defined by section 68-a of the state finance law are hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [~~ninety-two million~~] one hundred fifty-seven million dollars [~~$92,000,000~~] $157,000,000, excluding bonds issued to finance one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital projects for public protection facilities in the Division of Military and Naval Affairs, debt service and leases;

and to reimburse the state general fund for disbursements made therefor. Such bonds and notes of such authorized issuer shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to such authorized issuer for debt service and related expenses pursuant to any service contract executed pursuant to subdivision (b) of this section and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 38. Section 53 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as added by section 46 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

§ 53. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the acquisition of equipment, including but not limited to the creation or modernization of information technology systems and related research and development equipment, health and safety equipment, heavy equipment and machinery, the creation or improvement of security systems, and laboratory equipment and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~ninety-three million~~] **one hundred ninety-three million** dollars [~~$93,000,000~~] **$193,000,000**, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the urban development corporation in undertaking the financing for project costs for the acquisition of equipment, including but not limited to the creation or modernization of information technology systems and related research and development equipment, health and safety equipment, heavy equipment and machinery, the creation or improvement of security systems, and laboratory equipment and other state costs associated with such capital projects, the director of the budget is hereby authorized to enter into one or more service contracts with the dormitory authority and the urban development corporation, none of which shall exceed thirty years in duration, upon such terms and conditions as the director of the budget and the dormitory authority and the urban development corporation agree, so as to annually provide to the dormitory authority and the urban development corporation, in the aggregate, a sum not to exceed the principal, interest, and related expenses required for such bonds and notes. Any service contract entered into pursuant to this section shall provide that the obligation of the state to pay the amount therein provided

shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of monies available and that no liability shall be incurred by the state beyond the monies available for such purpose, subject to annual appropriation by the legislature. Any such contract or any payments made or to be made thereunder may be assigned and pledged by the dormitory authority and the urban development corporation as security for its bonds and notes, as authorized by this section.

§ 39. Subdivision (b) of section 11 of chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, as amended by section 1 of part K of chapter 39 of the laws of 2019, is amended to read as follows:

(b) Any service contract or contracts for projects authorized pursuant to sections 10-c, 10-f, 10-g and 80-b of the highway law and section 14-k of the transportation law, and entered into pursuant to subdivision (a) of this section, shall provide for state commitments to provide annually to the thruway authority a sum or sums, upon such terms and conditions as shall be deemed appropriate by the director of the budget, to fund, or fund the debt service requirements of any bonds or any obligations of the thruway authority issued to fund or to reimburse the state for funding such projects having a cost not in excess of [~~ten billion eight hundred five million seven hundred seventy-eight thousand~~] **eleven billion two hundred eighty-three million five hundred seventy-five thousand** dollars [~~$10,805,778,000~~] **$11,283,575,000** cumulatively by the end of fiscal year [~~2019-20~~] **2020-21**.

§ 40. Subdivision 1 of section 1689-i of the public authorities law, as amended by section 2 of part K of chapter 39 of the laws of 2019, is amended to read as follows:

1. The dormitory authority is authorized to issue bonds, at the request of the commissioner of education, to finance eligible library construction projects pursuant to section two hundred seventy-three-a of the education law, in amounts certified by such commissioner not to exceed a total principal amount of two hundred [~~fifty-one~~] **sixty-five** million dollars [~~$251,000,000~~] **$265,000,000**.

§ 41. Section 44 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 3 of part K of chapter 39 of the laws of 2019, is amended to read as follows:

§ 44. Issuance of certain bonds or notes. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medicine, the olympic regional development authority, projects at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, high tech innovation and economic development infrastructure program, high technology manufacturing projects in Chautauqua and Erie county, an industrial scale research and

development facility in Clinton county, upstate revitalization initiative projects, downstate revitalization initiative, market New York projects, fairground buildings, equipment or facilities used to house and promote agriculture, the state fair, the empire state trail, the moynihan station development project, the Kingsbridge armory project, strategic economic development projects, the cultural, arts and public spaces fund, water infrastructure in the city of Auburn and town of Owasco, a life sciences laboratory public health initiative, not-for-profit pounds, shelters and humane societies, arts and cultural facilities improvement program, restore New York's communities initiative, heavy equipment, economic development and infrastructure projects, Roosevelt Island operating corporation capital projects, Lake Ontario regional projects, Pennsylvania station and other transit projects and other state costs associated with such projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~nine billion eight hundred twenty-one million six hundred thirty-six thousand~~] ten billion three hundred thirty-four million eight hundred fifty-one thousand dollars [~~$9,821,636,000~~] $10,334,851,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the corporation in undertaking the financing for project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medicine, the olympic regional development authority, projects at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, New York State Capital Assistance Program for Transportation, infrastructure, and economic development, high tech innovation and economic development infrastructure program, high technology manufacturing projects in Chautauqua and Erie county, an industrial scale research and development facility in Clinton county, upstate revitalization initiative projects, downstate revitalization initiative, market New York projects, fairground buildings, equipment or facilities used to house and promote agriculture, the state fair, the empire state trail, the moynihan station development project, the Kingsbridge armory project, strategic economic development projects, the cultural, arts and public spaces fund, water infrastructure in the city of Auburn and town of Owasco, a life sciences laboratory public health initiative, not-for-profit pounds, shelters and humane societies, arts and cultural facili-

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

§ 42. Subdivision 1 of section 386-b of the public authorities law, as amended by section 4 of part K of chapter 39 of the laws of 2019, is amended to read as follows:

1. Notwithstanding any other provision of law to the contrary, the authority, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of financing peace bridge projects and capital costs of state and local highways, parkways, bridges, the New York state thruway, Indian reservation roads, and facilities, and transportation infrastructure projects including aviation projects, non-MTA mass transit projects, and rail service preservation projects, including work appurtenant and ancillary thereto. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~four billion six hundred forty-eight million~~] six billion nine hundred forty-two million four hundred sixty-three thousand dollars [~~$4,648,000,000~~] $6,942,463,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the authority, the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the authority, the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 43. Paragraph (a) of subdivision 2 of section 47-e of the private housing finance law, as amended by section 8 of part K of chapter 39 of the laws of 2019, is amended to read as follows:

(a) Subject to the provisions of chapter fifty-nine of the laws of two thousand, in order to enhance and encourage the promotion of housing programs and thereby achieve the stated purposes and objectives of such

housing programs, the agency shall have the power and is hereby authorized from time to time to issue negotiable housing program bonds and notes in such principal amount as shall be necessary to provide sufficient funds for the repayment of amounts disbursed (and not previously reimbursed) pursuant to law or any prior year making capital appropriations or reappropriations for the purposes of the housing program; provided, however, that the agency may issue such bonds and notes in an aggregate principal amount not exceeding [~~six billion two hundred ninety million five hundred ninety-nine thousand~~] **six billion five hundred thirty-one million five hundred twenty-three thousand** dollars [~~$6,290,599,000~~] **$6,531,523,000**, plus a principal amount of bonds issued to fund the debt service reserve fund in accordance with the debt service reserve fund requirement established by the agency and to fund any other reserves that the agency reasonably deems necessary for the security or marketability of such bonds and to provide for the payment of fees and other charges and expenses, including underwriters' discount, trustee and rating agency fees, bond insurance, credit enhancement and liquidity enhancement related to the issuance of such bonds and notes. No reserve fund securing the housing program bonds shall be entitled or eligible to receive state funds apportioned or appropriated to maintain or restore such reserve fund at or to a particular level, except to the extent of any deficiency resulting directly or indirectly from a failure of the state to appropriate or pay the agreed amount under any of the contracts provided for in subdivision four of this section.

§ 44. Subdivision 1 of section 50 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 5 of part K of chapter 39 of the laws of 2019, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs undertaken by or on behalf of special act school districts, state-supported schools for the blind and deaf, approved private special education schools, non-public schools, community centers, day care facilities, residential camps, day camps, and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed one hundred [~~thirty~~] **fifty-five** million dollars [~~$130,000,000~~] **$155,000,000**, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§45. Subdivision 1 of section 47 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 27 of part TTT of chapter 59 of the laws of 2019, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the office of information technology services, department of law, and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~six~~] **eight** hundred [~~seventy-seven~~] **thirty** million [~~three hundred~~] fifty-four thousand dollars, [~~$677,354,000~~] **$830,054,000** excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 46. Paragraph (b) of subdivision 4 of section 72 of the state finance law, as amended by section 43 of part XXX of chapter 59 of the laws of 2017, is amended to read as follows:

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

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

1-a. "Business day". Any day of the year which is not a Saturday, Sunday or legal holiday in the state of New York and not a day on which banks are authorized or obligated to be closed in the city of New York.

§ 48. Paragraph a of subdivision 4 of section 57 of the state finance law, as amended by section 39 of part JJ of chapter 56 of the laws of 2010, is amended to read as follows:

a. Such bonds shall be sold at par, at par plus a premium, or at a discount to the bidder offering the lowest interest cost to the state, taking into consideration any premium or discount and, in the case of refunding bonds, the bona fide initial public offering price, not less than [~~four nor more than fifteen days, Sundays excepted,~~] **two business days** after **the publication of** a notice of [~~such~~] sale [~~has been published~~] at least once in a definitive trade publication of the municipal bond industry published on each business day in the state of New York which is generally available **in electronic or physical form** to

participants in the municipal bond industry, which notice shall state the terms of the sale. The comptroller may not change the terms of the sale unless notice of such change is sent via a definitive trade wire service of the municipal bond industry which, in general, makes available information regarding activity and sales of municipal bonds and is generally available to participants in the municipal bond industry, at least one hour prior to the time of the sale as set forth in the original notice of sale. In so changing the terms or conditions of a sale the comptroller may send notice by such wire service that the sale will be delayed by up to thirty days, provided that wire notice of the new sale date will be given at least one business day prior to the new time when bids will be accepted. In such event, no new notice of sale shall be required to be published. Notwithstanding the provisions of section three hundred five of the state technology law or any other law, if the notice of sale contains a provision that bids will only be accepted electronically in the manner provided in such notice of sale, the comptroller shall not be required to accept non-electronic bids in any form. Advertisements shall contain a provision to the effect that the state comptroller, in his or her discretion, may reject any or all bids made in pursuance of such advertisements, and in the event of such rejection, the state comptroller is authorized to negotiate a private sale or readvertise for bids in the form and manner above described as many times as, in his or her judgment, may be necessary to effect a satisfactory sale. Notwithstanding the foregoing provisions of this paragraph, whenever in the judgment of the comptroller the interests of the state will be served thereby, he or she may sell state bonds at private sale at par, at par plus a premium, or at a discount. The comptroller shall promulgate regulations governing the terms and conditions of any such private sales, which regulations shall include a provision that he or she give notice to the governor, the temporary president of the senate, and the speaker of the assembly, of his or her intention to conduct a private sale of obligations pursuant to this section not less than [~~five~~] **two business** days prior to such sale or the execution of any binding agreement to effect such sale.

§ 49. Subdivision (a) of section 211 of the civil practice law and rules, as amended by chapter 267 of the laws of 1970, is amended to read as follows:

(a) On a bond. An action to recover principal or interest upon a written instrument evidencing an indebtedness of the state of New York or of any person, association or public or private corporation, originally sold by the issuer after publication of an advertisement for bids for the issue in [~~a newspaper of general circulation~~] **electronic or physical form** and secured only by a pledge of the faith and credit of the issuer, regardless of whether a sinking fund is or may be established for its redemption, must be commenced within twenty years after the cause of action accrues. This subdivision does not apply to actions upon written instruments evidencing an indebtedness of any corporation, association or person under the jurisdiction of the public service commission, the commissioner of transportation, the interstate commerce commission, the federal communications commission, the civil aeronautics board, the federal power commission, or any other regulatory commission or board of a state or of the federal government. This subdivision applies to all causes of action, including those barred on April eighteenth, nineteen hundred fifty, by the provisions of the civil practice act then effective.

§ 50. The opening paragraph of subdivision 9 of section 8 of the state finance law, as separately amended by chapters 405 and 957 of the laws of 1981, is amended to read as follows:

Make a report to the legislature prior to the convening of its annual session, containing a complete statement of every fund of the state including every fund under the supervision or control of any department or any officer or division, bureau, commission, board or other organization therein from whatever source derived and whether or not deposited in the treasury, other than the funds of moneyed corporations or private bankers in liquidation or rehabilitation, together with a citation of the statute authorizing the creation or establishment of each such fund, all balances of money and receipts and disbursements during the preceding fiscal year **presented in accordance with the accounting principles, policies, and legislative intent, including but not limited to refunds of appropriation, set forth in a budget bill enacted in accordance with Article VII of the State Constitution**, a statement of each object of disbursement, the funds, if any, from which paid or to be paid, a schedule by month of the investments of cash not needed for day to day operations including but not limited to total investment income, the average daily invested balance and related yields for each fund, and a statement of all claims against the state presented to him where no provision or an insufficient provision for the payment thereof has been made by law, with the facts relating thereto and his opinion thereon, and suggesting plans for the improvement and management of the public resources, and containing such other information and recommendations relating to the fiscal affairs of the state, as in his judgment should be communicated to the legislature, provided that:

§ 51. Paragraph a of subdivision 9-a of section 8 of the state finance law, as amended by chapter 551 of the laws of 1989, is amended to read as follows:

a. Issue, on or before the fifteenth day of each month and cause to be published in the state register, a report including (1) a summary of the preceding month's investments of cash not needed for day to day operations including but not limited to total investment income, the average daily investment balance and related yield; and (2) a statement setting forth briefly the several receipts of and disbursements from the general fund during the preceding month, and also the total of such receipts and disbursements from the beginning of the fiscal year to the close of such preceding month and the cash balance of the general fund, exclusive of receipts and disbursements on account of temporary borrowing, at the close of such preceding month, provided that for state fiscal years beginning on or after April first, nineteen hundred eighty-two the comptroller shall include in such reports the required information for all funds and fund types. **Such reports shall be prepared and presented in accordance with the accounting principles, policies, and legislative intent, including but not limited to refunds of appropriation, set forth in a budget bill enacted in accordance with Article VII of the State Constitution.**

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

§ 2-b. Additional definitions. As used in subdivisions nine and nine-a of section eight of this article, the following terms shall have the following meanings:

1. "Refund of appropriation". Receipt of refunds, rebates, reimbursements, credits, repayments, and/or disallowances, as defined herein, the office of the state comptroller shall credit the refunded, rebated,

reimbursed, credited, repaid, and disallowed amount back to the original appropriation and reduce expenditures in the year which such credit is received regardless of the timing of the initial expenditure.

2. "Refunds". Funds received to the state resulting from the overpayment of monies.

3. "Rebates". Funds received to the state resulting a from return of a full or partial amount previously paid, as for goods or services, serving as a reduction, discount or rebate to the original payment amount.

4. "Reimbursements". Funds received to the state as repayment in an equivalent amount for goods or services, including but not limited to personal service costs, incurred by the state in the first instance being provided to a third party for their benefit and partially or in full financed by such third party.

5. "Credit". Monies made available to the state that reduce the amount owed to a third party, including but not limited to billing errors, rebates, and prior overpayments.

6. "Repayment". The return of monies as pay back for expenses incurred.

7. "Disallowance". Monies made available to the state that were not allowed or accepted officially by the intended recipient, based on a determination the payment is not acceptable and/or valid.

§ 53. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2020; provided, however, that the provisions of sections one, one-a, two, three, four, five, six, seven, eight, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty-one, twenty-two, twenty-three, and twenty-four of this act shall expire March 31, 2021 when upon such date the provisions of such sections shall be deemed repealed.

§ 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 be 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 VV of this act shall be as specifically set forth in the last section of such Parts.