STATE OF NEW YORK

S. 7508--B A. 9508--B

SENATE - ASSEMBLY

January 22, 2020

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

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

AN ACT to amend the highway law and the transportation law, in relation to consolidated local highway assistance payments (Part A); to amend the vehicle and traffic law in relation to penalties for commercial vehicles on parkways and penalties for over-height vehicles (Part B); to amend the vehicle and traffic law, in relation to the display of amber and blue lights on safety service patrol vehicles (Part C); intentionally omitted (Part D); to amend the vehicle and traffic law, in relation to the maximum dimension of certain vehicles proceeding to and from the New York state thruway authority (Part E); to amend the public authorities law, in relation to agreements for fiber optics (Part F); intentionally omitted (Part G); to amend the vehicle and traffic law, in relation to penalties for unlicensed operation of ground transportation to and from airports (Part H); to amend the public authorities law, in relation to setting the aggregate principal amount of bonds the Metropolitan transit authority, the Triborough bridge and tunnel authority and the New York city transit authority can issue (Part I); intentionally omitted (Part J); to amend chapter 54 of the laws of 2016 amending the general municipal law relating to the New York transit authority and the metropolitan transportation authority, in relation to extending authorization for tax increment financing for the metropolitan transportation authority (Part K); intentionally omitted (Part L); intentionally omitted (Part M); intentionally omitted (Part N); intentionally omitted (Part O); intentionally omitted (Part P); intentionally omitted (Part Q); to amend

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

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chapter 21 of the laws of 2003, amending the executive law relating to permitting the secretary of state to provide special handling for all documents filed or issued by the division of corporations and to permit additional levels of such expedited service, in relation to extending the effectiveness thereof (Part R); to amend the general business law, in relation to prohibiting pricing of goods and services on the basis of gender (Part S); intentionally omitted (Part T); to amend the state law, in relation to making changes to the arms of the state (Part U); to amend the executive law, the real property law and the general business law, in relation to qualifications for appointment and employment (Part V); to amend the real property law, in relation to home inspection professional licensing (Part W); intentionally omitted (Part X); to authorize utility and cable television assessments that provide funds to the department of health from cable television assessment revenues and to the department of agriculture and markets, department of environmental conservation, department of state, and the office of parks, recreation and historic preservation from utility assessment revenues; and providing for the repeal of such provisions upon expiration thereof (Part Y); intentionally omitted (Part Z); intentionally omitted (Part AA); intentionally omitted (Part BB); to amend chapter 584 of the laws of 2011, amending the public authorities law relating to the powers and duties of the dormitory authority of the state of New York relative to the establishment of subsidiaries for certain purposes, in relation to the effectiveness thereof (Part CC); to amend the infrastructure investment act, in relation to requiring certain contracts to comply with service-disabled veteran-owned business enterprises, negotiating prices in certain lump-sum contracts, referencing certain sections of law and providing for a date of repeal (Part DD); to amend the New York state urban development corporation act, in relation to extending the authority of the New York state urban development corporation to administer the empire state economic development fund (Part EE); to amend chapter 393 of the laws of 1994 amending the New York state urban development corporation act, relating to the powers of the New York state urban development corporation to make loans, in relation to extending the general loan powers of the New York state urban development corporation (Part FF); to amend the economic development law, in relation to economic transformation program eligibility (Part GG); to authorize the New York state energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY program, as well as climate change related expenses of the department of environmental conservation and the department of agriculture and markets' Fuel NY program, from an assessment on gas and electric corporations (Part HH); to amend the labor law, in relation to the definition of farm laborer and labor practices for farm laborers (Part II); to amend the general municipal law, in relation to procurement procedures for school districts in relation to New York state products (Part JJ); to amend the public authorities law, in relation to the water pollution control revolving fund and the drinking water revolving fund (Part KK); intentionally omitted (Part LL); to amend the financial services law, in relation to student debt consultants (Part MM); intentionally omitted (Part NN); intentionally omitted (Part OO); to amend the environmental conservation law, in relation to expanded polystyrene foam container and polystyrene loose fill packaging ban; to amend the state finance law, in relation to moneys collected for violations of the expanded polys-

tyrene foam container and polystyrene loose fill packaging ban; and providing for the repeal of certain provisions upon expiration thereof (Part PP); authorizing the creation of state debt in the amount of three billion dollars, in relation to creating the environmental bond act of 2020 "restore mother nature" for the purposes of environmental improvements that preserve, enhance, and restore New York's natural resources and reduce the impact of climate change; and providing for the submission to the people of a proposition or question therefor to be voted upon at the general election to be held in November, 2020 (Part QQ); to amend the environmental conservation law and the state finance law, in relation to the implementation of the environmental bond act of 2020 "restore mother nature" (Part RR); intentionally omitted (Part SS); intentionally omitted (Part TT); to authorize the county of Nassau, to permanently and temporarily convey certain easements and to temporarily alienate certain parklands (Subpart A); to authorize the village of East Rockaway, county of Nassau, to permanently and temporarily convey certain easements and to temporarily alienate certain parklands (Subpart B); and to authorize the village of Rockville Centre, county of Nassau, to permanently and temporarily convey certain easements and to temporarily alienate certain parklands (Subpart C) (Part UU); intentionally omitted (Part VV); to amend the environmental conservation law, in relation to banning fracking (Part WW); to amend the vehicle and traffic law, in relation to bicycles with electric assist and electric scooters (Part XX); to amend chapter 62 of the laws of 2003, amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, in relation to the effectiveness thereof; and to amend chapter 84 of the laws of 2002, amending the state finance law relating to the costs of the department of motor vehicles, in relation to the effectiveness thereof (Part YY); to amend the vehicle and traffic law, in relation to the acceptance of applications for accident prevention and pre-licensing internet courses; and to amend chapter 751 of the laws of 2005, amending the insurance law and the vehicle and traffic law relating to establishing the accident prevention course internet technology pilot program, in relation to the effectiveness thereof (Part ZZ); intentionally omitted (Part AAA); intentionally omitted (Part BBB); intentionally omitted (Part CCC); intentionally omitted (Part DDD); to amend the New York Buy American Act, in relation to the report to be provided and to making such provisions permanent (Part EEE); to amend the labor law, in relation to prevailing wage requirements (Part FFF); intentionally omitted (Part GGG); intentionally omitted (Part HHH); to amend the New York state urban development corporation act, in relation to the corporations' authorization to provide financial and technical assistance to community development financial institutions (Part III); to amend the public service law, the executive law, the public authorities law, the environmental conservation law and the state finance law, in relation to accelerating the growth of renewable energy facilities to meet critical state energy policy goals; and providing for the repeal of such provisions upon expiration thereof (Part JJJ); to amend the economic development law, in relation to extending the application deadline for businesses to participate in the START-UP NY program (Part KKK); to amend the public authorities law, in relation to authorizing the metropolitan transportation authority to borrow money and issue negotiable notes, bonds or other obligations to offset decreases in revenue; and providing for the repeal of certain provisions upon expiration

thereof (Part LLL); to amend the public authorities law, in relation to the central business district tolling lockbox fund (Part MMM); to amend the mental hygiene law, in relation to admission to residential treatment facilities (RTF) for children and youth (Part NNN); to authorize the transfer of certain office of mental health employees to the secure treatment rehabilitation center (Part OOO); to amend the mental hygiene law, in relation to the amount of time an individual may be held for emergency observation, care, and treatment in CPEP and the implementation of satellite sites; to amend chapter 723 of the laws of 1989 amending the mental hygiene law and other laws relating to comprehensive psychiatric emergency programs, in relation to the effectiveness of certain provisions thereof; and to repeal paragraphs 4 and 8 of subdivision (a) and subdivision (i) of section 31.27 of the mental hygiene law, relating thereto (Part PPP); to amend the insurance law, in relation to penalties relating to mental health and substance use disorder parity compliance requirements; and to amend the state finance law and the public health law, in relation to establishing the behavioral health parity compliance fund (Part QQQ); to amend the mental hygiene law, the social services law and the public health law, in relation to providers of service (Part RRR); to amend education law and other laws relating to applied behavior analysis, in relation to extending the expiration of certain provisions thereof (Part SSS); to amend part Q of chapter 59 of the laws of 2016, amending the mental hygiene law relating to the closure or transfer of a state-operated individualized residential alternative, in relation to the effectiveness thereof (Part TTT); to amend the state finance law, in relation to providing funding for the Metropolitan Transportation Authority 2020-2024 capital program and paratransit operating expenses; and providing for the repeal of certain provisions upon expiration thereof (Part UUU); to amend the public authorities law, in relation to acquisitions or transfers of property for transit projects; and providing for the repeal of such provisions upon the expiration thereof (Part VVV); to amend the tax law and the administrative code of the city of New York, in relation to decoupling from certain federal tax changes (Part WWW); to amend chapter 492 of the laws of 1993 amending the local finance law relating to installment loans and obligations evidencing installment loans, in relation to extending the effectiveness thereof (Item A); to amend chapter 581 of the laws of 2005 amending the local finance law relating to statutory installment bonds, in relation to extending the effectiveness thereof (Item B); to amend chapter 629 of the laws of 2005, amending the local finance law relating to refunding bonds, in relation to extending the effectiveness thereof (Item C); to amend chapter 307 of the laws of 2005, amending the public authorities law relating to the special powers of the New York state environmental facilities corporation, in relation to extending the effectiveness thereof (Item D); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage Atlantic and shortnose sturgeon (Item E); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage Atlantic Cod (Item F); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage Atlantic herring (Item G); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage black sea bass (Item H); to amend the environ-

mental conservation law, in relation to extending the authority of the department of environmental conservation to manage blueback herring(Item I); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage crabs (Item J); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to restrict the taking of fish, shellfish and crustacea in special management areas (Item K); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage of fluke-summer flounder (Item L); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage scup (Item M); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage sharks (Item N); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage squid (Item O); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage whelk and conch (Item P); to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage winter flounder (Item Q); and to amend the environmental conservation law, in relation to commercial fishing licenses (Item R)(Subpart A); to authorize certain health care professionals licensed to practice in other jurisdictions to practice in this state in connection with an event sanctioned by the World Triathlon Corporation; and providing for the repeal of such provisions upon expiration thereof (Item A); to amend chapter 510 of the laws of 2013, authorizing the city of Middletown to enter into a contract to sell or pledge as collateral for a loan some or all of the delinquent liens held by such city to a private party or engage a private party to collect some or all of the delinquent tax liens held by it, in relation to the effectiveness thereof (Item B); redistributing bond volume allocations made pursuant to section 146 of the federal tax reform act of 1986, relating to allocation of the unified state bond volume ceiling, and enacting the private activity bond allocation act of 2020; and providing for the repeal of certain provisions upon expiration thereof (Item C); to amend chapter 448 of the laws of 2017, amending the canal law relating to the upstate flood mitigation task force, in relation to extending the effectiveness thereof (Item D); intentionally omitted (Item E); intentionally omitted (Item F); intentionally omitted (Item G); intentionally omitted (Item H); intentionally omitted (Item I); intentionally omitted (Item J); to amend chapter 454 of the laws of 2010, amending the vehicle and traffic law relating to authorizing a pilot residential parking permit system in the city of Albany, in relation to the effectiveness thereof (Item K); to amend chapter 465 of the laws of 1994, amending chapter 285 of the laws of 1891 relating to charging a fee for admission to the New York Botanical Garden, in relation to the effectiveness thereof (Item L); to amend chapter 414 of the laws of 2018, creating the radon task force, in relation to the reporting date and effectiveness thereof (Item M); to amend chapter 435 of the laws of 2014 amending the environmental conservation law relating to defining spearguns and allowing recreational spearfishing in New York's marine and coastal waters, in relation to extending the effectiveness thereof (Item N); to amend chapter 330 of the laws of

2014, amending the environmental conservation law relating to aquatic invasive species, spread prevention, and penalties, in relation to the effectiveness thereof (Item O); to amend chapter 104 of the laws of 2005, enacting the September 11th worker protection task force act, in relation to extending the expiration of such chapter (Item P); to amend chapter 266 of the laws of 1981, amending the civil practice law and rules relating to time limitations, in relation to extending time limitations for certain actions (Item Q); to amend chapter 455 of the laws of 1997 amending the New York city civil court act and the civil practice law and rules relating to authorizing New York city marshals to exercise the same functions, powers and duties as sheriffs with respect to the execution of money judgments, in relation to extending the effectiveness of such chapter (Item R); to amend chapter 490 of the laws of 2017 amending the insurance law relating to limits on certain supplementary insurance, in relation to extending the provisions thereof (Item S); to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie (Item T); to amend chapter 846 of the laws of 1970, amending the county law relating to payment in lieu of taxes for property acquired for park or recreational purposes, in relation to extending the term of effectiveness of such chapter (Item U); to amend chapter 821 of the laws of 1970 amending the town law relating to payment in lieu of taxes for property acquired for park or recreational purposes by the town of Hempstead, in relation to the term of effectiveness of such chapter (Item V); to amend chapter 20 of the laws of 1998, amending the education law relating to the provision of physical therapy assistant services in public and private primary and secondary schools, in relation to extending the effectiveness of such chapter (Item W); to amend chapter 549 of the laws of 1994, amending the public authorities law relating to the membership composition of the metropolitan transportation authority board, in relation to extending the effectiveness of such provisions (Item X); to amend chapter 62 of the laws of 2003, amending the public service law relating to establishing the New York telecommunications relay service center, in relation to extending certain provisions of such center (Item Y); to amend chapter 55 of the laws of 2014, amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by senior citizens, in relation to the effectiveness thereof; and to amend chapter 129 of the laws of 2014, amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by persons with disabilities, in relation to the effectiveness thereof (Item Z); to amend chapter 427 of the laws of 2017 amending the state technology law relating to the creation of a state information technology innovation center, in relation to extending the provisions thereof (Item AA); to amend chapter 606 of the laws of 2006 amending the volunteer firefighters' benefit law relating to creating a presumption relating to certain lung disabilities incurred by volunteer firefighters, in relation to the effectiveness of such chapter (Item BB); to amend chapter 668 of the laws of 1977, amending the volunteer firefighters' benefit law relating to disability due to disease or malfunction of the heart or coronary arteries, in relation to extending the expiration of such provisions (Item CC); to amend chapter 217 of the laws of 2015, amending the education law relating to certified school psychologists and special education services and programs for preschool children with handicapping conditions, in

relation to the effectiveness thereof (Item DD); to amend chapter 192 of the laws of 2011, relating to authorizing certain health care professionals licensed to practice in other jurisdictions to practice in this state in connection with an event sanctioned by New York Road Runners, in relation to extending the provisions thereof (Item EE); to amend chapter 378 of the laws of 2010 amending the education law relating to paperwork reduction, in relation to extending the provisions thereof (Item FF); to amend the local finance law, in relation to bonds and notes of the city of Yonkers (Item GG); to amend the local finance law, in relation to the sale of bonds and notes of the city of Buffalo (Item HH); to amend chapter 401 of the laws of 2002, amending the real property tax law and the Nassau county administrative code relating to assessment and review of assessments in the county of Nassau, in relation to extending certain provisions thereof (Item II); to amend the insurance law, in relation to extending provisions of the property/casualty insurance availability act (Item JJ); to amend chapter 548 of the laws of 2004 amending the education law relating to certain tuition waivers for police officer students of the city university of New York, in relation to extending the provisions of such chapter (Item KK); to amend part U of chapter 56 of the laws of 2018, amending the education law relating to requiring regulations to permit tuition waivers for certain firefighters and fire officers for CUNY, in relation to the effectiveness thereof (Item LL); to amend chapter 274 of the laws of 2010 amending the environmental conservation law relating to repair of damaged pesticide containers, in relation to the effectiveness thereof (Item MM); to amend the environmental conservation law, in relation to pesticide registration time frames and fees; and to amend chapter 67 of the laws of 1992, amending the environmental conservation law relating to pesticide product registration timetables and fees, in relation to the effectiveness thereof (Item NN); to amend chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof (Item OO); to amend chapter 779 of the laws of 1986, amending the social services law relating to authorizing services for non-residents in adult homes, residences for adults and enriched housing programs, in relation to extending the effectiveness of certain provisions thereof (Item PP); to amend the local finance law, in relation to the sale of bonds and notes of the city of New York, the issuance of bonds or notes with variable rates of interest, interest rate exchange agreements of the city of New York, the refunding of bonds, and the down payment for projects financed by bonds; to amend the New York state financial emergency act for the city of New York, in relation to a pledge and agreement of the state; and to amend chapter 142 of the laws of 2004, amending the local finance law relating to interest rate exchange agreements of the city of New York and refunding bonds of such city, in relation to the effectiveness thereof (Item QQ); to amend the racing, pari-mutuel wagering and breeding law, in relation to certain payments to the horsemen's organization (Item RR); to amend chapter 237 of the laws of 2015 amending the judiciary law, the civil practice law and rules and other laws relating to use of electronic means for the commencement and filing of papers in certain actions and proceedings, in relation to the effectiveness thereof (Item SS); to amend chapter 890 of the laws of 1982, relating to the establishment of certain water charges for hospitals and charities in New York city, in relation to the effectiveness thereof (Item

TT); to amend chapter 573 of the laws of 2011, amending the correction law relating to the boarding of out of state inmates at local correctional facilities, in relation to extending the expiration of the provisions thereof (Item UU); to amend chapter 29 of the laws of 2011 amending the executive law and other laws relating to the adoption of the interstate compact for juveniles by the state of New York, in relation to the effectiveness thereof (Item VV); to amend chapter 363 of the laws of 2010, amending the judiciary law relating to granting the chief administrator of the courts the authority to allow referees to determine applications for orders of protection during the hours family court is in session, in relation to the expiration date thereof (Item WW); to amend the economic development law, in relation to an advisory panel on employee-owned enterprises within the division of small business services; and to amend chapter 435 of the laws of 2017 amending the economic development law, relating to establishing an advisory panel on employee-owned enterprises within the division of small business services, in relation to the effectiveness thereof (Item XX); to amend chapter 522 of the laws of 2000, amending the state finance law and the general business law relating to establishing the underground facilities safety training account, in relation to the effectiveness thereof (Item YY); to amend chapter 141 of the laws of 2014 amending the environmental conservation law relating to authorizing the hunting of big game in the county of Albany with rifles, in relation to the effectiveness thereof (Item ZZ); to amend chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness of certain provisions thereof (Item AAA); to amend chapter 473 of the laws of 2010 amending the racing, pari-mutuel wagering and breeding law relating to the New York state thoroughbred breeding and development fund, in relation to the effectiveness thereof (Item BBB); to amend chapter 451 of the laws of 2012, amending the labor law relating to permitted deductions from wages, in relation to extending the effectiveness of such provisions (Item CCC); to amend chapter 456 of the laws of 2018 relating to establishing the digital currency task force, in relation to extending the provisions of such chapter (Item DDD); to amend chapter 548 of the laws of 2010, amending the New York city charter relating to authorizing the city of New York to sell to abutting property owners real property owned by such city, consisting of tax lots that cannot be independently developed due to the size, shape, configuration and topography of such lots and the zoning regulations applicable thereto, in relation to the effectiveness thereof (Item EEE); to amend chapter 402 of the laws of 1994, amending the state administrative procedure act relating to requiring certain agencies to submit regulatory agendas for publication in the state register, in relation to the effectiveness thereof (Item FFF); to amend chapter 378 of the laws of 2014 amending the environmental conservation law relating to the taking of sharks, in relation to the expiration thereof (Item GGG); to amend chapter 306 of the laws of 2011, authorizing owners of residential real property in high risk brush fire areas in the borough of Staten Island to cut and remove reeds from their property, in relation to extending the expiration and repeal date thereof for an additional year (Item HHH); to amend chapter 110 of the laws of 2019, relating to creating a temporary state commission to study and investigate how to regulate artificial intelligence, robotics and automation, in relation to the effectiveness thereof (Item III); to amend the real property

tax law, in relation to the determination of adjusted base proportions in special assessing units which are cities (Item JJJ); to amend the real property tax law, in relation to extending limitations on the shift between classes of taxable property in the town of Orangetown, county of Rockland (Item KKK); to amend the real property tax law, in relation to extending limitations on the shift between classes of taxable property in the town of Clarkstown, county of Rockland (Item LLL); to amend the real property tax law, in relation to allowing certain special assessing units other than cities to adjust their current base proportions, adjusted base proportions for assessment rolls, and the base proportion in approved assessing units in Nassau county (Item MMM); to amend the general municipal law and the retirement and social security law, in relation to increasing certain special accidental death benefits (Item NNN); to amend chapter 633 of the laws of 2006, amending the public health law relating to the home based primary care for the elderly demonstration project, in relation to the effectiveness thereof (Item OOO); to amend chapter 329 of the laws of 2015 amending the vehicle and traffic law relating to the residential parking system in the village of Dobbs Ferry in the county of Westchester, in relation to the effectiveness thereof (Item PPP); to amend chapter 383 of the laws of 1991, relating to the incorporation of the New York Zoological Society, in relation to extending the expiration date of free one day admission to the zoological park (Item QQQ); to amend the real property tax law, in relation to increasing the average assessed value threshold and to eligibility for J-51 tax abatements (Item RRR); to amend chapter 831 of the laws of 1981, amending the labor law relating to fees and expenses in unemployment insurance proceedings, in relation to the effectiveness thereof (Item SSS); to amend the insurance law, in relation to extending authorization for certain exemptions from filing requirements (Item TTT); and to amend the tax law and the administrative code of the city of New York, in relation to extending the tax rate reduction under the New York state real estate transfer tax and the New York city real property transfer tax for conveyances of real property to existing real estate investment funds (Item UUU)(Subpart B); to amend the tax law, in relation to the imposition of sales and compensating use taxes by the county of Albany (Item A); to amend the tax law, in relation to extending the expiration of the provisions authorizing the county of Allegany to impose an additional one and one-half percent sales and compensating use taxes (Item B); to amend the tax law, in relation to extending the authorization of the county of Broome to impose an additional one percent of sales and compensating use taxes (Item C); to amend the tax law, in relation to extending the expiration of provisions authorizing the county of Cattaraugus to impose an additional one percent of sales and compensating use tax (Item D); to amend the tax law, in relation to extending the authorization of the county of Cayuga to impose an additional one percent of sales and compensating use taxes (Item E); to amend the tax law, in relation to authorizing Chautauqua county to impose an additional one percent rate of sales and compensating use taxes (Item F); to amend the tax law, in relation to extending the authorization of the county of Chemung to impose an additional one percent of sales and compensating use taxes (Item G); to amend the tax law, in relation to extending the authority of Chenango county to impose additional taxes (Item H); to amend the tax law, in relation to extending the expiration of the authorization granted to the county of Clinton to impose an additional rate of sales

and compensating use tax (Item I); to amend the tax law, in relation to sales and compensating use tax in Columbia county (Item J); to amend the tax law, in relation to extending the authorization for imposition of additional sales tax in the county of Cortland (Item K); to amend the tax law, in relation to extending the authorization of the county of Delaware to impose an additional one percent of sales and compensating use taxes (Item L); to amend the tax law, in relation to sales and compensating use tax in Dutchess county (Item M); to amend the tax law, in relation to the imposition of additional rates of sales and compensating use taxes by Erie county (Item N); to amend the tax law, in relation to extending the authorization granted to the county of Essex to impose an additional one percent of sales and compensating use taxes (Item O); to amend the tax law, in relation to extending the expiration of the authority granted to the county of Franklin to impose an additional one percent of sales and compensating use taxes (Item P); to amend the tax law, in relation to the imposition of additional sales and compensating use tax in Fulton county (Item Q); to amend the tax law, in relation to extending the expiration of the authorization to the county of Genesee to impose an additional one percent of sales and compensating use taxes (Item R); to amend the tax law, in relation to extending the authorization for imposition of additional sales and compensating use taxes in Greene county (Item S); to amend the tax law, in relation to extending the authorization of the county of Hamilton to impose an additional one percent of sales and compensating use taxes (Item T); to amend the tax law, in relation to extending the period during which the county of Herkimer is authorized to impose additional sales and compensating use taxes (Item U); to amend the tax law, in relation to authorizing the county of Jefferson to impose additional sales tax (Item V); to amend the tax law, in relation to authorizing the county of Lewis to impose an additional one percent of sales and compensating use taxes (Item W); to amend the tax law, in relation to authorizing the county of Livingston to impose an additional one percent sales tax (Item X); to amend the tax law, in relation to extending the authorization of the county of Madison to impose an additional rate of sales and compensating use taxes (Item Y); to amend the tax law, in relation to the imposition of sales and compensating use taxes by the county of Monroe (Item Z); to amend the tax law, in relation to the imposition of sales and compensating use taxes in Montgomery county (Item AA); to amend the tax law, in relation to extending the authority of the county of Nassau to impose additional sales and compensating use taxes, and extending local government assistance programs in Nassau county (Item BB); to amend the tax law, in relation to continuing to authorize Niagara county to impose an additional rate of sales and compensating use taxes (Item CC); to amend the tax law, in relation to authorizing Oneida county to impose additional rates of sales and compensating use taxes and providing for allocation and distribution of a portion of net collections from such additional rates (Item DD); to amend the tax law, in relation to extending the authorization of the county of Onondaga to impose an additional rate of sales and compensating use taxes (Item EE); to amend the tax law, in relation to extending the authorization for Ontario county to impose additional rates of sales and compensating use taxes (Item FF); to amend the tax law, in relation to extending the authority of the county of Orange to impose an additional rate of sales and compensating use taxes (Item GG); to amend the tax law, in relation to extending the period during which the

county of Orleans is authorized to impose additional rates of sales and compensating use taxes (Item HH); to amend the tax law, in relation to extending authorization for an additional one percent sales and compensating use tax in the county of Oswego (Item II); to amend the tax law, in relation to extending the authorization for imposition of additional sales tax in the county of Otsego (Item JJ); to amend the tax law, in relation to the imposition of sales and compensating use taxes in the county of Putnam (Item KK); to amend the tax law, in relation to extending the authorization of the county of Rensselaer to impose an additional one percent of sales and compensating use taxes (Item LL); to amend the tax law, in relation to authorizing the county of Rockland to impose an additional rate of sales and compensating use taxes (Item MM); to amend the tax law, in relation to extending the authority of St. Lawrence county to impose sales tax (Item NN); to amend the tax law, in relation to the imposition of sales and compensating use tax in Schenectady county (Item OO); to amend the tax law, in relation to extending the authorization for imposition of additional sales tax in the county of Schoharie (Item PP); to amend the tax law, in relation to extending the authorization of the county of Schuyler to impose an additional one percent of sales and compensating use taxes (Item QQ); to amend the tax law, in relation to extending the expiration of the authorization to the county of Seneca to impose an additional one percent sales and compensating use tax (Item RR); to amend the tax law, in relation to extending the authorization of the county of Steuben to impose an additional one percent of sales and compensating use taxes (Item SS); to amend the tax law, in relation to extending the authority of the county of Suffolk to impose an additional one percent of sales and compensating use tax (Item TT); to amend the tax law, in relation to extending authorization to impose certain taxes in the county of Sullivan (Item UU); to amend the tax law, in relation to extending the authorization of the county of Tioga to impose an additional one percent of sales and compensating use taxes (Item VV); to amend the tax law, in relation to extending the authorization of the county of Tompkins to impose an additional one percent of sales and compensating use taxes (Item WW); to amend the tax law and chapter 200 of the laws of 2002 amending the tax law relating to certain tax rates imposed by the county of Ulster, in relation to extending the authority of the county of Ulster to impose an additional 1 percent sales and compensating use tax (Item XX); to amend the tax law, in relation to extending the additional one percent sales tax for Wayne county (Item YY); to amend the tax law, in relation to extending the expiration of the authorization to the county of Wyoming to impose an additional one percent sales and compensating use tax (Item ZZ); to amend the tax law, in relation to extending the authorization of the county of Yates to impose an additional one percent of sales and compensating use taxes (Item AAA); to amend the tax law, in relation to extending the authorization of the city of Oswego to impose an additional tax rate of sales and compensating use taxes (Item BBB); to amend the tax law, in relation to authorizing the city of Yonkers to impose additional sales tax; and to amend chapter 67 of the laws of 2015, amending the tax law relating to authorizing the city of Yonkers to impose additional sales tax, in relation to extending provisions relating thereto (Item CCC); to amend the tax law, in relation to extending the authorization of the city of New Rochelle to impose an additional sales and compensating use tax (Item DDD); and to amend the tax law, in relation to

revising the period of authorization for the county of Westchester's additional one percent rate of sales and compensating use tax and the expiration of the Westchester county spending limitation act; to amend chapter 272 of the laws of 1991, amending the tax law relating to the method of disposition of sales and compensating use tax revenue in Westchester county and enacting the Westchester county spending limitation act, in relation to revising the period of authorization for the county of Westchester's additional one percent rate of sales; and to amend chapter 44 of the laws of 2019, amending the tax law relating to authorizing the county of Westchester to impose an additional rate of sales and compensating use tax, in relation to extending the authorization for the county of Westchester impose an additional tax rate of sales and compensating use taxes (Item EEE)(Subpart C); to amend the tax law, in relation to extending the authority of the county of Nassau to impose hotel and motel taxes in Nassau county; and to amend chapter 179 of the laws of 2000, amending the tax law, relating to hotel and motel taxes in Nassau county and a surcharge on tickets to places of entertainment in such county, in relation to extending certain provisions thereof (Item A); to amend chapter 405 of the laws of 2007, amending the tax law relating to increasing hotel/motel taxes in Chautauqua county, in relation to extending the expiration of such provisions (Item B); to amend the tax law, in relation to extending the expiration of the authority granted to the county of Suffolk to impose hotel and motel taxes (Item C); and to amend chapter 105 of the laws of 2009, amending chapter 693 of the laws of 1980 enabling the county of Albany to impose and collect taxes on occupancy of hotel or motel rooms in Albany county relating to revenues received from the collection of hotel or motel occupancy taxes, in relation to the effectiveness thereof (Item D) (Subpart D); to amend chapter 333 of the laws of 2006 amending the tax law relating to authorizing the county of Schoharie to impose a county recording tax on obligation secured by a mortgage on real property, in relation to extending the effectiveness thereof (Item A); to amend chapter 326 of the laws of 2006, amending the tax law relating to authorizing the county of Hamilton to impose a county recording tax on obligations secured by mortgages on real property, in relation to extending the expiration thereof (Item B); to amend chapter 489 of the laws of 2004, amending the tax law relating to the mortgage recording tax in the county of Fulton, in relation to the effectiveness of such chapter (Item C); to amend the tax law, in relation to extending the expiration of the mortgage recording tax imposed by the city of Yonkers (Item D); to amend chapter 443 of the laws of 2007 amending the tax law relating to authorizing the county of Cortland to impose an additional mortgage recording tax, in relation to extending the effectiveness of such provisions (Item E); to amend chapter 579 of the laws of 2004, amending the tax law relating to authorizing the county of Genesee to impose a county recording tax on obligation secured by a mortgage on real property, in relation to extending the provisions of such chapter (Item F); to amend chapter 366 of the laws of 2005 amending the tax law relating to authorizing the county of Yates to impose a county recording tax on obligations secured by a mortgage on real property, in relation to extending the provisions of such chapter (Item G); to amend chapter 365 of the laws of 2005, amending the tax law relating to the mortgage recording tax in the county of Steuben, in relation to extending the provisions of such chapter (Item H); to amend chapter 405 of the laws of 2005 amending the tax law relating to authorizing

the county of Albany to impose a county recording tax on obligations secured by a mortgage on real property, in relation to extending the effectiveness thereof (Item I); intentionally omitted (Item J); intentionally omitted (Item K); to amend chapter 218 of the laws of 2009 amending the tax law relating to authorizing the county of Greene to impose an additional mortgage recording tax, in relation to extending the effectiveness thereof (Item L); to amend chapter 368 of the laws of 2008, amending the tax law relating to authorizing the county of Warren to impose an additional mortgage recording tax, in relation to extending the effectiveness thereof (Item M); and to amend chapter 549 of the laws of 2005 amending the tax law relating to authorizing the county of Herkimer to impose a county recording tax on obligation secured by a mortgage on real property, in relation to the expiration thereof (Item N)(Subpart E); to amend chapter 556 of the laws of 2007 amending the tax law relating to imposing an additional real estate transfer tax within the county of Columbia, in relation to the effectiveness thereof (Subpart F); to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York (Subpart G); and to amend the tax law and part C of chapter 2 of the laws of 2005 amending the tax law relating to exemptions from sales and use taxes, in relation to extending certain provisions thereof; to amend the general city law and the administrative code of the city of New York, in relation to extending certain provisions relating to specially eligible premises and special rebates; to amend the administrative code of the city of New York, in relation to extending certain provisions relating to exemptions and deductions from base rent; to amend the real property tax law, in relation to extending certain provisions relating to eligibility periods and requirements; to amend the real property tax law, in relation to extending certain provisions relating to eligibility periods and requirements, benefit periods and applications for abatements; and to amend the administrative code of the city of New York, in relation to extending certain provisions relating to a special reduction in determining the taxable base rent (Item A); to amend the real property tax law, in relation to extending the expiration of the solar electric generating system and the electric energy storage equipment tax abatement (Item B); to amend chapter 54 of the laws of 2016, amending part C of chapter 58 of the laws of 2005 relating to authorizing reimbursements for expenditures made by or on behalf of social services districts for medical assistance for needy persons and administration thereof, in relation to the effectiveness thereof (Item C); to amend part D of chapter 58 of the laws of 2016, relating to repealing certain provisions of the state finance law relating to the motorcycle safety fund, in relation to the effectiveness of certain provisions of such part (Item D); and to amend chapter 589 of the laws of 2015, amending the insurance law relating to catastrophic or reinsurance coverage issued to certain small groups, in relation to the effectiveness thereof; and to amend chapter 588 of the laws of 2015, amending the insurance law relating to catastrophic or reinsurance coverage issued to certain small groups, in relation to the effectiveness thereof (Item E)(Subpart H)(Part XXX); to amend the vehicle and traffic law, in relation to the disclosure of certain records by the commissioner of motor vehicles (Part YYY); and to amend the election

law, in relation to public financing for state office; to amend the state finance law, in relation to establishing the New York state campaign finance fund; and to amend the tax law, in relation to establishing the NYS campaign finance fund check-off (Part ZZZ)

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 ZZZ. 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. Paragraph (e) of subdivision 4 of section 10-c of the highway law, as amended by section 2 of subpart B of part C of chapter 97 of the laws of 2011, is amended to read as follows:

(e) Funds allocated for local street or highway projects under this subdivision shall be used to undertake work on a project either with the municipality's own forces or by contract, provided however, that whenever the estimate for the construction contract work exceeds one hundred thousand dollars but does not exceed [~~two~~] **three** hundred fifty thousand dollars such work must be performed either with the municipality's own forces or by contract let by competitive bid in accordance with the provisions of section one hundred three of the general municipal law and provided further, however, that whenever the estimate for the construction contract work exceeds [~~two~~] **three** hundred fifty thousand dollars such work must be performed by contract let by competitive bid in accordance with the provisions of section one hundred three of the general municipal law.

§ 2. Subdivision 6 of section 234 of the transportation law, as amended by chapter 369 of the laws of 1979, is amended to read as follows:

6. for local street or highway projects, to undertake the work of the project either with its own forces or by contract, however, whenever the estimate for the construction contract work exceeds **three hundred** fifty thousand dollars such work must be performed by contract let by the competitive bid process.

§ 3. This act shall take effect immediately.

PART B

Section 1. Subdivisions (g) and (h) of section 1800 of the vehicle and traffic law, as added by chapter 221 of the laws of 2008, are amended to read as follows:

(g) Notwithstanding the provisions of subdivisions (b) and (c) of this section, a person convicted of a traffic infraction for a violation of

any ordinance, order, rule, regulation or local law adopted pursuant to one or more of the following provisions of this chapter: paragraphs two and nine of subdivision (a) of section sixteen hundred twenty-one; subdivision three of section sixteen hundred thirty; or subdivision five of section seventy-one of the transportation law, prohibiting the operation on a highway or parkway of a motor vehicle registered as a commercial vehicle and having a gross vehicle weight rating of less than [~~twenty-six~~] ten thousand pounds shall, for a first conviction thereof, be punished by a fine of not more than two hundred fifty dollars or by imprisonment of not more than fifteen days or by both such fine and imprisonment; for a conviction of a second violation, both of which were committed within a period of eighteen months, such person shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than forty-five days or by both such fine and imprisonment; upon a conviction of a third or subsequent violation, all of which were committed within a period of eighteen months, such person shall be punished by a fine of not more than seven hundred fifty dollars or by imprisonment of not more than ninety days or by both such fine and imprisonment. Provided, however, the provisions of this subdivision shall not apply to a commercial motor vehicle as such term is defined in paragraph (a) of subdivision four of section five hundred one-a of this chapter.

(h) **Notwithstanding the provisions of subdivisions (b) and (c) of this section, a person convicted of a traffic infraction for a violation of any ordinance, order, rule, regulation or local law adopted pursuant to one or more of the following provisions of this chapter: paragraphs two and nine of subdivision (a) of section sixteen hundred twenty-one; subdivision three of section sixteen hundred thirty; or subdivision five of section seventy-one of the transportation law, prohibiting the operation on a highway or parkway of a motor vehicle registered as a commercial vehicle and having a gross vehicle weight rating of at least ten thousand pounds but no more than twenty-six thousand pounds shall, for a first conviction thereof, be punished by a fine of not more than three hundred fifty dollars or by imprisonment of not more than fifteen days or by both such fine and imprisonment; for a conviction of a second violation, both of which were committed within a period of eighteen months, such person shall be punished by a fine of not more than seven hundred dollars or by imprisonment for not more than forty-five days or by both such fine and imprisonment; upon a conviction of a third or subsequent violation, all of which were committed within a period of eighteen months, such person shall be punished by a fine of not more than one thousand dollars or by imprisonment of not more than ninety days or by both such fine and imprisonment; provided, however, the provisions of this subdivision shall not apply to a commercial motor vehicle as such term is defined in paragraph (a) of subdivision four of section five hundred one-a of this chapter.**

(i) Notwithstanding the provisions of subdivisions (b) and (c) of this section, a person convicted of a traffic infraction for a violation of any ordinance, order, rule, regulation or local law adopted pursuant to one or more of the following provisions of this chapter: paragraphs two and nine of subdivision (a) of section sixteen hundred twenty-one; subdivision three of section sixteen hundred thirty; or subdivision five of section seventy-one of the transportation law, prohibiting the operation on a highway or parkway of a commercial motor vehicle as defined in paragraph (a) of subdivision four of section five hundred one-a of this chapter, for a first conviction thereof, be punished by a fine of not

more than [~~three~~] seven hundred [~~fifty~~] dollars or by imprisonment of not more than fifteen days or by both such fine and imprisonment; for a conviction of a second violation, both of which were committed within a period of eighteen months, such person shall be punished by a fine of not more than [~~seven~~] one thousand five hundred dollars or by imprisonment for not more than forty-five days or by both such fine and imprisonment; upon a conviction of a third or subsequent violation, all of which were committed within a period of eighteen months, such person shall be punished by a fine of not more than [~~one~~] two thousand dollars or by imprisonment of not more than ninety days or by both such fine and imprisonment.

§ 2. Subdivision 18 of section 385 of the vehicle and traffic law, as amended by chapter 549 of the laws of 1985, is amended, and a new subdivision 18-a is added, to read as follows:

18. Except as provided in [~~subdivision~~] subdivisions eighteen-a or nineteen of this section, the violation of the provisions of this section including a violation related to the operation, within a city not wholly included within one county, of a vehicle which exceeds the limitations provided for in the rules and regulations of the city department of transportation of such city, shall be punishable by a fine of not less than two hundred nor more than five hundred dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment, for the first offense; by a fine of not less than five hundred nor more than one thousand dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment, for the second or subsequent offense; provided that a sentence or execution thereof for any violation under this subdivision may not be suspended. For any violation of the provisions of this section, including a violation related to the operation, within a city not wholly included within one county, of a vehicle which exceeds the limitations provided for in the rules and regulations of the city department of transportation of such city, the registration of the vehicle may be suspended for a period not to exceed one year whether at the time of the violation the vehicle was in charge of the owner or his agent. The provisions of section five hundred ten of this chapter shall apply to such suspension except as otherwise provided herein.

18-a. A violation of the provisions of subdivisions two or fourteen of this section, where the violation relates to the height of the vehicle, including a violation related to the operation, within a city not wholly included within one county, of a vehicle which exceeds the limitations provided for in the rules and regulations of the city department of transportation of such city, shall be punishable by a fine of not more than one thousand dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment, for the first offense; by a fine of not more than two thousand dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment, for the second or subsequent offense; provided that a sentence or execution thereof for any violation under this subdivision may not be suspended. For any violation of the provisions of subdivisions two or fourteen of this section where the violation relates to the height of the vehicle, including a violation related to the operation, within a city not wholly included within one county, of a vehicle which exceeds the limitations provided for in the rules and regulations of the city department of transportation of such city, the registration of the vehicle may be suspended for a period not to exceed one year whether at the time of the violation the vehicle was in charge of the owner or his agent. The

provisions of section five hundred ten of this chapter shall apply to such suspension except as otherwise provided herein.

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

PART C

Section 1. Subparagraphs a and c of paragraph 4 of subdivision 41 of section 375 of the vehicle and traffic law, as amended by chapter 465 of the laws of 2010, are amended to read as follows:

a. One blue light may be affixed to any motor vehicle owned by a volunteer member of a fire department or on a motor vehicle owned by a member of such person's family residing in the same household or by a business enterprise in which such person has a proprietary interest or by which he or she is employed, provided such volunteer firefighter has been authorized in writing to so affix a blue light by the chief of the fire department or company of which he or she is a member, which authorization shall be subject to revocation at any time by the chief who issued the same or his or her successor in office. Such blue light may be displayed exclusively by such volunteer firefighter on such a vehicle only when engaged in an emergency operation. The use of blue lights on vehicles shall be restricted for use only by a volunteer firefighter except as otherwise provided for in [~~subparagraph~~] subparagraphs b and b-1 of this paragraph.

c. The commissioner is authorized to promulgate rules and regulations relating to the use, placement, power and display of blue lights on a police vehicle [~~and~~], fire vehicle, and hazard vehicle designed for the towing or pushing of disabled vehicles.

§ 2. Paragraph 4 of subdivision 41 of section 375 of the vehicle and traffic law is amended by adding a new subparagraph b-1 to read as follows:

b-1. In addition to the amber light authorized to be displayed pursuant to paragraph three of this subdivision, one or more blue lights or combination blue and amber lights may be affixed to a hazard vehicle designed for the towing or pushing of disabled vehicles provided that such blue light or lights shall be displayed on such a hazard vehicle for rear projection only. Such blue light or lights may be displayed on a hazard vehicle designed for the towing or pushing of disabled vehicles when such vehicle is engaged in a hazardous operation and is also displaying the amber light or lights required to be displayed during a hazardous operation pursuant to paragraph three of this subdivision. Nothing contained in this subparagraph shall be deemed to authorize the use of blue lights on hazard vehicles designed for the towing or pushing of disabled vehicles unless such hazard vehicles also display one or more amber lights as otherwise authorized in this subdivision.

§ 3. Subdivision (b) of section 1144-a of the vehicle and traffic law, as amended by chapter 458 of the laws of 2011, is amended to read as follows:

(b) Every operator of a motor vehicle shall exercise due care to avoid colliding with a hazard vehicle which is parked, stopped or standing on the shoulder or on any portion of such highway and such hazard vehicle is displaying one or more amber lights pursuant to the provisions of paragraph three of subdivision forty-one of section three hundred seventy-five of this chapter or, if such hazard vehicle is designed for the towing or pushing of disabled vehicles such hazard vehicle is displaying one or more amber lights or one or more blue or combination blue and

amber lights pursuant to the provisions of paragraph three or subparagraph b-1 of paragraph four, as applicable, of subdivision forty-one of section three hundred seventy-five of this chapter. For operators of motor vehicles on parkways or controlled access highways, such due care shall include, but not be limited to, moving from a lane which contains or is immediately adjacent to the shoulder where (i) such hazard vehicle displaying one or more amber lights pursuant to the provisions of paragraph three of subdivision forty-one of section three hundred seventy-five of this chapter or (ii) such hazard vehicle designed for the towing or pushing of disabled vehicles displaying one or more amber lights or one or more blue or combination blue and amber lights pursuant to the provisions of paragraph three or subparagraph b-1 of paragraph four, as applicable, of subdivision forty-one of section three hundred seventy-five of this chapter, is parked, stopped or standing to another lane, provided that such movement otherwise complies with the requirements of this chapter including, but not limited to, the provisions of sections eleven hundred ten and eleven hundred twenty-eight of this title.

§ 4. This act shall take effect immediately.

PART D

Intentionally Omitted

PART E

Section 1. Subdivision 16 of section 385 of the vehicle and traffic law is amended to add fourteen new paragraphs (v), (w), (x), (y), (z), (aa), (bb), (cc), (dd), (ee), (ff), (gg), (hh) and (ii) to read as follows:

(v) Within a distance of approximately one mile from the New York state thruway interchange 24 traveling along interstate route 90 to interchange 2 Washington avenue, and to Washington avenue traveling westbound to Fuller road in a northerly direction to interstate route 90 traveling to interchange 24 of the New York state thruway, where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(w) Within a distance of approximately .25 miles from the New York state thruway interchange 25A, traveling in a westbound direction along interstate route 88 to exit 25 to route 7, and to a left on Becker road traveling in a southbound direction on Becker road for approximately .2 miles to the New York state thruway interchange 25A tandem lot access road, where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(x) Within a distance of approximately 2.2 miles from the New York state thruway interchange 34A traveling in a southbound direction along interstate route 481 to interstate 481 exit 5E Kirkville road east along state route 53 Kirkville road in an eastbound direction to interstate route 481 traveling northbound to exit 6 to interchange 34A of the New York state thruway, where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along

the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(y) Within a distance of approximately .8 miles from the New York state thruway interchange 35, traveling approximately 200 feet around Carrier circle to traveling northbound on Thompson road for approximately 1000 feet, or traveling southbound on Thompson road approximately 100 feet, to traveling westbound on Tarbell road for approximately .5 miles to reenter at the Dewitt service area of the New York state thruway where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(z) Within a distance of approximately one mile from the New York state thruway interchange 36 traveling in a southbound direction on interstate 81 to interstate 81 exit 25 7th North street, and traveling eastbound on 7th North street to interstate 81 traveling in a northbound direction to interchange 36 of the New York state thruway, where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(aa) Within a distance of approximately .6 miles from the New York state thruway interchange 39 traveling eastbound on interstate 690 to interstate 690 exit 2 Jones road in a northbound direction to state route 690 north to interchange 39 of the New York state thruway, where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(bb) Within a distance of approximately .5 miles from the New York state thruway interchange 45, traveling on interstate 490 to interstate 490 exit 29, in a southwesterly direction along New York state route 96 to the point where New York state route 96 intersects with the entrance ramp to the New York state thruway interchange 45, and for approximately .2 miles along this entrance ramp to the New York state thruway interchange 45, where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(cc) Within a distance of approximately .6 miles from the New York state thruway interchange 46, traveling in a northeasterly direction on the ramp from the New York state thruway interchange 46 to interstate 390 north exit to New York state route 253, Lehigh Station road, for a distance of approximately .5 miles along the ramp from interstate 390 north exit to New York state route 253, Lehigh Station road, for a distance of approximately .6 miles in a westerly direction along New York state route 253, Lehigh Station road, to the intersection of New York state route 253 with New York state route 15, then for a distance of approximately .6 miles in a southerly direction along New York state route 15, to the New York state thruway interchange 46 maintenance facility entrance, where the commissioner of transportation determines

that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(dd) Within a distance of approximately .3 miles from the New York state thruway interchange 47, traveling on interstate 490 to interstate 490 exit 1, to a distance of approximately .2 miles along the ramp from interstate 490 exit 1, for a distance of approximately .4 miles in a southwesterly direction to the entrance ramp of the New York state thruway interchange 47, where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(ee) Within a distance of approximately .6 miles from the New York state thruway interchange 19, traveling in a westbound direction along route 28 to route 209, and traveling in a southbound direction on route 209 for approximately .1 miles to route 28, and traveling in an eastbound direction on route 28 for approximately .8 miles to the New York state thruway interchange 19 where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(ff) Within a distance of approximately .5 miles from the New York state thruway interchange 31, traveling onto the ramp to Genesee street south for approximately 2800 feet to Genesee street north for approximately 275 feet to interchange 31 of the New York state thruway where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(gg) Within a distance of approximately .2 miles from the New York state thruway interchange 33 traveling westbound on state route 365 for approximately 900 feet to interchange 33 of the New York state thruway where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route.

(hh) Within a distance of approximately .15 miles from the New York state thruway interchange 42 traveling on state route 14 for approximately 750 feet for travel to and from the thruway tandem lot and interchange 42 where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement prohibits the operation of such vehicle or combination of vehicles on such route .

(ii) Within a distance of approximately .1 miles from the New York state interchange 43 traveling on state route 21 for approximately 600 feet for travel to and from the thruway tandem lot and interchange 43 where the commissioner of transportation determines that the vehicle or combination of vehicles could operate safely along the designated route and that no applicable federal law, regulation or other requirement

prohibits the operation of such vehicle or combination of vehicles on such route.

§ 2. This act shall take effect immediately.

PART F

Section 1. Paragraph a of subdivision 6 of section 2897 of the public authorities law, as added by chapter 766 of the laws of 2005, is amended and a new paragraph f is added to read as follows:

a. All disposals or contracts for disposal of property of a public authority made or authorized by the contracting officer shall be made after publicly advertising for bids except as provided in [~~paragraph~~] paragraphs c and f of this subdivision.

f. Notwithstanding anything to the contrary in this section, disposals for use of the thruway authority's fiber optic system, or any part thereof, may be made through agreements based on set fees that shall not require public auction, provided that:

i. the thruway authority has determined the disposal of such property complies with all applicable provisions of this chapter;

ii. the thruway authority has determined that disposal of such property is in the best interest of the thruway authority;

iii. the set fees established by the thruway authority for use of the fiber optic system, or part thereof, shall be based on an independent appraisal of the fair market value of the property; and

iv. any public authority, state agency, municipality, not-for-profit hospital organized under section forty-three hundred one of the insurance law, public library, or institution of higher education located in New York state shall be required only to pay the actual cost of providing for use of the fiber optic system, but not exceeding the fair market value determined pursuant to subparagraph (iii) of this paragraph. For purposes of this paragraph, "public authority" shall refer to entities defined in section two of the public authorities law. For purposes of this paragraph, "institution of higher education" shall refer to entities as defined in subdivisions two and three of section six hundred one of the education law.

Disposals of the fiber optic system, or any part thereof, through agreements based on set fees shall not require the explanatory statements required by this section. Any disposal of property, contract for disposal of property or agreement made pursuant to this paragraph shall not be deemed valid and enforceable unless it shall first have been approved by both the comptroller and the attorney general.

§ 2. This act shall take effect immediately.

PART G

Intentionally Omitted

PART H

Section 1. Subdivision 4 of section 1220-b of the vehicle and traffic law, as amended by chapter 9 of the laws of 2012, is amended to read as follows:

4. Any person who engages in the unlawful solicitation of ground transportation services at an airport shall be guilty of a [~~class B misdemeanor~~] traffic infraction punishable by a fine of not less than seven hundred fifty dollars nor more than one thousand five hundred

dollars, or by imprisonment [~~of~~] for not more than [~~ninety~~] fifteen days or by both such fine and imprisonment[~~. Notwithstanding any contrary provision of law, any charge alleging a violation of this section shall be returnable before a court having jurisdiction over misdemeanors~~]; for a conviction of a second violation, both of which were committed within a period of eighteen months, such person shall be punished by a fine of not less than one thousand five hundred dollars nor more than two thousand dollars, or by imprisonment for not more than forty-five days, or by both such fine and imprisonment; for a conviction of a third or subsequent violation, all of which were committed within a period of eighteen months, such person shall be punished by a fine of not less than two thousand dollars nor more than three thousand dollars, or by imprisonment for not more than ninety days, or by both such fine and imprisonment.

§ 2. Subparagraph (viii) of paragraph (b) of subdivision 2 of section 510 of the vehicle and traffic law, as added by chapter 313 of the laws of 1994, is amended and a new subparagraph (vii) is added to read as follows:

[~~(viii)~~] (vi) for a period of sixty days where the holder is convicted of a violation of subdivision one of section twelve hundred twenty-b of this chapter within a period of eighteen months of a previous violation of such [~~section~~] subdivision.

(vii) for a period of ninety days where the holder is convicted of a violation of subdivision one of section twelve hundred twenty-b of this chapter within a period of eighteen months of two or more previous violations of such subdivision.

§ 3. Section 510 of the vehicle and traffic law is amended by adding a new subdivision 4-g to read as follows:

4-g. Suspension of registration for unlawful solicitation of ground transportation services at an airport. Upon the receipt of a notification from a court or an administrative tribunal that an owner of a motor vehicle was convicted of a second conviction of unlawful solicitation of ground transportation services at an airport in violation of subdivision one of section twelve hundred twenty-b of this chapter both of which were committed within a period of eighteen months, the commissioner or his agent shall suspend the registration of the vehicle involved in the violation for a period of ninety days; upon the receipt of such notification of a third or subsequent conviction for a violation of such subdivision all of which were committed within a period of eighteen months, the commissioner or his agent shall suspend such registration for a period of one hundred eighty days. Such suspension shall take effect no less than thirty days from the date on which notice thereof is sent by the commissioner to the person whose registration or privilege is suspended. The commissioner shall have the authority to deny a registration or renewal application to any other person for the same vehicle, where it has been determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision.

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

PART I

Section 1. Subdivision 12 of section 1269 of the public authorities law, as amended by section 4 of part NN of chapter 54 of the laws of 2016, is amended to read as follows:

12. The aggregate principal amount of bonds, notes or other obligations issued after the first day of January, nineteen hundred ninety-three by the authority, the Triborough bridge and tunnel authority and the New York city transit authority to fund projects contained in capital program plans approved pursuant to section twelve hundred sixty-nine-b of this title for the period nineteen hundred ninety-two through two thousand [~~nineteen~~] **twenty-four** shall not exceed [~~fifty-five~~] **ninety** billion [~~four~~] **one** hundred [~~ninety-seven~~] million dollars. Such aggregate principal amount of bonds, notes or other obligations or the expenditure thereof shall not be subject to any limitation contained in any other provision of law on the principal amount of bonds, notes or other obligations or the expenditure thereof applicable to the authority, the Triborough bridge and tunnel authority or the New York city transit authority. The aggregate limitation established by this subdivision shall not include (i) obligations issued to refund, redeem or otherwise repay, including by purchase or tender, obligations theretofore issued either by the issuer of such refunding obligations or by the authority, the New York city transit authority or the Triborough bridge and tunnel authority, (ii) obligations issued to fund any debt service or other reserve funds for such obligations, (iii) obligations issued or incurred to fund the costs of issuance, the payment of amounts required under bond and note facilities, federal or other governmental loans, security or credit arrangements or other agreements related thereto and the payment of other financing, original issue premiums and related costs associated with such obligations, (iv) an amount equal to any original issue discount from the principal amount of such obligations or to fund capitalized interest, (v) obligations incurred pursuant to section twelve hundred seven-m of this article, (vi) obligations incurred to fund the acquisition of certain buses for the New York city transit authority as identified in a capital program plan approved pursuant to chapter fifty-three of the laws of nineteen hundred ninety-two, (vii) obligations incurred in connection with the leasing, selling or transferring of equipment, and (viii) bond anticipation notes or other obligations payable solely from the proceeds of other bonds, notes or other obligations which would be included in the aggregate principal amount specified in the first sentence of this subdivision, whether or not additionally secured by revenues of the authority, or any of its subsidiary corporations, New York city transit authority, or any of its subsidiary corporations, or Triborough bridge and tunnel authority.

§ 2. This act shall take effect immediately.

PART J

Intentionally Omitted

PART K

Section 1. Section 3 of part PP of chapter 54 of the laws of 2016, amending the general municipal law relating to the New York transit authority and the metropolitan transportation authority, is amended to read as follows:

§ 3. This act shall take effect immediately; provided that the amendments to subdivision 1 of section 119-r of the general municipal law

made by section two of this act shall expire and be deemed repealed April 1, [~~2021~~] **2022**, and provided further that such repeal shall not affect the validity or duration of any contract entered into before that date pursuant to paragraph f of such subdivision.

§ 2. This act shall take effect immediately.

PART L

Intentionally Omitted

PART M

Intentionally Omitted

PART N

Intentionally Omitted

PART O

Intentionally Omitted

PART P

Intentionally Omitted

PART Q

Intentionally Omitted

PART R

Section 1. Section 2 of chapter 21 of the laws of 2003, amending the executive law relating to permitting the secretary of state to provide special handling for all documents filed or issued by the division of corporations and to permit additional levels of such expedited service, as amended by section 1 of part R of chapter 58 of the laws of 2019, is amended to read as follows:

§ 2. This act shall take effect immediately, provided however, that section one of this act shall be deemed to have been in full force and effect on and after April 1, 2003 and shall expire March 31, [~~2020~~] **2021**.

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

PART S

Section 1. The general business law is amended by adding a new section 391-u to read as follows:

§ 391-u. Pricing goods and services on the basis of gender prohibited. 1. Definitions. For the purposes of this section, the following terms shall have the following meanings:

(a) "Business" shall mean any business acting within the state of New York that sells goods to any individual or entity including, but not limited to, retailers, suppliers, manufacturers, or distributors;

(b) "Goods" shall mean any consumer product used, bought or rendered primarily for personal, family or household purposes;

(c) "Services" shall mean any consumer services used, bought or rendered primarily for personal, family or household purposes;

(d) "Substantially similar" shall mean:

(i) two goods that exhibit no substantial differences in: (A) the materials used in production; (B) the intended use of the good; (C) the functional design and features of the good; and (D) the brand of the good; or

(ii) two services that exhibit no substantial difference in: (A) the amount of time to provide the services; (B) the difficulty in providing the services; and (C) the cost of providing the services. A difference in coloring among any good shall not be construed as a substantial difference for the purposes of this paragraph.

2. No person, firm, partnership, company, corporation, or business shall charge a price for any two goods that are substantially similar, if such goods are priced differently based on the gender of the individuals for whom the goods are marketed and intended.

3. No person, firm, partnership, company, corporation or business shall charge a price for any services that are substantially similar if such services are priced differently based upon the gender of the individuals for whom the services are performed, offered, or marketed.

4. Nothing in this section prohibits price differences in goods or services based specifically upon the following:

(a) the amount of time it took to manufacture such goods or provide such services;

(b) the difficulty in manufacturing such goods or offering such services;

(c) the cost incurred in manufacturing such goods or offering such services;

(d) the labor used in manufacturing such goods or providing such services;

(e) the materials used in manufacturing such goods or providing such services; or

(f) any other gender-neutral reason for having increased the cost of such goods or services.

5. Any person, firm, partnership, company, corporation, or business that provides services, as defined by this section, shall provide the customer with a complete written price list upon request.

6. Whenever there shall be a violation of this section, an application may be made by the attorney general in the name of the people of the state of New York to a court or justice having jurisdiction to issue an injunction, and upon notice to the defendant of not less than five days, to enjoin and restrain the continuance of such violations. If it shall appear to the satisfaction of the court or justice that the defendant has, in fact, violated this section, an injunction may be issued by such court or justice, enjoining or restraining any violation, without requiring proof that any person has, in fact, been injured or damaged thereby. In any such proceeding the court may make allowances to the attorney general as provided in section eighty-three hundred three of the civil practice law and rules, and may make direct restitution. In connection with any such proposed application, the attorney general is authorized to take proof and make a determination of the relevant facts and to issue subpoenas in accordance with the civil practice law and rules. Whenever the court shall determine that a violation of this section has occurred, the court may impose a civil penalty not to exceed

two hundred fifty dollars for a first violation, and a civil penalty not to exceed five hundred dollars for each subsequent violation. For the purposes of this section, all identical items priced on the basis of gender shall be considered a single violation.

§ 2. Separability clause; construction. If any part or provision of this act or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this act or the application thereof to other provisions or circumstances.

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

PART T

Intentionally Omitted

PART U

Section 1. Section 70 of the state law is amended to read as follows:

§ 70. Description of the arms of the state and the state flag. The device of arms of this state[~~, as adopted March sixteenth, seventeen hundred and seventy-eight,~~] is hereby declared to be correctly described as follows:

Charge. Azure, in a landscape, the sun in fess, rising in splendor or, behind a range of three mountains, the middle one the highest; in base a ship and sloop under sail, passing and about to meet on a river, bordered below by a grassy shore fringed with shrubs, all proper.

Crest. On a wreath azure and or, an American eagle proper, rising to the dexter from a two-thirds of a globe terrestrial, showing the north Atlantic ocean with outlines of its shores.

Supporters. On a quasi compartment formed by the extension of the scroll.

Dexter. The figure of Liberty proper, her hair disheveled and decorated with pearls, vested azure, sandaled gules, about the waist a cincture or, fringed gules, a mantle of the last depending from the shoulders behind to the feet, in the dexter hand a staff ensigned with a Phrygian cap or, the sinister arm embowed, the hand supporting the shield at the dexter chief point, a royal crown by her sinister foot dejected.

Sinister. The figure of Justice proper, her hair disheveled and decorated with pearls, vested or, about the waist a cincture azure, fringed gules, sandaled and mantled as Liberty, bound about the eyes with a fillet proper, in the dexter hand a straight sword hilted or, erect, resting on the sinister chief point of the shield, the sinister arm embowed, holding before her her scales proper.

Motto. On a scroll below the shield argent, in sable, two lines. On line one, Excelsior and on line two, E pluribus unum.

State flag. The state flag is hereby declared to be blue, charged with the arms of the state in the colors as described in the blazon of this section.

§ 2. (a) Any state flag, object, or printed materials containing the depiction of the former arms of the state may continue to be used until such flag, object, or printed materials' useful life has expired or

until the person possessing such flag, object, or printed material replaces it. Such continued use shall not constitute a violation of section seventy-two of the state law.

(b) Any electronic depiction of the arms of the state shall be updated within 60 days of the effective date of this act.

(c) No state agency, local government, or public authority shall be required to replace a flag solely because such flag contains the former arms of the state.

§ 3. The secretary of state shall begin to use the new seal as of the effective date of this act.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the department of state is authorized to take any action, including entering into contracts, that is necessary for the timely implementation of this act on its effective date.

PART V

Section 1. Subdivision 1 of section 130 of the executive law, as amended by section 1 of subpart D of part II of chapter 55 of the laws of 2019, is amended to read as follows:

1. The secretary of state may appoint and commission as many notaries public for the state of New York as in his or her judgment may be deemed best, whose jurisdiction shall be co-extensive with the boundaries of the state. The appointment of a notary public shall be for a term of four years. An application for an appointment as notary public shall be in form and set forth such matters as the secretary of state shall prescribe. Every person appointed as notary public must, at the time of his or her appointment, be [~~a citizen of the United States and either~~] a resident of the state of New York or have an office or place of business in New York state. A notary public who is a resident of the state and who moves out of the state but still maintains a place of business or an office in New York state does not vacate his or her office as a notary public. A notary public who is a nonresident and who ceases to have an office or place of business in this state, vacates his or her office as a notary public. A notary public who is a resident of New York state and moves out of the state and who does not retain an office or place of business in this state shall vacate his or her office as a notary public. A non-resident who accepts the office of notary public in this state thereby appoints the secretary of state as the person upon whom process can be served on his or her behalf. Before issuing to any applicant a commission as notary public, unless he or she be an attorney and counsellor at law duly admitted to practice in this state or a court clerk of the unified court system who has been appointed to such position after taking a civil service promotional examination in the court clerk series of titles, the secretary of state shall satisfy himself or herself that the applicant is of good moral character, has the equivalent of a common school education and is familiar with the duties and responsibilities of a notary public; provided, however, that where a notary public applies, before the expiration of his or her term, for reappointment with the county clerk or where a person whose term as notary public shall have expired applies within six months thereafter for reappointment as a notary public with the county clerk, such qualifying requirements may be waived by the secretary of state, and further, where an application for reappointment is filed with the county clerk after the expiration of the aforementioned renewal period by a person

who failed or was unable to re-apply by reason of his or her induction or enlistment in the armed forces of the United States, such qualifying requirements may also be waived by the secretary of state, provided such application for reappointment is made within a period of one year after the military discharge of the applicant under conditions other than dishonorable. In any case, the appointment or reappointment of any applicant is in the discretion of the secretary of state. The secretary of state may suspend or remove from office, for misconduct, any notary public appointed by him or her but no such removal shall be made unless the person who is sought to be removed shall have been served with a copy of the charges against him or her and have an opportunity of being heard. No person shall be appointed as a notary public under this article who has been convicted, in this state or any other state or territory, of a crime, unless the secretary makes a finding in conformance with all applicable statutory requirements, including those contained in article twenty-three-A of the correction law, that such convictions do not constitute a bar to appointment.

§ 2. Subdivision 1 of section 130 of the executive law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

1. The secretary of state may appoint and commission as many notaries public for the state of New York as in his or her judgment may be deemed best, whose jurisdiction shall be co-extensive with the boundaries of the state. The appointment of a notary public shall be for a term of four years. An application for an appointment as notary public shall be in form and set forth such matters as the secretary of state shall prescribe. Every person appointed as notary public must, at the time of his or her appointment, be [~~a citizen of the United States and either~~] a resident of the state of New York or have an office or place of business in New York state. A notary public who is a resident of the state and who moves out of the state but still maintains a place of business or an office in New York state does not vacate his or her office as a notary public. A notary public who is a nonresident and who ceases to have an office or place of business in this state, vacates his or her office as a notary public. A notary public who is a resident of New York state and moves out of the state and who does not retain an office or place of business in this state shall vacate his or her office as a notary public. A non-resident who accepts the office of notary public in this state thereby appoints the secretary of state as the person upon whom process can be served on his or her behalf. Before issuing to any applicant a commission as notary public, unless he or she be an attorney and counsellor at law duly admitted to practice in this state or a court clerk of the unified court system who has been appointed to such position after taking a civil service promotional examination in the court clerk series of titles, the secretary of state shall satisfy himself or herself that the applicant is of good moral character, has the equivalent of a common school education and is familiar with the duties and responsibilities of a notary public; provided, however, that where a notary public applies, before the expiration of his or her term, for reappointment with the county clerk or where a person whose term as notary public shall have expired applies within six months thereafter for reappointment as a notary public with the county clerk, such qualifying requirements may be waived by the secretary of state, and further, where an application for reappointment is filed with the county clerk after the expiration of the aforementioned renewal period by a person who failed or was unable to re-apply by reason of his or her induction or enlistment in the armed forces of the United States, such qualifying

requirements may also be waived by the secretary of state, provided such application for reappointment is made within a period of one year after the military discharge of the applicant under conditions other than dishonorable, or if the applicant has a qualifying condition, as defined in section three hundred fifty of this chapter, within a period of one year after the applicant has received a discharge other than bad conduct or dishonorable from such service, or if the applicant is a discharged LGBT veteran, as defined in section three hundred fifty of this chapter, within a period of one year after the applicant has received a discharge other than bad conduct or dishonorable from such service. In any case, the appointment or reappointment of any applicant is in the discretion of the secretary of state. The secretary of state may suspend or remove from office, for misconduct, any notary public appointed by him or her but no such removal shall be made unless the person who is sought to be removed shall have been served with a copy of the charges against him or her and have an opportunity of being heard. No person shall be appointed as a notary public under this article who has been convicted, in this state or any other state or territory, of a crime, unless the secretary makes a finding in conformance with all applicable statutory requirements, including those contained in article twenty-three-A of the correction law, that such convictions do not constitute a bar to appointment.

§ 3. Section 440-a of the real property law, as amended by section 1 of subpart G of part II of chapter 55 of the laws of 2019, is amended to read as follows:

§ 440-a. License required for real estate brokers and salesmen. No person, co-partnership, limited liability company or corporation shall engage in or follow the business or occupation of, or hold himself or itself out or act temporarily or otherwise as a real estate broker or real estate salesman in this state without first procuring a license therefor as provided in this article. No person shall be entitled to a license as a real estate broker under this article, either as an individual or as a member of a co-partnership, or as a member or manager of a limited liability company or as an officer of a corporation, unless he or she is twenty years of age or over[~~, a citizen of the United States or an alien lawfully admitted for permanent residence in the United States~~]. No person shall be entitled to a license as a real estate salesman under this article unless he or she is over the age of eighteen years. No person shall be entitled to a license as a real estate broker or real estate salesman under this article who has been convicted in this state or elsewhere of a crime, unless the secretary makes a finding in conformance with all applicable statutory requirements, including those contained in article twenty-three-A of the correction law, that such convictions do not constitute a bar to licensure. No person shall be entitled to a license as a real estate broker or real estate salesman under this article who does not meet the requirements of section 3-503 of the general obligations law.

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

§ 4. Subdivision 1 of section 72 of the general business law, as amended by chapter 164 of the laws of 2003, is amended to read as follows:

1. If the applicant is a person, the application shall be subscribed by such person, and if the applicant is a firm or partnership the application shall be subscribed by each individual composing or intending to compose such firm or partnership. The application shall state the full name, age, residences within the past three years, present and previous occupations of each person or individual so signing the same, [~~that each person or individual is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States~~] and shall also specify the name of the city, town or village, stating the street and number, if the premises have a street and number, and otherwise such apt description as will reasonably indicate the location thereof, where is to be located the principal place of business and the bureau, agency, sub-agency, office or branch office for which the license is desired, and such further facts as may be required by the department of state to show the good character, competency and integrity of each person or individual so signing such application. Each person or individual signing such application shall, together with such application, submit to the department of state, his photograph, taken within six months prior thereto in duplicate, in passport size and also two sets of fingerprints of his two hands recorded in such manner as may be specified by the secretary of state or the secretary of state's authorized representative. Before approving such application it shall be the duty of the secretary of state or the secretary of state's authorized representative to forward one copy of such fingerprints to the division of criminal justice services. Upon receipt of such fingerprints, such division shall forward to the secretary of state a report with respect to the applicant's previous criminal history, if any, or a statement that the applicant has no previous criminal history according to its files. If additional copies of fingerprints are required the applicant shall furnish them upon request. Such fingerprints may be submitted to the federal bureau of investigation for a national criminal history record check. The secretary shall reveal the name of the applicant to the chief of police and the district attorney of the applicant's residence and of the proposed place of business and shall request of them a report concerning the applicant's character in the event they shall have information concerning it. The secretary shall take such other steps as may be necessary to investigate the honesty, good character and integrity of each applicant. Every such applicant for a license as private investigator shall establish to the satisfaction of the secretary of state (a) if the applicant be a person, or, (b) in the case of a firm, limited liability company, partnership or corporation, at least one member of such firm, partnership, limited liability company or corporation, has been regularly employed, for a period of not less than three years, undertaking such investigations as those described as performed by a private investigator in subdivision one of section seventy-one of this article, as a sheriff, police officer in a city or county police department, or the division of state police, investigator in an agency of the state, county, or United States government, or employee of a licensed private investigator, or has had an equivalent position and experience or that such person or member was an employee of a police department who rendered service therein as a police officer for not less than twenty years or was an employee of a fire department who rendered service therein as a fire marshal for not less than twenty years. Howev-

er, employment as a watchman, guard or private patrolman shall not be considered employment as a "private investigator" for purposes of this section. Every such applicant for a license as watch, guard or patrol agency shall establish to the satisfaction of the secretary of state (a) if the applicant be a person, or, (b) in the case of a firm, limited liability company, partnership or corporation, at least one member of such firm, partnership, limited liability company or corporation, has been regularly employed, for a period of not less than two years, performing such duties or providing such services as described as those performed or furnished by a watch, guard or patrol agency in subdivision two of section seventy-one of this article, as a sheriff, police officer in a city or county police department, or employee of an agency of the state, county or United States government, or licensed private investigator or watch, guard or patrol agency, or has had an equivalent position and experience; qualifying experience shall have been completed within such period of time and at such time prior to the filing of the application as shall be satisfactory to the secretary of state. The person or member meeting the experience requirement under this subdivision and the person responsible for the operation and management of each bureau, agency, sub-agency, office or branch office of the applicant shall provide sufficient proof of having taken and passed a written examination prescribed by the secretary of state to test their understanding of their rights, duties and powers as a private investigator and/or watchman, guard or private patrolman, depending upon the work to be performed under the license. In the case of an application subscribed by a resident of the state of New York such application shall be approved, as to each resident person or individual so signing the same, but not less than five reputable citizens of the community in which such applicant resides or transacts business, or in which it is proposed to own, conduct, manage or maintain the bureau, agency, sub-agency, office or branch office for which the license is desired, each of whom shall subscribe and affirm as true, under the penalties of perjury, that he has personally known the said person or individual for a period of at least five years prior to the filing of such application, that he has read such application and believes each of the statements made therein to be true, that such person is honest, of good character and competent, and not related or connected to the person so certifying by blood or marriage. In the case of an application subscribed by a non-resident of the state of New York such application shall be approved, as to each non-resident person or individual so signing the same by not less than five reputable citizens of the community in which such applicant resides. The certificate of approval shall be signed by such reputable citizens and duly verified and acknowledged by them before an officer authorized to take oaths and acknowledgment of deeds. All provisions of this section, applying to corporations, shall also apply to joint-stock associations, except that each such joint-stock association shall file a duly certified copy of its certificate of organization in the place of the certified copy of its certificate of incorporation herein required.

§ 5. Subdivision 2 of section 81 of the general business law, as amended by chapter 756 of the laws of 1952 and paragraph (b) as amended by chapter 133 of the laws of 1982, is amended to read as follows:

2. No person shall hereafter be employed by any holder of a license certificate until he shall have executed and furnished to such license certificate holder a verified statement, to be known as "employee's statement," setting forth:

(a) His full name, age and residence address.

(b) [~~That the applicant for employment is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States.~~

~~(c)~~] The business or occupation engaged in for the three years immediately preceding the date of the filing of the statement, setting forth the place or places where such business or occupation was engaged in, and the name or names of employers, if any.

[~~(d)~~] **(c)** That he has not been convicted of a felony or of any offense involving moral turpitude or of any of the misdemeanors or offenses described in subdivision one of this section.

[~~(e)~~] **(d)** Such further information as the department of state may by rule require to show the good character, competency, and integrity of the person executing the statement.

§ 6. Subdivision 4 of section 89-h of the general business law, as added by chapter 336 of the laws of 1992, is amended to read as follows:

[~~4. Citizenship: be a citizen or resident alien of the United States;~~]

§ 7. This act shall take effect immediately; provided, however, section two of this act shall take effect on the same date and in the same manner as section 36 of chapter 490 of the laws of 2019, takes effect.

PART W

Section 1. Paragraph (c) of subdivision 1 of section 444-e of the real property law, as amended by chapter 541 of the laws of 2019, is amended to read as follows:

(c) have passed the National Home Inspector examination **or an examination offered by the secretary. Any examination offered by the secretary must meet or exceed the national exam standards set by the Examination Board of Professional Home Inspectors in consultation with the New York State Association of Home Inspectors to include questions related to state-specific procedures, rules, and regulations, and changes to state and federal law, and be updated annually**; and

§ 2. This act shall take effect immediately and shall apply to applications for a license as a professional home inspector received on or after November 25, 2019.

PART X

Intentionally Omitted

PART Y

Section 1. Expenditures of moneys appropriated in a chapter of the laws of 2020 to the department of agriculture and markets from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the department of agriculture and markets' participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2021, the commissioner of the department of agriculture and markets shall submit an accounting of such expenses, including, but not

limited to, expenses in the 2020--2021 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 2. Expenditures of moneys appropriated in a chapter of the laws of 2020 to the department of state from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the activities of the department of state's utility intervention unit pursuant to subdivision 4 of section 94-a of the executive law, including, but not limited to participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, and expenses related to the activities of the major renewable energy development program established by section 94-c of the executive law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2021, the secretary of state shall submit an accounting of such expenses, including, but not limited to, expenses in the 2020--2021 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 3. Expenditures of moneys appropriated in a chapter of the laws of 2020 to the office of parks, recreation and historic preservation from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the office of parks, recreation and historic preservation's participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2021, the commissioner of the office of parks, recreation and historic preservation shall submit an accounting of such expenses, including, but not limited to, expenses in the 2020--2021 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 4. Expenditures of moneys appropriated in a chapter of the laws of 2020 to the department of environmental conservation from the special revenue funds-other/state operations, environmental conservation special revenue fund-301, utility environmental regulation account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the department of environmental conservation's participation in state energy policy proceedings, or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2021, the commissioner of the department of environmental conservation shall submit an accounting of such expenses, including, but not limited to, expenses in the 2020--2021 state fiscal year for personal and non-personal services and

fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 5. Notwithstanding any other law, rule or regulation to the contrary, expenses of the department of health public service education program incurred pursuant to appropriations from the cable television account of the state miscellaneous special revenue funds shall be deemed expenses of the department of public service. No later than August 15, 2021, the commissioner of the department of health shall submit an accounting of expenses in the 2020--2021 state fiscal year to the chair of the public service commission for the chair's review pursuant to the provisions of section 217 of the public service law.

§ 6. Any expense deemed to be expenses of the department of public service pursuant to sections one through four of this act shall not be recovered through assessments imposed upon telephone corporations as defined in subdivision 17 of section 2 of the public service law.

§ 7. 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 be deemed repealed April 1, 2021.

PART Z

Intentionally Omitted

PART AA

Intentionally Omitted

PART BB

Intentionally Omitted

PART CC

Section 1. Section 2 of chapter 584 of the laws of 2011, amending the public authorities law relating to the powers and duties of the dormitory authority of the state of New York relative to the establishment of subsidiaries for certain purposes, as amended by section 1 of part X of chapter 58 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed on July 1, [~~2020~~] 2022; provided however, that the expiration of this act shall not impair or otherwise affect any of the powers, duties, responsibilities, functions, rights or liabilities of any subsidiary duly created pursuant to subdivision twenty-five of section 1678 of the public authorities law prior to such expiration.

§ 2. This act shall take effect immediately.

PART DD

Section 1. Subdivision (a) of section 2 and section 3 of part F of chapter 60 of the laws of 2015 constituting the infrastructure investment act, subdivision (a) of section 2 as amended by section 1 of part M of chapter 39 of the laws of 2019, and section 3 as amended by section 3 of part RRR of chapter 59 of the laws of 2017, are amended to read as follows:

(a) (i) "authorized state entity" shall mean the New York state thruway authority, the department of transportation, the office of parks, recreation and historic preservation, the department of environmental conservation [~~and~~], the New York state bridge authority**, the office of general services, the dormitory authority, the urban development corporation, the state university construction fund, the New York state Olympic regional development authority and the battery park city authority**.

(ii) Notwithstanding the provisions of subdivision 26 of section 1678 of the public authorities law, section 8 of the public buildings law, sections 8 and 9 of section 1 of chapter 359 of the laws of 1968 as amended, section 103 of the general municipal law, and the provisions of any other law to the contrary, the term "authorized state entity" shall also refer to only those agencies or authorities identified below solely in connection with the following authorized projects, provided that such an authorized state entity may utilize the alternative delivery method referred to as design-build contracts solely in connection with the following authorized projects should the total cost of each such project not be less than five million dollars ($5,000,000):

	Authorized Projects	Authorized State Entity
1.	Frontier Town	Urban Development Corporation
2.	Life Sciences Laboratory	Dormitory Authority & Urban Development Corporation
3.	Whiteface Transformative Projects	New York State Olympic Regional Development Authority
4.	Gore Transformative Projects	New York State Olympic Regional Development Authority
5.	Belleayre Transformative Projects	New York State Olympic Regional Development Authority
6.	Mt. Van Hoevenberg Transformative Projects	New York State Olympic Regional Development Authority
7.	Olympic Training Center	New York State Olympic Regional Development Authority
8.	Olympic Arena and Convention Center Complex	New York State Olympic Regional Development Authority
9.	State Fair Revitalization Projects	Office of General Services
10.	State Police Forensic Laboratory	Office of General Services

Notwithstanding any provision of law to the contrary, all rights or benefits, including terms and conditions of employment, and protection of civil service and collective bargaining status of all existing employees of authorized state entities [~~solely in connection with the authorized projects listed above,~~] shall be preserved and protected. Nothing in this section shall result in the: (1) displacement of any currently employed worker or loss of position (including partial displacement such as a reduction in the hours of non-overtime work, wages, or employment benefits) or result in the impairment of existing collective bargaining agreements; [~~and~~] (2) transfer of existing duties and functions related to maintenance and operations currently performed by existing employees of authorized state entities to a contracting

entity**; or (3) transfer of future duties and functions ordinarily performed by employees of authorized state entities to the contracting entity**. Nothing contained herein shall be construed to affect (A) the existing rights of employees pursuant to an existing collective bargaining agreement, and (B) the existing representational relationships among employee organizations or the bargaining relationships between the employer and an employee organization.

If otherwise applicable, authorized projects undertaken by the authorized state entities listed above solely in connection with the provisions of this act shall be subject to section 135 of the state finance law, section 101 of the general municipal law, and section 222 of the labor law; provided, however, that an authorized state entity may fulfill its obligations under section 135 of the state finance law or section 101 of the general municipal law by requiring the contractor to prepare separate specifications in accordance with section 135 of the state finance law or section 101 of the general municipal law, as the case may be.

§ 3. Notwithstanding the provisions of section 38 of the highway law, section 136-a of the state finance law, [~~section~~] **sections** 359**, 1678, 1680 and 1680-a** of the public authorities law, [~~section~~] **sections 376, 407-a, 6281 and** 7210 of the education law, **sections 8 and 9 of the public buildings law, section 103 of the general municipal law,** and the provisions of any other law to the contrary, and in conformity with the requirements of this act, an authorized state entity may utilize the alternative delivery method referred to as design-build contracts, in consultation with relevant local labor organizations and construction industry, for capital projects **located in the state** related to [~~the state's~~] physical infrastructure, including, but not limited to, [~~the state's~~] highways, bridges, **buildings and appurtenant structures,** dams, flood control projects, canals, and parks, including, but not limited to, to repair damage caused by natural disaster, to correct health and safety defects, to comply with federal and state laws, standards, and regulations, to extend the useful life of or replace [~~the state's~~] highways, bridges, **buildings and appurtenant structures,** dams, flood control projects, canals, and parks or to improve or add to [~~the state's~~] highways, bridges, **buildings and appurtenant structures,** dams, flood control projects, canals, and parks; provided that for the contracts executed by the department of transportation, the office of parks, recreation and historic preservation, or the department of environmental conservation, the total cost of each such project shall not be less than ten million dollars ($10,000,000).

§ 2. The opening paragraph and subdivision (a) of section 4 of part F of chapter 60 of the laws of 2015 constituting the infrastructure investment act, as amended by section 4 of part RRR of chapter 59 of the laws of 2017, are amended to read as follows:

An entity selected by an authorized state entity to enter into a design-build contract shall be selected [~~through a~~] **by a one or** two-step method, [~~as follows~~] **which includes the following features**:

(a) Step one. Generation of a list of entities that have demonstrated the general capability to perform the design-build contract. Such list shall consist of a specified number of entities, as determined by an authorized state entity, and shall be generated based upon the authorized state entity's review of responses to a publicly advertised request for qualifications. The authorized state entity's request for qualifications shall include a general description of the project, the maximum number of entities to be included on the list, the selection criteria to

be used and the relative weight of each criteria in generating the list. Such selection criteria shall include the qualifications and experience of the design and construction team, organization, demonstrated responsibility, ability of the team or of a member or members of the team to comply with applicable requirements, including the provisions of articles 145, 147 and 148 of the education law, past record of compliance with the labor law, and such other qualifications the authorized state entity deems appropriate which may include but are not limited to project understanding, financial capability and record of past performance. The authorized state entity shall evaluate and rate all entities responding to the request for qualifications. Based upon such ratings, the authorized state entity shall list the entities that shall receive a request for proposals in accordance with subdivision (b) of this section. To the extent consistent with applicable federal law, the authorized state entity shall consider, when awarding any contract pursuant to this section, the participation of: (i) firms certified pursuant to article 15-A of the executive law as minority or women-owned businesses and the ability of other businesses under consideration to work with minority and women-owned businesses so as to promote and assist participation by such businesses; [~~and~~] (ii) small business concerns identified pursuant to subdivision (b) of section 139-g of the state finance law**; and (iii) firms certified pursuant to article 17-B of the executive law as service-disabled veteran-owned businesses and the ability of other businesses under consideration to work with service-disabled veteran-owned businesses so as to promote and assist participation by such businesses**.

§ 3. Section 8 of part F of chapter 60 of the laws of 2015 constituting the infrastructure investment act is amended to read as follows:

§ 8. Each contract entered into by the authorized state entity pursuant to this section shall comply with the objectives and goals of minority and women-owned business enterprises pursuant to article 15-A of the executive law **and of service-disabled veteran-owned business enterprises pursuant to article 17-B of the executive law** or, for projects receiving federal aid, shall comply with applicable federal requirements for disadvantaged business enterprises.

§ 4. Paragraph 3 of subdivision (a) and subdivision (b) of section 13 of part F of chapter 60 of the laws of 2015 constituting the infrastructure investment act, as amended by section 11 of part RRR of chapter 59 of the laws of 2017, are amended to read as follows:

3. **(i)** Utilizing a lump sum contract in which the contractor agrees to accept a set dollar amount for a contract which comprises a single bid without providing a cost breakdown for all costs such as for equipment, labor, materials, as well as such contractor's profit for completing all items of work comprising the project**, which lump sum price may be negotiated and established by the authorized state entity based on a proposed guaranteed maximum price.**

(ii) The design-build contract may include both lump sum elements and cost-plus not to exceed guaranteed maximum price elements and may also provide for professional services on a fee-for-service basis.

(b) Capital projects undertaken by an authorized state entity may include an incentive clause in the contract for various performance objectives, but the incentive clause shall not include an incentive that exceeds the quantifiable value of the benefit received by the authorized state entity. The authorized state entity shall [~~establish~~] **require** such performance and payment bonds as it deems necessary.

§ 5. Part F of chapter 60 of the laws of 2015 constituting the infrastructure investment act is amended by adding two new sections 15-a and 15-b to read as follows:

§ 15-a. Any contract awarded pursuant to this act shall be deemed to be awarded pursuant to a competitive procurement for purposes of section 2879 of the public authorities law.

§ 15-b. Public employees as defined by paragraph (a) of subdivision 7 of section 201 of the civil service law and who are employed by authorized entities as defined in paragraph (i) of subdivision (a) of section two of this act shall examine and review certifications provided by contractors for conformance with material source testing, certifications testing, surveying, monitoring of environmental compliance, independent quality control testing and inspection and quality assurance audits. Performance by authorized entities of any review described in this subdivision shall not be construed to modify or limit contractors' obligations to perform work in strict accordance with the applicable design-build contracts or the contractors' or any subcontractors' obligations or liabilities under any law.

§ 6. Section 16 of part F of chapter 60 of the laws of 2015 constituting the infrastructure investment act is amended to read as follows:

§ 16. A report shall be submitted on or no later than June 30, [~~2016~~] **2021 and annually thereafter,** to the governor, the temporary president of the senate and the speaker of the assembly by the New York state [~~urban development corporation~~] **office of general services on behalf of authorized entities defined in paragraph (i) of subdivision (a) of section two of this act** containing information on each authorized state entity that has entered into a design-build contract pursuant to this act, which shall include, but not be limited to, a description of each **such design-build contract, information regarding the procurement process for each such design-build** project, [~~procurement information~~] including the [~~short~~] list of qualified bidders, the total cost of each **design-build** project, **an explanation of** the estimated cost and schedule savings of each project, an explanation of how the savings were determined, **the participation rate and total dollar value of minority- and women-owned business enterprises and service-disabled veteran-owned businesses,** and whether a project labor agreement was used, and if applicable, the justification for using a project labor agreement. **Such report shall also be posted on the website of the New York state office of general services for public review.**

§ 7. Section 17 of part F of chapter 60 of the laws of 2015 constituting the infrastructure investment act, as amended by section 1 of part WWW of chapter 59 of the laws of 2019, is amended to read as follows:

§ 17. This act shall take effect immediately and shall expire and be deemed repealed [~~6 years after such date~~] **December 31, 2022**, provided that, projects with requests for qualifications issued prior to such repeal shall be permitted to continue under this act notwithstanding such repeal.

§ 8. This act shall take effect immediately; provided, however, that the amendments to part F of chapter 60 of the laws of 2015 made by sections one, two, three, four, five and six of this act shall not affect the repeal of such part and shall be deemed repealed therewith.

PART EE

Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development

corporation act, as amended by section 1 of part Z of chapter 58 of the laws of 2019, is amended to read as follows:

3. The provisions of this section shall expire, notwithstanding any inconsistent provision of subdivision 4 of section 469 of chapter 309 of the laws of 1996 or of any other law, on July 1, [~~2020~~] 2021.

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

PART FF

Section 1. Section 2 of chapter 393 of the laws of 1994, amending the New York state urban development corporation act, relating to the powers of the New York state urban development corporation to make loans, as amended by section 1 of part Y of chapter 58 of the laws of 2019, is amended to read as follows:

§ 2. This act shall take effect immediately provided, however, that section one of this act shall expire on July 1, [~~2020~~] 2021, at which time the provisions of subdivision 26 of section 5 of the New York state urban development corporation act shall be deemed repealed; provided, however, that neither the expiration nor the repeal of such subdivision as provided for herein shall be deemed to affect or impair in any manner any loan made pursuant to the authority of such subdivision prior to such expiration and repeal.

§ 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.

PART GG

Section 1. Paragraph (a) of subdivision 11 of section 400 of the economic development law, as amended by section 3 of part QQ of chapter 60 of the laws of 2016, is amended to read as follows:

(a) a correctional facility, as defined in paragraph (a) of subdivision four of section two of the correction law, that has been selected by the governor of the state of New York for closure after April first, two thousand eleven [~~but no later than March thirty-first, two thousand twelve~~] but no later than March thirty-first, two thousand twenty-one; or

§ 2. This act shall take effect immediately; provided, however, that the amendments to section 400 of the economic development law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART HH

Section 1. Expenditures of moneys by the New York state energy research and development authority for services and expenses of the energy research, development and demonstration program, including grants, the energy policy and planning program, the zero emissions vehicle and electric vehicle rebate program, and the Fuel NY program shall be subject to the provisions of this section. Notwithstanding the provisions of subdivision 4-a of section 18-a of the public service law, all moneys committed or expended in an amount not to exceed $22,700,000 shall be reimbursed by assessment against gas corporations, as defined in subdivision 11 of section 2 of the public service law and electric corporations as defined in subdivision 13 of section 2 of the public service law, where such gas corporations and electric corporations have

gross revenues from intrastate utility operations in excess of $500,000 in the preceding calendar year, and the total amount which may be charged to any gas corporation and any electric corporation shall not exceed one cent per one thousand cubic feet of gas sold and .010 cent per kilowatt-hour of electricity sold by such corporations in their intrastate utility operations in calendar year 2018. Such amounts shall be excluded from the general assessment provisions of subdivision 2 of section 18-a of the public service law. The chair of the public service commission shall bill such gas and/or electric corporations for such amounts on or before August 10, 2020 and such amounts shall be paid to the New York state energy research and development authority on or before September 10, 2020. Upon receipt, the New York state energy research and development authority shall deposit such funds in the energy research and development operating fund established pursuant to section 1859 of the public authorities law. The New York state energy research and development authority is authorized and directed to: (1) transfer up to $4 million to the state general fund for climate change related services and expenses of the department of environmental conservation, $150,000 to the state general fund for services and expenses of the department of agriculture and markets, and $825,000 to the University of Rochester laboratory for laser energetics from the funds received; and (2) commencing in 2016, provide to the chair of the public service commission and the director of the budget and the chairs and secretaries of the legislative fiscal committees, on or before August first of each year, an itemized record, certified by the president and chief executive officer of the authority, or his or her designee, detailing any and all expenditures and commitments ascribable to moneys received as a result of this assessment by the chair of the department of public service pursuant to section 18-a of the public service law. This itemized record shall include an itemized breakdown of the programs being funded by this section and the amount committed to each program. The authority shall not commit for any expenditure, any moneys derived from the assessment provided for in this section, until the chair of such authority shall have submitted, and the director of the budget shall have approved, a comprehensive financial plan encompassing all moneys available to and all anticipated commitments and expenditures by such authority from any source for the operations of such authority. Copies of the approved comprehensive financial plan shall be immediately submitted by the chair to the chairs and secretaries of the legislative fiscal committees. Any such amount not committed by such authority to contracts or contracts to be awarded or otherwise expended by the authority during the fiscal year shall be refunded by such authority on a pro-rata basis to such gas and/or electric corporations, in a manner to be determined by the department of public service, and any refund amounts must be explicitly lined out in the itemized record described above.

§ 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.

PART II

Section 1. Subdivision 16 of section 2 of the labor law, as added by chapter 564 of the laws of 2010, is renumbered subdivision 17 and a new subdivision 18 is added to read as follows:

18. "Farm laborer" shall mean any individual who works on a farm and is an employee under article nineteen of this chapter. Members of an

employer's immediate family who are related to the third degree of consanguinity or affinity shall not be considered to be employed on a farm if they work on a farm out of familial obligations and are not paid wages, or other compensation based on their hours or days of work.

§ 2. Paragraph (c) of subdivision 3 of section 701 of the labor law, as added by chapter 105 of the laws of 2019, is amended to read as follows:

(c) The term "employee" shall also include farm laborers. "Farm laborers" shall mean any individual engaged or permitted by an employer to work on a farm[~~, except the parent, spouse, child, or other member of the employer's immediate family~~]. **Members of an agricultural employer's immediate family who are related to the third degree of consanguinity or affinity shall not be considered to be employed on a farm if they work on a farm out of familial obligations and are not paid wages, or other compensation based on their hours or days of work.**

§ 3. Section 705 of the labor law is amended by adding a new subdivision 1-b to read as follows:

1-b. The board shall determine whether any supervisory employee shall be excluded from any negotiating unit that includes rank-and-file farm laborers; provided, however, that nothing in this subdivision shall be construed to limit or prohibit any supervisory employee from organizing a separate negotiating unit.

§ 4. The closing paragraph of subdivision 1 of section 161 of the labor law, as added by chapter 105 of the laws of 2019, is amended to read as follows:

Every person employed as a farm laborer shall be allowed at least twenty-four consecutive hours of rest in each and every calendar week. [~~This requirement shall not apply to the parent, child, spouse or other member of the employer's immediate family.~~] Twenty-four consecutive hours spent at rest because of circumstances, such as weather or crop conditions, shall be deemed to constitute the rest required by this paragraph. No provision of this paragraph shall prohibit a farm laborer from voluntarily agreeing to work on such day of rest required by this paragraph, provided that the farm laborer is compensated at an overtime rate which is at least one and one-half times the laborer's regular rate of pay for all hours worked on such day of rest. The term "farm labor" shall include all services performed in agricultural employment in connection with cultivating the soil, or in connection with raising or harvesting of agricultural commodities, including the raising, shearing, caring for and management of livestock, poultry or dairy. The day of rest authorized under this subdivision should, whenever possible, coincide with the traditional day reserved by the farm laborer for religious worship.

§ 5. Section 163-a of the labor law, as added by chapter 105 of the laws of 2019, is amended to read as follows:

§ 163-a. Farm laborers. No person or corporation operating a farm shall require any [~~employee~~] **farm laborer** to work more than sixty hours in any calendar week; provided, however, that any overtime work performed by a farm laborer shall be at a rate which is at least one and one-half times the **farm** laborer's regular rate of pay. [~~No wage order subject to the provisions of this chapter shall be applicable to a farm laborer other than a wage order established pursuant to section six hundred seventy-four or six hundred seventy-four-a of this chapter.~~]

§ 6. The opening paragraph of subdivision 2 of section 652 of the labor law, as amended by chapter 38 of the laws of 1990, is amended to read as follows:

The minimum wage orders in effect on the effective date of this act shall remain in full force and effect, except as modified in accordance with the provisions of this article**; provided, however, that the minimum wage order for farm workers codified at part one hundred ninety of title twelve of the New York code of rules and regulations in effect on January first, two thousand twenty shall be deemed to be a wage order established and adopted under this article and shall remain in full force and effect except as modified in accordance with the provisions of this article or article nineteen-A of this chapter**.

§ 7. Subdivision 2 of section 671 of the labor law, as added by chapter 552 of the laws of 1969, is amended to read as follows:

2. "Employee" includes any individual employed or permitted to work by an employer on a farm but shall not include: (a) domestic service in the home of the employer; (b) the parent, spouse, child or other member of the employer's immediate family; (c) a minor under seventeen years of age employed as a hand harvest worker on the same farm as his parent or guardian and who is paid on a piece-rate basis at the same piece rate as employees seventeen years of age or over; **or** (d) an individual employed or permitted to work for a federal, state, or a municipal government or political subdivision thereof[~~; or (e) an individual to whom the provisions of article nineteen of this chapter are applicable~~].

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

PART JJ

Section 1. Subparagraph (ii) of paragraph a of subdivision 9 of section 103 of the general municipal law, as amended by chapter 90 of the laws of 2017, is amended to read as follows:

(ii) such association of producers or growers is comprised of owners of farms who also operate such farms and have combined to fill the order of a school district or board of cooperative educational services, and where such order is for [~~fifty~~] **one hundred** thousand dollars or less as herein authorized, provided however, that a school district or board of cooperative educational services may apply to the commissioner of education for permission to purchase orders of more than [~~fifty~~] **one hundred** thousand dollars from an association of owners of such farms when no other producers or growers have offered to sell to such school;

§ 2. This act shall take effect immediately.

PART KK

Section 1. Subdivision 4 of section 1285-j of the public authorities law is amended by adding a new closing paragraph to read as follows:

Subject to any applicable provisions of federal or state law, any financial assistance at an interest rate of zero percent provided to municipalities that meet the financial hardship criteria regulations established pursuant to section 17-1909 of the environmental conservation law, may have a final maturity up to forty years following scheduled completion of the eligible project.

§ 2. Subdivision 4 of section 1285-m of the public authorities law is amended by adding a new closing paragraph to read as follows:

Subject to any applicable provisions of federal or state law, any financial assistance at an interest rate of zero percent provided to recipients that meet the financial hardship criteria regulations established pursuant to title four of article eleven of the public health

law, may have a final maturity up to forty years following scheduled completion of the eligible project.

§ 3. This act shall take effect immediately.

PART LL

Intentionally Omitted

PART MM

Section 1. The financial services law is amended by adding a new article 7 to read as follows:

ARTICLE 7
STUDENT DEBT CONSULTANTS

Section 701. Definitions.
702. Prohibitions.
703. Disclosure requirements.
704. Student debt consulting contracts.
705. Penalties and other provisions.
706. Rules and regulations.

§ 701. Definitions. (a) The term "advertisement" shall include, but is not limited to, all forms of marketing, solicitation, or dissemination of information related, directly or indirectly, to securing or obtaining a student debt consulting contract or services. Further, it shall include all commonly recognized forms of media marketing via television, radio, print media, all forms of electronic communication via the internet, and all prepared sales presentations given in person or over the internet to the general public.

(b) "Borrower" means any resident of this state who has received a student loan or agreed in writing to pay a student loan or any person who shares a legal obligation with such resident for repaying a student loan.

(c) "FSA ID" means a username and password allocated to an individual by the federal government to enable the individual to log in to certain United States department of education websites, and may be used to sign certain documents electronically.

(d) "Student loan" means any loan to a borrower to finance post-secondary education or expenses related to post-secondary education.

(e) "Student debt consulting contract" or "contract" means an agreement between a borrower and a consultant under which the consultant agrees to provide student debt consulting services.

(f) "Student debt consultant" or "consultant" means an individual or a corporation, partnership, limited liability company or other business entity that, directly or indirectly, solicits or undertakes employment to provide student debt consulting services. A consultant does not include the following:

(1) a person or entity who holds or is owed an obligation on the student loan while the person or entity performs services in connection with the student loan;

(2) a bank, trust company, private banker, bank holding company, savings bank, savings and loan association, thrift holding company, credit union or insurance company organized under the laws of this state, another state or the United States, or a subsidiary or affiliate of such entity or a foreign banking corporation licensed by the superintendent of financial services or the comptroller of the currency;

(3) a bona fide not-for-profit organization that offers counseling or advice to borrowers;

(4) an attorney admitted to practice in the state of New York when the attorney is providing student debt consulting services to a borrower free of charge;

(5) a public post-secondary educational institution or private nonprofit post-secondary educational institution; or

(6) such other persons as the superintendent prescribes by rule.

(g) "Student debt consulting services" means services that a student debt consultant provides to a borrower that the consultant represents will help to achieve any of the following:

(1) stop, enjoin, delay, void, set aside, annul, stay or postpone a default, bankruptcy, tax offset, or garnishment proceeding;

(2) obtain a forbearance, deferment, or other relief that temporarily halts repayment of a student loan;

(3) assist the borrower with preparing or filing documents related to student loan repayment;

(4) advise the borrower which student loan repayment plan or forgiveness program to consider;

(5) enroll the borrower in any student loan repayment, forgiveness, discharge, or consolidation program;

(6) assist the borrower in re-establishing eligibility for federal student financial assistance;

(7) assist the borrower in removing a student loan from default; or

(8) educate the borrower about student loan repayment.

§ 702. Prohibitions. A student debt consultant is prohibited from doing the following:

(a) performing student debt consulting services without a legal written, fully-executed contract with a borrower that comports with the provisions of this article;

(b) charging for or accepting any payment for student debt consulting services before the full completion of all such services, including a payment to be placed in escrow or any other account pending the completion of such services;

(c) taking a power of attorney from a borrower;

(d) retaining any original loan document or other original document related to a borrower's student loan;

(e) requesting that a borrower provide his or her FSA ID to the consultant, or accepting a borrower's FSA ID;

(f) stating or implying that a borrower will not be able to obtain relief on their own;

(g) misrepresenting, expressly or by implication, that:

(1) the consultant is a part of, affiliated with, or endorsed or sponsored by the government, government loan programs, the United States department of education, or borrowers' student loan servicers; or

(2) some or all of a borrower's payments to the consultant will be applied towards the borrower's student loans.

(h) inducing or attempting to induce a student debtor to enter a contract that does not fully comply with the provisions of this article; or

(i) engaging in any unfair, deceptive, or abusive act or practice.

§ 703. Disclosure requirements. (a) A student debt consultant shall clearly and conspicuously disclose in all advertisements:

(1) the actual services the consultant provides to borrowers;

(2) that borrowers may apply for consolidation loans from the United States department of education at no cost, including providing a direct

link in all online advertising and contact information in all print advertising to the application materials for a Direct Consolidation Loan from the United States department of education;

(3) that consolidation or other services offered by the consultant may not be the best or only option for borrowers;

(4) that alternative federal student loan repayment plans, including income-based programs, that do not require consolidating existing federal student loans may be available; and

(5) that borrowers should consider consulting their student loan servicer before signing any legal document concerning a student loan.

(b) The disclosures required by subsection (a) of this section, if disseminated through print media or the internet, shall be clearly and legibly printed or displayed in not less than twelve-point bold type, or, if the advertisement is printed to be displayed in print that is smaller than twelve point, in bold type print that is no smaller than the print in which the text of the advertisement is printed or displayed.

(c) The provisions of this section shall apply to all consultants who disseminate advertisements in the state of New York or who intend to directly or indirectly contact a borrower who has a student loan and is a resident of or a student in New York state. Consultants shall establish and at all times maintain control over the content, form and method of dissemination of all advertisements of their services. Further, all advertisements shall be sufficiently complete and clear to avoid the possibility to mislead or deceive.

§ 704. Student debt consulting contracts. (a) A student debt consulting contract shall:

(1) contain the entire agreement of the parties;

(2) be provided in writing to the borrower for review before signing;

(3) be printed in at least twelve-point type and written in the same language that is used by the borrower and was used in discussions between the consultant and the borrower to describe the borrower's services or to negotiate the contract;

(4) fully disclose the exact nature of the services to be provided by the consultant or anyone working in association with the consultant;

(5) fully disclose the total amount and terms of compensation for such services;

(6) contain the name, business address and telephone number of the consultant and the street address, if different, and facsimile number or email address of the consultant where communications from the debtor may be delivered;

(7) be dated and personally signed by the borrower and the consultant and be witnessed and acknowledged by a New York notary public; and

(8) contain the following notice, which shall be printed in at least fourteen-point boldface type, completed with the name of the Provider, and located in immediate proximity to the space reserved for the debtor's signature:

"NOTICE REQUIRED BY NEW YORK LAW

You may cancel this contract, without any penalty or obligation, at any time before midnight of

..... (fifth business day after execution).

..... (Name of consultant) (the "Consultant") or anyone working for the Consultant may not take any money from you or ask you for money until the consultant has completely finished doing everything this Contract says the Consultant will do.

You should consider contacting your student loan servicer before signing any legal document concerning your student loan. In addition, you may want to visit the New York State Department of Financial Services' student lending resource center at www.dfs.ny.gov/studentprotection. The law requires that this contract contain the entire agreement between you and the Provider. You should not rely upon any other written or oral agreement or promise."

The Provider shall accurately enter the date on which the right to cancel ends.

(b) (1) The borrower has the right to cancel, without any penalty or obligation, any contract with a consultant until midnight of the fifth business day following the day on which the consultant and the borrower sign a consulting contract. Cancellation occurs when the borrower, or a representative of the borrower, either delivers written notice of cancellation in person to the address specified in the consulting contract or sends a written communication by facsimile, by United States mail or by an established commercial letter delivery service. A dated proof of facsimile delivery or proof of mailing creates a presumption that the notice of cancellation has been delivered on the date the facsimile is sent or the notice is deposited in the mail or with the delivery service. Cancellation of the contract shall release the borrower from all obligations to pay fees or any other compensation to the consultant.

(2) The contract shall be accompanied by two copies of a form, captioned "notice of cancellation" in at least twelve-point bold type. This form shall be attached to the contract, shall be easily detachable, and shall contain the following statement written in the same language as used in the contract, and the contractor shall insert accurate information as to the date on which the right to cancel ends and the contractor's contact information:

"NOTICE OF CANCELLATION

Note: You may cancel this contract, without any penalty or obligation, at any time before midnight of (Enter date)

To cancel this contract, sign and date both copies of this cancellation notice and personally deliver one copy or send it by facsimile, United States mail, or an established commercial letter delivery service, indicating cancellation to the Consultant at one of the following:

Name of Consultant

Street Address

City, State, Zip

Facsimile:

I hereby cancel this transaction.

Name of Borrower:

Signature of Borrower:

Date: "

(3) Within ten days following receipt of a notice of cancellation given in accordance with this subsection, the consultant shall return any original contract and any other documents signed by or provided by the borrower. Cancellation shall release the borrower of all obligations to pay any fees or compensation to the consultant.

§ 705. Penalties and other provisions. (a) If the superintendent finds, after notice and hearing, that a consultant has knowingly violated any provision of this article and the violation was material, the superintendent may: (1) make null and void any agreement between the borrower and the consultant; and (2) impose a civil penalty of not more than ten thousand dollars for each violation.

(b) If the consultant violates any provision of this article and the borrower suffers damage because of the violation, the borrower may recover actual and consequential damages and costs from the consultant in an action based on this article. If the consultant recklessly violates any provision of this article, the court may award attorneys' fees and costs. If the consultant intentionally violates any provision of this article, the court may award treble damages, attorneys' fees and costs.

(c) Any provision of a student debt consulting contract that attempts or purports to limit the liability of the consultant under this article shall be null and void. Inclusion of such provision shall at the option of the borrower render the contract void. Any provision in a contract which attempts or purports to require arbitration of any dispute arising under this article shall be void at the option of the borrower. Any waiver of the provisions of this article shall be void and unenforceable as contrary to public policy.

(d) The provisions of this article are not exclusive and are in addition to any other requirements, rights, remedies, and penalties provided by law.

§ 706. Rules and regulations. In addition to such powers as may otherwise be prescribed by this chapter, the superintendent is hereby authorized and empowered to promulgate such rules and regulations as may in the judgment of the superintendent be consistent with the purposes of this article, or appropriate for the effective administration of this article.

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

PART NN

Intentionally Omitted

PART OO

Intentionally Omitted

PART PP

Section 1. Article 27 of the environmental conservation law is amended by adding a new title 30 to read as follows:

TITLE 30

EXPANDED POLYSTYRENE FOAM CONTAINER AND POLYSTYRENE LOOSE FILL PACKAGING BAN

Section 27-3001. Definitions.
27-3003. Expanded polystyrene foam container and polystyrene loose fill packaging ban.
27-3005. Exemptions and waivers.
27-3007. Preemption.
27-3009. Severability.

§ 27-3001. Definitions.

For the purposes of this title, the following terms shall have the following meanings:

1. "Covered food service provider" means a person engaged in the business of selling or distributing prepared food or beverages for on-premise or off-premise consumption including but not limited to: (a) food service establishments, caterers, temporary food service establishments,

mobile food service establishments, and pushcarts as defined in the New York State Sanitary Code; (b) retail food stores as defined in article 28 of the agriculture and markets law; (c) delicatessens; (d) grocery stores; (e) restaurants; (f) cafeterias; (g) coffee shops; (h) hospitals, adult care facilities, and nursing homes; and (i) elementary and secondary schools, colleges, and universities.

2. "Disposable food service container" means a bowl, carton, clamshell, cup, lid, plate, tray, or any other product that is designed or used for the temporary storage or transport of a prepared food or beverage including a container generally recognized by the public as being designed for single use.

3. "Expanded polystyrene foam" means expanded foam thermoplastics utilizing a styrene monomer and processed by any number of techniques. Such term shall not include rigid polystyrene.

4. "Manufacturer" means every person, firm or corporation that produces or imports polystyrene loose fill packaging that is sold, offered for sale, or distributed in the state.

5. "Polystyrene loose fill packaging" means a void-filling packaging product made of expanded polystyrene foam that is used as a packaging fill, commonly referred to as packing peanuts.

6. "Prepared food" means food or beverages that are cooked, chopped, sliced, mixed, brewed, frozen, heated, squeezed, combined or otherwise prepared on the premises of a covered food service provider for immediate consumption and require no further preparation to be consumed. Prepared food includes but is not limited to ready to eat takeout foods and beverages.

7. "Rigid polystyrene" means plastic packaging made from rigid, polystyrene resin that has not been expanded, extruded, or foamed.

8. "Store" means a retail or wholesale establishment other than a covered food service provider.

§ 27-3003. Expanded polystyrene foam container and polystyrene loose fill packaging ban.

1. (a) Beginning January first, two thousand twenty-two, no covered food service provider or store shall sell, offer for sale, or distribute disposable food service containers that contain expanded polystyrene foam in the state.

(b) Beginning January first, two thousand twenty-two, no manufacturer or store shall sell, offer for sale, or distribute polystyrene loose fill packaging in the state.

2. The department is authorized to promulgate any other such rules and regulations as it shall deem necessary to implement the provisions of this title including criteria related to what constitutes comparable costs pursuant to subdivision two of section 27-3005 of this title.

§ 27-3005. Exemptions and waivers.

1. Notwithstanding any inconsistent provision of law, this title shall not apply to:

(a) Prepackaged food filled or sealed prior to receipt at a covered food service provider; or

(b) Raw meat, pork, seafood, poultry or fish sold for the purpose of cooking or preparing off-premises by the customer.

2. Any facility, regardless of its income, including soup kitchens, food pantries and places of worship, operated by a not-for-profit corporation or by a federal, state, or local government agency that provides food to needy individuals at no or nominal charge, and any covered food service provider having an annual gross income under five hundred thousand dollars per location as stated on the income tax filing for the

most recent tax year and that: (a) does not operate ten or more locations within the state; and (b) is not operated pursuant to a franchise agreement may request from the department, in a manner and form established by the department, a financial hardship waiver of the requirements of section 27-3003 of this title. Such waiver request may apply to one or more disposable food service containers sold, offered for sale, or distributed by any such covered food service provider. The department shall grant a waiver if such covered food service provider demonstrates that there is no alternative product of comparable cost that is not composed of expanded polystyrene foam and that the purchase or use of an alternative product that is not composed of expanded polystyrene foam would create an undue financial hardship. Such financial hardship waiver shall be valid for twelve months and shall be renewable upon application to the department.

§ 27-3007. Preemption.

1. Except as provided in subdivisions two and three of this section, this title shall supersede and preempt all local laws, ordinances or regulations governing the sale, offer for sale, or distribution of disposable food service containers containing expanded polystyrene foam and polystyrene loose fill packaging.

2. Any local law, ordinance or regulation of any county shall not be preempted if such local law, ordinance or regulation provides environmental protection equal to or greater than the provisions of this title or any rules or regulations promulgated hereunder, and such county files with the department a written declaration of its intent to administer and enforce such local law, ordinance or regulation.

3. This title shall not apply in a city with a population of one million or more which has a local law, ordinance or regulation in place which restricts the sale, offer for sale, or distribution of expanded polystyrene containers and polystyrene loose fill packaging.

§ 27-3009. Severability.

If any clause, sentence, paragraph, section or part of this title 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, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 2. The environmental conservation law is amended by adding a new section 71-2730 to read as follows:

§ 71-2730. Enforcement of title 30 of article 27 of this chapter.

1. Any person who shall violate section 27-3003 of this chapter shall be liable to the state of New York for a civil penalty of not more than two hundred fifty dollars for the first violation, not more than five hundred dollars for the second violation in the same calendar year, and not more than one thousand dollars for the third and each subsequent violation in the same calendar year. A hearing or opportunity to be heard shall be provided prior to the assessment of any civil penalty.

2. (a) The department, the department of agriculture and markets, the department of health, and the attorney general are hereby authorized to enforce the provisions of section 27-3003 of this chapter.

(b) The provisions of section 27-3003 of this chapter may also be enforced by a county and the local legislative body thereof may adopt local laws, ordinances or regulations consistent with this title providing for the enforcement of such provisions. Provided that a violation of this title may not be enforced by both the state and a county, and provided further that any county that has filed a written declaration

pursuant to subdivision two of section 27-3007 of this title shall not enforce the provisions of this title.

3. Any fines that are collected by the state during proceedings by the state to enforce the provisions of section 27-3003 of this chapter shall be paid into the environmental protection fund established pursuant to section ninety-two-s of the finance law.

4. Any fines that are collected by a county during proceedings by the county to enforce the provisions of section 27-3003 of this title within the county shall be retained by the county.

§ 3. Subdivision 3 of section 92-s of the state finance law, as amended by section 4 of part H of chapter 58 of the laws of 2019, is amended to read as follows:

3. Such fund shall consist of the amount of revenue collected within the state from the amount of revenue, interest and penalties deposited pursuant to section fourteen hundred twenty-one of the tax law, the amount of fees and penalties received from easements or leases pursuant to subdivision fourteen of section seventy-five of the public lands law and the money received as annual service charges pursuant to section four hundred four-n of the vehicle and traffic law, all moneys required to be deposited therein from the contingency reserve fund pursuant to section two hundred ninety-four of chapter fifty-seven of the laws of nineteen hundred ninety-three, all moneys required to be deposited pursuant to section thirteen of chapter six hundred ten of the laws of nineteen hundred ninety-three, repayments of loans made pursuant to section 54-0511 of the environmental conservation law, all moneys to be deposited from the Northville settlement pursuant to section one hundred twenty-four of chapter three hundred nine of the laws of nineteen hundred ninety-six, provided however, that such moneys shall only be used for the cost of the purchase of private lands in the core area of the central Suffolk pine barrens pursuant to a consent order with the Northville industries signed on October thirteenth, nineteen hundred ninety-four and the related resource restoration and replacement plan, the amount of penalties required to be deposited therein by section 71-2724 of the environmental conservation law, all moneys required to be deposited pursuant to article thirty-three of the environmental conservation law, all fees collected pursuant to subdivision eight of section 70-0117 of the environmental conservation law, all moneys collected pursuant to title thirty-three of article fifteen of the environmental conservation law, beginning with the fiscal year commencing on April first, two thousand thirteen, nineteen million dollars, and all fiscal years thereafter, twenty-three million dollars plus all funds received by the state each fiscal year in excess of the greater of the amount received from April first, two thousand twelve through March thirty-first, two thousand thirteen or one hundred twenty-two million two hundred thousand dollars, from the payments collected pursuant to subdivision four of section 27-1012 of the environmental conservation law and all funds collected pursuant to section 27-1015 of the environmental conservation law, all moneys required to be deposited pursuant to sections 27-2805 and 27-2807 of the environmental conservation law, **all moneys collected pursuant to section 71-2730 of the environmental conservation law,** and all other moneys credited or transferred thereto from any other fund or source pursuant to law. All such revenue shall be initially deposited into the environmental protection fund, for application as provided in subdivision five of this section.

§ 4. This act shall take effect immediately; provided however that subdivision 4 of section 71-2730 of the environmental conservation law

as added by section two of this act shall expire and be deemed repealed January 1, 2025.

PART QQ

Section 1. The restore mother nature bond act is enacted to read as follows:

ENVIRONMENTAL BOND ACT OF 2020
"RESTORE MOTHER NATURE"

Section 1. Short title.
2. Creation of state debt.
3. Bonds of the state.
4. Use of moneys received.

§ 1. Short title. This act shall be known and may be cited as the "environmental bond act of 2020 restore mother nature".

§ 2. Creation of state debt. The creation of state debt in an amount not exceeding in the aggregate three billion dollars ($3,000,000,000) is hereby authorized to provide moneys for the single purpose of making environmental improvements that preserve, enhance, and restore New York's natural resources and reduce the impact of climate change by funding capital projects for: restoration and flood risk reduction not less than one billion dollars ($1,000,000,000); open space land conservation and recreation up to five hundred fifty million dollars ($550,000,000); climate change mitigation up to seven hundred million dollars ($700,000,000); and, water quality improvement and resilient infrastructure not less than five hundred fifty million dollars ($550,000,000).

§ 3. Bonds of the state. The state comptroller is hereby authorized and empowered to issue and sell bonds of the state up to the aggregate amount of three billion dollars ($3,000,000,000) for the purposes of this act, subject to the provisions of article 5 of the state finance law. The aggregate principal amount of such bonds shall not exceed three billion dollars ($3,000,000,000) excluding bonds issued to refund or otherwise repay bonds heretofore issued for such purpose; provided, however, that upon any such refunding or repayment, the total aggregate principal amount of outstanding bonds may be greater than three billion dollars ($3,000,000,000) only if 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. The method for calculating present value shall be determined by law.

§ 4. Use of moneys received. The moneys received by the state from the sale of bonds sold pursuant to this act shall be expended pursuant to appropriations for capital projects related to design, planning, site acquisition, demolition, construction, reconstruction, and rehabilitation projects specified in section two of this act.

§ 2. This act shall take effect immediately, provided that the provisions of section one of this act shall not take effect unless and until this act shall have been submitted to the people at the general election to be held in November 2020 and shall have been approved by a majority of all votes cast for and against it at such election, provided, however, that such act shall not be submitted to the people unless the director of the division of the budget certifies to the secretary of state that such debt can be issued within the state's multi-year financial plan without adversely affecting the funding available for (a) capital projects currently authorized that are deemed

essential to the health and safety of the public, or (b) essential governmental services, and further provided that if such act is not submitted to the people at the general election to be held in November 2020, this act shall expire and be deemed repealed. Upon approval by the people, section one of this act shall take effect immediately. The ballots to be furnished for the use of voters upon submission of this act shall be in the form prescribed by the election law and the proposition or question to be submitted shall be printed thereon in the following form, namely "To address and combat the impact of climate change and damage to the environment, the Environmental Bond Act of 2020 "Restore Mother Nature" authorizes the sale of state bonds up to three billion dollars to fund environmental protection, natural restoration, resiliency, and clean energy projects. Shall the Environmental Bond Act of 2020 be approved?".

PART RR

Section 1. The environmental conservation law is amended by adding a new article 58 to read as follows:

ARTICLE 58
IMPLEMENTATION OF THE ENVIRONMENTAL BOND ACT OF 2020 "RESTORE MOTHER NATURE"

Title 1. General Provisions.
3. Restoration and flood risk reduction.
5. Open space land conservation and recreation.
7. Climate change mitigation.
9. Water quality improvement and resilient infrastructure.
11. Environmental justice and reporting.

TITLE 1
GENERAL PROVISIONS

Section 58-0101. Definitions.
58-0103. Allocation of moneys.
58-0105. Powers and duties.
58-0107. Powers and duties of a municipality.
58-0109. Consistency with federal tax laws.
58-0111. Compliance with other law.

§ 58-0101. Definitions.

As used in this article the following terms shall mean and include:

1. "Bonds" shall mean general obligation bonds issued pursuant to the environmental bond act of 2020 "restore mother nature" in accordance with article VII of the New York state constitution and article five of the state finance law.

2. "Cost" means the expense of an approved project, which shall include but not be limited to appraisal, surveying, planning, engineering and architectural services, plans and specifications, consultant and legal services, site preparation, demolition, construction and other direct expenses incident to such project.

3. "Department" shall mean the department of environmental conservation.

4. "Endangered or threatened species project" means a project to restore, recover, or reintroduce an endangered, threatened, or species of special concern pursuant to a recovery plan or restoration plan prepared and adopted by the department, including but not limited to the state's wildlife action plan.

5. "Environmental justice community" means a minority or low-income community that may bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

6. "Flood risk reduction project" means projects that use nature-based solutions where possible to reduce erosion or flooding, and projects which mitigate or adapt to flood conditions.

7. "Green buildings project" means (i) installing, upgrading, or modifying a renewable energy source at a state-owned building or for the purpose of converting or connecting a state-owned building, or portion thereof, to a renewable energy source; (ii) reducing energy use or improving energy efficiency or occupant health at a state-owned building; (iii) installing a green roof at a state-owned building; and (iv) emission reduction projects.

8. "Municipality" means a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city, town or village, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York state, or any combination thereof.

9. "Nature-based solution" means projects that are supported or inspired by nature or natural processes and functions and that may also offer environmental, economic, and social benefits, while increasing resilience. Nature-based solutions include both green and natural infrastructure.

10. "Open space land conservation project" means purchase of fee title or conservation easements for the purpose of protecting lands or waters and/or providing recreational opportunities for the public that (i) possess ecological, habitat, recreational or scenic values; (ii) protect the quality of a drinking water supply; (iii) provide flood control or flood mitigation values; (iv) constitute a floodplain; (v) provide or have the potential to provide important habitat connectivity; (vi) provide open space for the use and enjoyment of the public; or (vii) provide community gardens in urban areas.

11. "Recreational infrastructure project" means the development or improvement of state and municipal parks, campgrounds, nature centers, fish hatcheries, and infrastructure associated with open space land conservation projects.

12. "State assistance payment" means payment of the state share of the cost of projects authorized by this article to preserve, enhance, restore and improve the quality of the state's environment.

13. "State entity" means any state department, division, agency, office, public authority, or public benefit corporation.

14. "Water quality improvement project" for the purposes of this title, means projects designed to improve the quality of drinking and surface waters.

15. "Wetland and stream restoration project" means activities designed to restore freshwater and tidal wetlands, and streams of the state, for the purpose of enhancing habitat, increasing connectivity, improving water quality, and flood risk reduction.

§ 58-0103. Allocation of moneys.

The moneys received by the state from the sale of bonds pursuant to the environmental bond act of 2020 shall be disbursed in the following amounts pursuant to appropriations as specifically provided for in titles three, five, seven, and nine of this article:

1. Not less than one billion dollars ($1,000,000,000) for restoration and flood risk reduction as set forth in title three of this article.

2. Up to five hundred fifty million dollars ($550,000,000) for open space land conservation and recreation as set forth in title five of this article.

3. Up to seven hundred million dollars ($700,000,000) for climate change mitigation as set forth in title seven of this article.

4. Not less than five hundred fifty million dollars ($550,000,000) for water quality improvement and resilient infrastructure as set forth in title nine of this article.

§ 58-0105. Powers and duties.

In implementing the provisions of this article the department is hereby authorized to:

1. Administer funds generated pursuant to the environmental bond act of 2020 "restore mother nature".

2. In the name of the state, as further provided within this article, contract to make, within the limitations of appropriations available therefor, state assistance payments toward the cost of a project approved, and to be undertaken pursuant to this article.

3. Approve vouchers for the payments pursuant to an approved contract.

4. Enter into contracts with any person, firm, corporation, not-for-profit corporation, agency or other entity, private or governmental, for the purpose of effectuating the provisions of this article.

5. Promulgate such rules and regulations and to develop such forms and procedures necessary to effectuate the provisions of this article, including but not limited to requirements for the form, content, and submission of applications by municipalities for state financial assistance.

6. Delegate to, or cooperate with, any other state entity in the administration of this article.

7. Perform such other and further acts as may be necessary, proper or desirable to carry out the provisions of this article.

§ 58-0107. Powers and duties of a municipality.

A municipality shall have the power and authority to:

1. Undertake and carry out any project for which state assistance payments pursuant to contract are received or are to be received pursuant to this article and maintain and operate such project.

2. Expend money received from the state pursuant to this article for costs incurred in conjunction with the approved project.

3. Apply for and receive moneys from the state for the purpose of accomplishing projects undertaken or to be undertaken pursuant to this article.

4. Perform such other and further acts as may be necessary, proper or desirable to carry out a project or obligation, duty or function related thereto.

§ 58-0109. Consistency with federal tax law.

All actions undertaken pursuant to this article shall be reviewed for consistency with provisions of the federal internal revenue code and regulations thereunder, in accordance with procedures established in connection with the issuance of any tax exempt bonds pursuant to this article, to preserve the tax exempt status of such bonds.

§ 58-0111. Compliance with other law.

Every recipient of funds to be made available pursuant to this article shall comply with all applicable state, federal and local laws.

TITLE 3
RESTORATION AND FLOOD RISK REDUCTION

Section 58-0301. Allocation of moneys.
58-0303.Programs, plans and projects.
§ 58-0301. Allocation of moneys.
Of the moneys received by the state from the sale of bonds pursuant to the environmental bond act of 2020, not less than one billion dollars ($1,000,000,000) shall be available for disbursements for restoration and flood risk reduction projects developed pursuant to section 58-0303 of this title. Not more than two hundred fifty million dollars ($250,000,000) of this amount shall be available for projects pursuant to subdivision two of section 58-0303 of this title and not less than one hundred million dollars ($100,000,000) each shall be available for coastal rehabilitation and shoreline restoration projects and projects which address inland flooding, pursuant to paragraph a of subdivision one of section 58-0303 of this title.
§ 58-0303. Programs, plans and projects.
1. Eligible restoration and flood risk reduction projects include, but are not limited to costs associated with:
a. (1) projects identified in state and regional management and restoration programs and plans including but not limited to the Great Lakes Action Agenda, Mohawk River Basin Action Agenda, Ocean Action Plan, Hudson River Estuary Action Agenda, Long Island Sound Comprehensive Conservation and Management Plan, South Shore Estuary Reserve Comprehensive Management Plan, Peconic Estuary Comprehensive Conservation and Management Plan, Delaware Action Plan, Susquehanna Action Plan, forest management framework for New York City and New York/New Jersey Harbor Estuary Plan;
(2) local waterfront revitalization plans prepared pursuant to article forty-two of the executive law; and
(3) coastal rehabilitation and shoreline restoration projects, including nature-based solutions;
b. flood risk reduction projects including but not limited to: acquisition of real property; moving, lifting or raising of existing flood-prone infrastructure or structures; relocation, repair, or raising of flood-prone or repeatedly flooded roadways; and projects to remove, alter, or right-size dams, bridges, and culverts, but shall not include routine construction or maintenance undertaken by the state and municipalities which does not provide flood risk reduction benefits; and
c. restoration projects including but not limited to: floodplain, wetland and stream restoration projects; forest conservation; endangered and threatened species projects; and habitat restoration projects, including acquisition of fee title and easements, intended to improve the lands and waters of the state of ecological significance or any part thereof, including, but not limited to forests, ponds, bogs, wetlands, bays, sounds, streams, rivers, or lakes and shorelines thereof, to support a spawning, nursery, wintering, migratory, nesting, breeding, feeding, or foraging environment for fish and wildlife and other biota.
2. The commissioner and the commissioner of the division of housing and community renewal are authorized pursuant to paragraph b of subdivision one of this section to purchase private real property identified as at-risk to flooding, from willing sellers. The commissioner of the division of housing and community renewal shall be authorized to transfer to any state agency or public authority any real property in order to carry out the purposes of this article. In connection therewith, the housing trust fund corporation shall be authorized to create a subsidiary corporation to carry out the program authorized under this subdivision. Such subsidiary corporation shall have all the privileges, immunities, tax

exemption and other exemptions of the agency to the extent the same are not inconsistent with this section.

a. The commissioner and the commissioner of the division of housing and community renewal or any other department or state agency that has received funds suballocated pursuant to this section may enter into agreements with municipalities, and not-for-profit corporations for the purpose of implementing a program pursuant to this section.

b. The department and the division of housing and community renewal shall prioritize projects in communities based on past flood risk or those that participate in the federal emergency management agency's (FEMA) community rating system.

c. Any state agency or authority, municipality, or not-for-profit corporation purchasing private real property may expend costs associated with:

(1) the acquisition of real property, based upon the pre-flood fair market value of the subject property;

(2) the demolition and removal of structures and/or infrastructure on the property; and

(3) the restoration of natural resources to facilitate beneficial open space, flood mitigation, and/or shoreline stabilization.

d. Notwithstanding any provision of law to the contrary, any structure which is located on real property purchased pursuant to this program shall be demolished or removed, provided that it does not serve a use or purpose consistent with paragraph f of this subdivision.

e. Notwithstanding any provision of law to the contrary, real property purchased with funding pursuant to this program shall be property of the state, municipality, or a not-for-profit corporation.

f. Notwithstanding any provision of law to the contrary, real property purchased with funding pursuant to this program shall be restored and maintained in perpetuity in a manner that, aims to increase ecosystem function, provide additional flood damage mitigation for surrounding properties, protect wildlife habitat, and wherever practicable and safe, allow for passive and/or recreational community use. Municipal flood mitigation plans, resilience, waterfront revitalization plans or hazard mitigation plans, when applicable, shall be consulted to identify the appropriate restoration and end-use of the property.

g. All or a portion of the appropriation in this section may be provided to the department or the division of housing and community renewal or suballocated to any other department, state agency or state authority.

h. Private real property identified as at-risk to flooding should generally be limited to those: (1) identified as being within the one hundred-year floodplain on the most recent FEMA flood insurance maps; (2) flooded structures that would qualify for buyout under criteria generally applicable to FEMA post-emergency acquisitions; (3) structures identified in a state, federal, local or regional technical study as suitable for the location of a flood risk management or abatement project in areas immediately proximate to inland or coastal waterways; or (4) structures located in coastal or riparian areas that have been determined by a state, federal, local or regional technical study to significantly exacerbate flooding in other locations.

3. The department, the office of parks, recreation, and historic preservation and the department of state are authorized to provide state assistance payments or grants to municipalities and not-for-profit corporations and undertake projects pursuant to paragraph a of subdivision one of this section.

4. The department and the office of parks, recreation, and historic preservation are authorized to provide state assistance payments or grants to municipalities and not-for-profit corporations and undertake projects pursuant to paragraph b of subdivision one of this section. Culvert and bridge projects shall be in compliance with the department's stream crossing guidelines and best management practices, and engineered for structural integrity and appropriate hydraulic capacity including, where available, projects flows based on flood modeling that incorporates climate change projections and shall not include routine construction or maintenance undertaken by the state or municipalities.

5. The department and the office of parks, recreation, and historic preservation are authorized to provide state assistance payments or grants to municipalities and not-for-profit corporations and undertake projects pursuant to paragraph c of subdivision one of this section.

6. Provided that for the purposes of selecting projects for funding under paragraphs b and c of subdivision one of this section, the relevant agencies shall develop eligibility guidelines and post information on the department's website in the environmental notice bulletin providing for a thirty-day public comment period and upon adoption post such eligibility guidelines on the relevant agency's website.

TITLE 5

OPEN SPACE LAND CONSERVATION AND RECREATION

Section 58-0501. Allocation of moneys.
58-0503. Programs, plans and projects.

§ 58-0501. Allocation of moneys.

Of the moneys received by the state from the sale of bonds pursuant to the environmental bond act of 2020 to be used for open space land conservation and recreation projects, up to five hundred fifty million dollars ($550,000,000) shall be available for programs, plans, and projects developed pursuant to section 58-0503 of this title, however, not more than seventy-five million dollars ($75,000,000) shall be made available for the creation of a fish hatchery, or the improvement, expansion, repair or maintenance of existing fish hatcheries, not less than two hundred million dollars ($200,000,000) shall be made available for open space land conservation projects pursuant to paragraph a of subdivision one of section 58-0503 of this title and not less than one hundred million dollars ($100,000,000) shall be made available for farmland protection pursuant to paragraph b of subdivision one of section 58-0503 of this title.

§ 58-0503. Programs, plans and projects.

1. Eligible open space working lands conservation and recreation projects include, but are not limited to:

a. costs associated with open space land conservation projects;

b. costs associated with purchasing conservation easements to protect farmland pursuant to article twenty-five-aaa of the agriculture and markets law; and

c. costs associated with recreational infrastructure projects.

2. The department or the office of parks, recreation and historic preservation are authorized to undertake open space land conservation projects, in cooperation with willing sellers pursuant to subdivision one of this section and may enter into an agreement for purchase of real property or conservation easements on real property by a municipality or a not-for-profit corporation. Any such agreement shall contain such provisions as shall be necessary to ensure that the purchase is consistent with, and in furtherance of, this title and shall be subject to the approval of the comptroller and, as to form, the attorney general. In

undertaking such projects, such commissioners shall consider the state land acquisition plan prepared pursuant to section 49-0207 of this chapter. Further, the department or the office of parks, recreation and historic preservation are authorized to provide state assistance payments to municipalities for eligible projects consistent with paragraphs a and c of subdivision one of this section.

3. The cost of an open space land conservation project shall include the cost of preparing a management plan for the preservation and beneficial public enjoyment of the land acquired pursuant to this section except where such a management plan already exists for the acquired land.

4. The department and the department of agriculture and markets are authorized to provide, pursuant to paragraph b of subdivision one of this section, farmland preservation implementation grants to county agricultural and farmland protection boards pursuant to article twenty-five-aaa of the agriculture and markets law, or to municipalities, soil and water conservation districts or not-for-profit corporations for implementation of projects.

5. The department is authorized to expend moneys to purchase equipment, devices, and other necessary materials and to acquire fee title or conservation easements in lands for monitoring, restoration, recovery, or reintroduction projects for species listed as endangered or threatened or listed as a species of special concern pursuant to section 11-0535 of this chapter.

6. The department or the office of parks, recreation and historic preservation are authorized to expend moneys for the planning, design, and construction of projects to develop and improve parks, campgrounds, nature centers, fish hatcheries, and other recreational facilities.

7. The commissioner and a not-for-profit corporation may enter into a contract for the undertaking by the not-for-profit corporation of an open space land acquisition project.

8. Real property acquired, developed, improved, restored or rehabilitated by or through a municipality pursuant to paragraph a of subdivision one of this section or undertaken by or on behalf of a municipality with funds made available pursuant to this title shall not be sold, leased, exchanged, donated or otherwise disposed of or used for other than public park purposes without the express authority of an act of the legislature, which shall provide for the substitution of other lands of equal environmental value and fair market value and reasonably equivalent usefulness and location to those to be discontinued, sold or disposed of, and such other requirements as shall be approved by the commissioner.

9. Provided that for the purposes of selecting projects for funding under paragraphs a and b of subdivision one of this section, the relevant agencies shall develop eligibility guidelines and post information on the department's website in the environmental notice bulletin providing for a thirty day public comment period and upon adoption post such eligibility guidelines on the relevant agency's website.

TITLE 7
CLIMATE CHANGE MITIGATION

Section 58-0701. Allocation of moneys.
58-0703. Programs, plans and projects.

§ 58-0701. Allocation of moneys.

Of the moneys received by the state from the sale of bonds pursuant to the environmental bond act of 2020, up to seven hundred million dollars ($700,000,000) shall be made available for disbursements for climate

change mitigation projects developed pursuant to section 58-0703 of this title. Not less than three hundred fifty million dollars ($350,000,000) of this amount shall be available for green buildings projects.

§ 58-0703. Programs, plans and projects.

1. Eligible climate change mitigation projects include, but are not limited to:

a. costs associated with green building projects, projects that increase energy efficiency or the use or siting of renewable energy on state-owned buildings or properties including buildings owned by the state university of the state of New York, city university of the state of New York, and community colleges;

b. costs associated with projects that utilize natural and working lands to sequester carbon and mitigate methane emissions from agricultural sources, such as manure storage through cover and methane reduction technologies;

c. costs associated with implementing climate adaptation and mitigation projects pursuant to section 54-1523 of this chapter;

d. costs associated with urban forestry projects such as forest and habitat restoration, for purchase and planting of street trees and for projects to expand the existing tree canopy and bolster community health;

e. costs associated with projects that reduce urban heat island effect, such as installation of green roofs, open space protection, community gardens, cool pavement projects, projects that create or upgrade community cooling centers, and the installation of reflective roofs where installation of green roofs is not possible;

f. costs associated with projects to reduce or eliminate air pollution from stationary or mobile sources of air pollution affecting an environmental justice community; and

g. costs associated with projects which would reduce or eliminate water pollution, whether from point or non-point discharges, affecting an environmental justice community.

2. The department, the department of agriculture and markets, the office of parks, recreation and historic preservation, the New York state energy research and development authority and the office of general services are authorized to provide state assistance payments or grants to municipalities and not-for-profit corporations or undertake projects pursuant to this section.

3. Provided that for the purposes of selecting projects for funding under this section, the relevant agencies shall develop eligibility guidelines and post information on the department's website in the environmental notice bulletin providing for a thirty-day public comment period and upon adoption post such eligibility guidelines on the relevant agency's website.

TITLE 9

WATER QUALITY IMPROVEMENT AND RESILIENT INFRASTRUCTURE

Section 58-0901. Allocation of moneys.

58-0903. Programs, plans and projects.

§ 58-0901. Allocation of moneys.

Of the moneys received by the state from the sale of bonds pursuant to the environmental bond act of 2020 for disbursements for state assistance for water quality improvement projects as defined by title one of this article, not less than five hundred fifty million dollars ($550,000,000) shall be available for water quality improvement projects developed pursuant to section 58-0903 of this title. Not less than two hundred million dollars ($200,000,000) of this amount shall be available

for wastewater infrastructure projects undertaken pursuant to the New York state water infrastructure improvement act of 2017 pursuant to paragraph e of subdivision one of section 58-0903 of this title, and not less than one hundred million dollars ($100,000,000) shall be available for municipal stormwater projects pursuant to paragraph a of subdivision one of section 58-0903 of this title.

§ 58-0903. Programs, plans and projects.

1. Eligible water quality improvement project costs include, but are not limited to:

a. costs associated with grants to municipalities for projects that reduce or control storm water runoff, using green infrastructure where practicable;

b. costs associated with projects that reduce agricultural nutrient runoff and promote soil health such as projects which implement comprehensive nutrient management plans, other agricultural nutrient management projects, and non-point source abatement and control programs including projects developed pursuant to sections eleven-a and eleven-b of the soil and water conservation districts;

c. costs associated with projects that address harmful algal blooms such as abatement projects and projects focused on addressing nutrient reduction in freshwater and marine waters, wastewater infrastructure systems that treat nitrogen and phosphorus, and lake treatment systems;

d. costs associated with wastewater infrastructure projects including but not limited to extending or establishing sewer lines to replace failing septic systems or cesspools and projects as provided by section twelve hundred eighty-five-u of the public authorities law;

e. costs associated with projects to reduce, avoid or eliminate point and non-point source discharges to water including projects authorized by the New York state water improvement infrastructure act of 2017 and section twelve hundred eighty-five-s of the public authorities law;

f. costs associated with the establishment of riparian buffers to provide distance between farm fields and streams or abate erosion during high flow events; and

g. costs associated with lead service line replacement pursuant to section eleven hundred fourteen of the public health law.

2. The department and the New York state environmental facilities corporation are authorized to provide state assistance payments or grants to municipalities for projects authorized pursuant to paragraphs a, b, and d of subdivision one of this section.

3. The department of agriculture and markets shall be authorized to make state assistance payments to soil and water conservation districts for the cost of implementing agricultural environmental management plans, including purchase of equipment for measuring and monitoring soil health and soil conditions.

4. The department is authorized to make grants available to not-for-profits and academic institutions for paragraphs b, c, and f of subdivision one of this section, and make state assistance payments to municipalities and undertake projects pursuant to this section.

5. Provided that for the purposes of selecting projects for funding of this section, the relevant agencies shall develop eligibility guidelines and post information on the department's website in the environmental notice bulletin providing for a thirty-day public comment period and upon adoption post such eligibility guidelines on the relevant agency's website.

TITLE 11
ENVIRONMENTAL JUSTICE AND REPORTING

Section 58-1101. Benefits of funds.
58-1103. Reporting.
§ 58-1101. Benefits of funds.
The department shall make every effort practicable to ensure that thirty-five percent of the funds pursuant to this article benefit environmental justice communities.
§ 58-1103. Reporting.
1. No later than sixty days following the end of each fiscal year, each department, agency, public benefit corporation, and public authority receiving an allocation or allocations of appropriation financed from the restore mother nature environmental bond act of 2020 shall submit to the commissioner in a manner and form prescribed by the department, the following information as of March thirty-first of such fiscal year, within each category listed in this title: the total appropriation; total commitments; year-to-date disbursements; remaining uncommitted balances; and a description of each project.
2. No later than one hundred twenty days following the end of each fiscal year, the department shall submit to the governor, the temporary president of the senate, and the speaker of the assembly a report that includes the information received. A copy of the report shall be posted on the department's website.

§ 2. The state finance law is amended by adding a new section 97-tttt to read as follows:

§ 97-tttt. Restore mother nature bond fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a special fund to be known as the "restore mother nature bond fund".
2. The state comptroller shall deposit into the restore mother nature bond fund all moneys received by the state from the sale of bonds and/or notes for uses eligible pursuant to section four of the environmental bond act of 2020 "restore mother nature".
3. Moneys in the restore mother nature bond fund, following appropriation by the legislature and allocation by the director of the budget, shall be available only for reimbursement of expenditures made from appropriations from the capital projects fund for the purpose of the restore mother nature bond fund, as set forth in the environmental bond act of 2020 "restore mother nature".
4. No moneys received by the state from the sale of bonds and/or notes sold pursuant to the environmental bond act of 2020 "restore mother nature" shall be expended for any project until funds therefor have been allocated pursuant to the provisions of this section and copies of the appropriate certificates of approval filed with the chair of the senate finance committee, the chair of the assembly ways and means committee and the state comptroller.

§ 3. Section 61 of the state finance law is amended by adding a new subdivision 32 to read as follows:

32. Thirty years. For the payment of "restore mother nature" projects, as defined in article fifty-eight of the environmental conservation law and undertaken pursuant to a chapter of the laws of two thousand twenty, enacting and constituting the environmental bond act of 2020 "restore mother nature". Thirty years for flood control infrastructure, other environmental infrastructure, wetland and other habitat restoration, water quality projects, acquisition of land, including acquisition of real property, and renewable energy projects. Notwithstanding the foregoing, for the purposes of calculating annual debt service, the state comptroller shall apply a weighted average period of probable life of

restore mother nature projects, including any other works or purposes to be financed with state debt. Weighted average period of probable life shall be determined by computing the sum of the products derived from multiplying the dollar value of the portion of the debt contracted for each work or purpose (or class of works or purposes) by the probable life of such work or purpose (or class of works or purposes) and dividing the resulting sum by the dollar value of the entire debt after taking into consideration any original issue premium or discount.

§ 4. If any clause, sentence, paragraph, 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, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 5. This act shall take effect only in the event that section 1 of part QQ of the chapter of the laws of 2020 enacting the environmental bond act of 2020 "restore mother nature" is submitted to the people at the general election to be held in November 2020 and is approved by a majority of all votes cast for and against it at such election. Upon such approval, this act shall take effect immediately; provided that the commissioner of environmental conservation shall notify the legislative bill drafting commission upon the occurrence of the enactment of section 1 of part QQ of the chapter of the laws of 2020 enacting the environmental bond act of 2020 "restore mother nature", in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the implementation of the foregoing sections of this act are authorized and directed to be made and completed on or before such effective date.

PART SS

Intentionally Omitted

PART TT

Intentionally Omitted

PART UU

Section 1. This act enacts into law components of legislation which are necessary to implement legislation relating to the Bay Park Conveyance Project. Each component is wholly contained within a Subpart identified as Subparts A through C. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes 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 Subpart in which it is found. Section three of this act sets forth the general effective date of this act.

SUBPART A

Section 1. Subject to the provisions of this act, the county of Nassau, acting by and through the county legislature of such county, is hereby authorized to (a) discontinue permanently the use as parkland the subsurface lands described in sections four, five, seven, eight, ten and eleven of this act and establish permanent easements on such lands for the purpose of constructing, operating, maintaining and repairing a subsurface sewer main, and (b) discontinue temporarily the use as parkland the lands described in sections three, six and nine of this act and establish temporary easements on such lands for the purpose of constructing a subsurface sewer main. Authorization for the temporary easements described in sections three, six, and nine of this act shall cease upon the completion of the construction of such sewer main, at which time the department of environmental conservation shall restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the establishment of such temporary easements. Authorization for the permanent easements described in sections four, five, seven, eight, ten and eleven of this act shall require that the department of environmental conservation restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the establishment of the permanent easements.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the county of Nassau dedicate an amount equal to or greater than the fair market value of the parklands being discontinued to the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. TEMPORARY EASEMENT - Force main shaft construction area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Bay Park, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: beginning at a point on the northerly line of the Nassau County Sewage Treatment Plant property, said Point of Beginning being South 68°00' East, as measured along northerly line of said sewage treatment plant, 543 feet plus or minus, from the intersection of the northerly line Nassau County Sewage Treatment Plant with the westerly side of Compton Street; running thence South 68°00' East, along the northerly line of said sewage treatment plant, 247 feet plus or minus; thence South 07°04' West 196 feet plus or minus; thence North 78°37' West 33 feet plus or minus; thence North 06°10' East 105 feet plus or minus; thence North 30°53' West 56 feet plus or minus; thence North 64°27' West 190 feet plus or minus; thence North 20°21' East 49 feet plus or minus, to the northerly line of the Nassau County Sewage Treatment Plant, at the Point of Beginning. Containing within said bounds 19,700 square feet plus or minus. The above described temporary easement is for the construction of a thirty-foot diameter access shaft. The location of said access shaft is more particularly described in section four of this act. Said parcel being part of property designated as Section: 42 Block: A Lots: 50, 57 on the Nassau County Land and Tax Map.

§ 4. PERMANENT SUBSURFACE EASEMENT - Access shaft. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Bay Park, Town of Hemp-

stead, County of Nassau and State of New York being more particularly bounded and described as follows: a circular easement with a radius of 15 feet, the center of said circle being the following three (3) courses from the intersection of the northerly line of the Nassau County Sewage Treatment Plant with the westerly side of Compton Street: running thence South 68°00' East, along the northerly line of said sewage treatment plant, 581 feet plus or minus to the centerline of the permanent easement for a force main described in section five of this act; thence South 21°34' West, along said centerline, 17 feet plus or minus; thence South 14°28' West, continuing along said centerline, 1,439 feet plus or minus, to the center of the herein described circular easement. Containing within said bound 707 square feet plus or minus. Said permanent easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. Any permanent surface improvements for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 42 Block: A Lots: 50, 57 on the Nassau County Land and Tax Map.

§ 5. PERMANENT SUBSURFACE EASEMENT - Force main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Bay Park, Town of Hempstead, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: beginning at a point on the northerly line of the Nassau County Sewage Treatment Plant property, said Point of Beginning being South 68°00' East, as measured along northerly line of said sewage treatment plant, 571 feet plus or minus, from the intersection of the northerly line Nassau County Sewage Treatment Plant with the westerly side of Compton Street; running thence South 68°00' East, along the northerly line of said sewage treatment plant, 20 feet plus or minus; thence South 21°34' West 17 feet plus or minus; thence South 14°28' West 1,463 feet plus or minus; thence North 75°32' West 20 feet plus or minus; thence North 14°28' East 1,464 feet plus or minus; thence North 21°34' East 18 feet plus or minus, to the northerly line of the Nassau County Sewage Treatment Plant, at the Point of Beginning. Containing within said bounds 29,600 square feet. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 42 Block: A Lots: 50, 57 on the Nassau County Land and Tax Map.

§ 6. TEMPORARY EASEMENT - Force main shaft construction area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: beginning at a point on the northwesterly line of the herein described temporary easement for the force main shaft construction area, said Point of Beginning being more particularly described as commencing at the intersection of the southerly side of Sunrise Highway Street with the southeasterly side of Lakeview Road; running thence southerly along the southeasterly side of Lakeview Road 243 feet plus or minus, to the centerline of the permanent subsurface easement for force main described in section eight of this

act; thence South 60°06' East, along said centerline, 25 feet plus or minus, to the northwesterly line of the temporary easement for the force main shaft construction area, at the Point of Beginning. Running thence North 39°06' East 111 feet plus or minus; thence South 55°47' East 70 feet plus or minus; thence South 38°42' West 240 feet plus or minus; thence North 54°11' West 72 feet plus or minus; thence North 39°06' East 127 feet plus or minus, to the Point of Beginning. Containing within said bounds 16,900 square feet plus or minus. The above described temporary easement is for the construction of a thirty-foot diameter access shaft. The location of said access shaft is more particularly described in section seven of this act. Said parcel being part of property designated as Section: 56 Block: Y Lot: 259 on the Nassau County Land and Tax Map.

§ 7. PERMANENT SUBSURFACE EASEMENT - Access shaft. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: a circular easement with a radius of 15 feet, the center of said circle being the following two (2) courses from the intersection of the southerly side of Sunrise Highway with the southeasterly side of Lakeview Road: Southerly along the southeasterly side of Lakeview Road 243 feet plus or minus, to the centerline of the permanent subsurface easement for force main, described in section eight of this act; South 60°06' East, along said centerline, 51 feet plus or minus, to the center of the herein described circular easement. Containing within said bounds a surface area of 707 square feet plus or minus. Said permanent easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. Any permanent surface improvements for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 56 Block: Y Lot: 259 on the Nassau County Land and Tax Map.

§ 8. PERMANENT SUBSURFACE EASEMENT - Force main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: beginning at a point on the southeasterly side of Lakeview Road, said Point of Beginning being southwesterly 222 feet plus or minus, as measured along the southeasterly side of Lakeview Road from the intersection of the southerly side of Sunrise Highway with the southeasterly side of Lakeview Road; thence South 60°06' East 49 feet plus or minus; thence South 32°15' East 1,759 feet plus or minus; thence South 16°16' West 53 feet plus or minus; thence North 32°15' West 1,785 feet plus or minus; thence North 60°06' West 53 feet plus or minus, to the southeasterly side of Lakeview Road; thence North 48°13' East, along the southeasterly side of Lakeview Road, 42 feet plus or minus, to the Point of Beginning. Containing within said bounds 72,900 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 56 Block: Y Lots: 259 on the Nassau County Land and Tax Map.

§ 9. TEMPORARY EASEMENT - Force main shaft construction area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: beginning at a point on the northerly line of the herein described temporary easement for the force main shaft construction area, said Point of Beginning being more particularly described as commencing at the intersection of the southerly side of Byron Street with the easterly side of Wantagh Parkway; running thence southerly along the easterly side of Wantagh Parkway 319 feet plus or minus, to the centerline of the permanent subsurface easement for force main, described in section eleven of this act; thence South 19°15' East, along said centerline, 257 feet plus or minus, to the northerly line of the temporary easement for the force main shaft construction area, at the Point of Beginning. Running thence North 87°25' East 122 feet plus or minus; thence south 33°56' East 68 feet plus or minus; thence South 04°43' East 54 feet plus or minus; thence South 86°38' West 78 feet plus or minus; thence South 02°20' East 83 feet plus or minus; thence South 47°04' West 103 feet plus or minus; thence South 86°22' West 28 feet plus or minus; thence North 08°39' West 264 feet plus or minus; thence North 87°25' East 53 feet plus or minus, to the Point of Beginning. Containing within said bounds 36,500 square feet plus or minus. The above described temporary easement is for the construction of a thirty-foot diameter access shaft. The location of said access shaft is more particularly described in section ten of this act. Said parcel being part of property designated as Section: 63 Block: 261 Lots: 765G, 818A (Part of Cedar Creek Park) on the Nassau County Land and Tax Map.

§ 10. PERMANENT SUBSURFACE EASEMENT - Access shaft. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: a circular easement with a radius of 15 feet, the center of said circle being the following two (2) courses from the intersection of the southerly side of Byron Street with the easterly side of Wantagh Parkway: Southerly along the easterly side of Wantagh Parkway 319 feet plus or minus, to the centerline of the permanent subsurface easement for force main, described in section eleven of this act; thence South 19°15' East, along said centerline, 315 feet plus or minus, to the center of the herein described circular easement. Containing within said bounds a surface area of 707 square feet plus or minus. Said permanent easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. Any permanent surface improvements for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 63 Block: 261 Lots: 765G, 818A (Part of Cedar Creek Park) on the Nassau County Land and Tax Map.

§ 11. PERMANENT SUBSURFACE EASEMENT - Force main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon

erected, situate, lying and being located at the Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: beginning at a point on the easterly side of Wantagh Parkway, said Point of Beginning being southerly 285 feet plus or minus, as measured along the easterly side of Wantagh Parkway from the intersection of the southerly side of Byron Street with the easterly side of Wantagh Parkway; running thence South 19°15' East 349 feet plus or minus; thence South 02°17' East 1,882 feet plus or minus; thence South 09°25' East 1,202 feet plus or minus; thence South 80°35' West 20 feet plus or minus; thence North 09°25' West 1,203 feet plus or minus; thence North 02°17' West 1,880 feet plus or minus; thence North 19°15' West 281 feet plus or minus, to the easterly side of Wantagh Parkway; thence North 02°09' West, along the easterly side of Wantagh Parkway, 68 feet plus or minus, to the Point of Beginning. Containing within said bounds 68,000 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 63 Block: 261 Lots: 765G, 818A (Part of Cedar Creek Park) on the Nassau County Land and Tax Map.

§ 12. Should the lands described in sections four, five, seven, eight, ten and eleven of this act cease to be used for the purposes described in section one of this act, the permanent easements established pursuant to section one of this act shall cease and such lands shall be restored and dedicated as parklands.

§ 13. In the event that the county of Nassau received any funding support or assistance from the federal government for the purchase, maintenance, or improvement of the parklands set forth in sections three through eleven of this act, the discontinuance and alienation of such parklands authorized by the provisions of this act shall not occur until the county of Nassau has complied with any applicable federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 14. This act shall take effect immediately.

SUBPART B

Section 1. Subject to the provisions of this act, the village of East Rockaway, in the county of Nassau, acting by and through the village board of such village, is hereby authorized to (a) discontinue permanently the use as parkland the subsurface lands described in sections four and five of this act and to grant permanent easements on such lands to the State of New York or county of Nassau for the purpose of constructing, operating, maintaining and repairing a subsurface sewer main, and (b) discontinue temporarily the use as parkland the lands described in section three of this act and grant temporary easements on such lands to the county of Nassau for the purpose of constructing a subsurface sewer main. Authorization for the temporary easement described in section three of this act shall cease upon the completion of the construction of the sewer main, at which time the department of environmental conservation shall restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes

as they were prior to the grant of the temporary easement. Authorization for the permanent easements described in sections four and five of this act shall require that the department of environmental conservation restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the establishment of the permanent easements.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the village of East Rockaway dedicate an amount equal to or greater than the fair market value of the parklands being discontinued to the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. TEMPORARY EASEMENT - Force Main Shaft Construction Area. Parkland upon and under which a temporary easement may be granted pursuant to subdivision (b) of section one of this act is described as follows: all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of East Rockaway, and the Hamlet of Oceanside, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: beginning at a point on the westerly line of the herein described temporary easement for the force main shaft construction area, said Point of Beginning being more particularly described as commencing at the intersection of the northeasterly side of Long Island Railroad right-of-way with the easterly side of Ocean Avenue; running thence North 12°34' East, along the easterly side of Ocean Avenue, 92 feet plus or minus, to the northerly line of property designated as Section 38 Block E Lot 14, on the Nassau County Land and Tax Map; thence South 74°46' East, partly along said northerly line, 206 feet plus or minus, to the westerly line of the temporary easement, at the Point of Beginning. Running thence North 15°34' East 49 feet plus or minus; thence South 67°33' East 238 feet plus or minus; thence South 07°07' West 31 feet plus or minus; thence South 86°06' West 161 feet plus or minus; thence South 64°59' West 117 feet plus or minus; thence North 15°34' East 140 feet plus or minus, to the Point of Beginning. Containing within said bounds 23,000 square feet plus or minus. The above described temporary easement is for the construction of a thirty-foot diameter access shaft. The location of said access shaft is more particularly described in section four of this act. Said parcel being part of property designated as Section: 38, Block: E, Lots: 12, 14, 21A, 21B on the Nassau County Land and Tax Map.

§ 4. PERMANENT SUBSURFACE EASEMENT - Access Shaft. Parkland upon and under which a permanent easement may be granted pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of East Rockaway, and the Hamlet of Oceanside, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: a circular easement with a radius of 15 feet, the center of said circle being the following three (3) courses from the intersection of the northeasterly side of Long Island Railroad right-of-way with the easterly side of Ocean Avenue; North 12°34' East, along the easterly side of Ocean Avenue, 92 feet plus or minus, to the northerly line of property designated as Section 38 Block E Lot 14 on the Nassau County Land and Tax Map; South 74°46' East, partly along the said northerly line, 333 feet plus or minus, to the centerline of the subsurface easement for force main described in section five of this act; thence South 19°04' West, along said centerline, 16 feet plus or minus, to the center

of the herein described circular easement. Containing within said bounds a surface area of 707 square feet plus or minus. Said permanent easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. Any permanent surface improvements for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 38, Block: E, Lots: 12, 14, 21A, 21B on the Nassau County Land and Tax Map.

§ 5. PERMANENT SUBSURFACE EASEMENT - Force Main. Parkland upon and under which a permanent easement may be granted pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of East Rockaway, and the Hamlet of Oceanside, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: beginning at a point on the westerly line of the herein described permanent subsurface easement, said Point of Beginning being more particularly described as commencing at the intersection of the northeasterly side of Long Island Railroad right-of-way with the easterly side of Ocean Avenue; running thence North 12°34' East, along the easterly side of Ocean Avenue, 92 feet plus or minus, to the northerly line of property designated as Section 38 Block E Lot 14 on the Nassau County Land and Tax Map; thence South 74°46' East, partly along the said northerly line, 323 feet plus or minus, to the westerly line of the permanent easement, at the Point of Beginning. Running thence North 19°04' East 73 feet plus or minus, to the northerly line of property designated as Section 38 Block E Lot 21A on the Nassau County Land and Tax Map; thence South 60°10' East, along said northerly line, 20 feet plus or minus; thence South 19°04' West 82 feet plus or minus; thence South 15°40' East 116 feet plus or minus, to the south line of property designated as Section 38 Block E Lot 21A on the Nassau County Land and Tax Map; thence North 88°09' West 21 feet plus or minus; thence North 15°40' West 116 feet plus or minus; thence North 19°04' East 19 feet plus or minus, to the Point of Beginning. Containing within said bounds 4,100 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 38, Block: E, Lots: 12, 14, 21A, 21B on the Nassau County Land and Tax Map.

§ 6. Should the lands described in sections four and five of this act cease to be used for the purposes described in section one of this act, the permanent easements established pursuant to section one of this act shall cease and such lands shall be restored and dedicated as parklands.

§ 7. In the event that the village of East Rockaway received any funding support or assistance from the federal government for the purchase, maintenance, or improvement of the parklands set forth in sections three through five of this act, the discontinuance and alienation of such parklands authorized by the provisions of this act shall not occur until the village of East Rockaway has complied with any applicable federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 8. This act shall take effect immediately.

SUBPART C

Section 1. Subject to the provisions of this act, the village of Rockville Centre, in the county of Nassau, acting by and through the village board of such village, is hereby authorized to (a) discontinue permanently the use as parkland the subsurface lands described in sections three, four and six of this act and to grant permanent easements on such lands to the State of New York or county of Nassau for the purpose of constructing, operating, maintaining and repairing a subsurface sewer main, and (b) discontinue temporarily the use as parkland the lands described in sections five and seven of this act and grant temporary easements on such lands to the county of Nassau for the purpose of constructing a subsurface sewer main. Authorization for the temporary easements described in sections five and seven of this act shall cease upon the completion of the construction of the sewer main, at which time the department of environmental conservation shall restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the grant of the temporary easements. Authorization for the permanent easements described in sections three, four and six of this act shall require that the department of environmental conservation restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the establishment of the permanent easements.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the village of Rockville Centre dedicate an amount equal to or greater than the fair market value of the parklands being discontinued to the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. PERMANENT SUBSURFACE EASEMENT - Force Main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of East Rockaway, and the Incorporated Village of Rockville Centre, Town of Hempstead, County of Nassau and State of New York, being a 20-foot wide strip of land more particularly bounded and described as follows: the Point of Beginning being at the intersection of the northerly side of Mill River Avenue with the easterly side of Riverside Road; running thence northerly along the easterly side of Riverside Road 346 feet plus or minus; thence South 13°01' West 346 feet plus or minus, to the northerly side of Mill River Avenue; thence westerly along the northerly side of Mill River Avenue, 17 feet plus or minus, to the easterly side of Riverside Road, at the Point of Beginning. Containing within said bounds 3,100 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 38 Block: 136 Lots: 231 on the Nassau County Land and Tax Map.

§ 4. PERMANENT SUBSURFACE EASEMENT - Access Shaft. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of Rockville Centre, Incorporated Village of East Rockaway, and Incorporated Village of Lynbrook, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as a circular

easement with a radius of 15 feet, the center of said circle being the following two (2) courses from the intersection of the northerly side of Park Avenue with the easterly side of Oxford Road: Easterly along the northerly side of Park Avenue, 203 feet plus or minus, to the centerline of the permanent subsurface easement for force main described in section six of this act; North 13°01' East, along said centerline, 953 feet plus or minus, to the center of the herein described circular easement. Containing within said bounds a surface area of 707 square feet plus or minus. Said permanent easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. Any permanent surface improvements for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 38 Block: F Lots: 39-42, 50C, 50F and Section: 38, Block: T, Lots: 50A, 50B, 50C on the Nassau County Land and Tax Map.

§ 5. TEMPORARY EASEMENT - Force Main Shaft Construction Area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of Rockville Centre, Incorporated Village of East Rockaway, and Incorporated Village of Lynbrook, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: Beginning at a point on the southerly side of the herein described temporary easement for the force main shaft construction area, said Point of Beginning being more particularly described as commencing at the intersection of the northerly side of Park Avenue with the easterly side of Oxford Road; running thence easterly along the northerly side of Park Avenue, 203 feet plus or minus, to the centerline of the permanent subsurface easement for force main described in section six of this act; thence North 13°01' East, along said centerline, 920 feet plus or minus, to the southerly line of the temporary easement, at the Point of Beginning. Running thence North 76°19' West 136 feet plus or minus, to the easterly terminus of Merton Avenue (unopened); thence North 76°19' West, through the unopened part of Merton Avenue, 48 feet plus or minus; thence North 14°49' East 5' feet plus or minus, to the northerly side of Merton Avenue; thence North 14°49' East 27' feet plus or minus; thence South 76°29' East 66 feet plus or minus; thence North 36°47' East 61 feet plus or minus; thence North 78°41' East 145 feet plus or minus; thence South 65°54' East 46 feet plus or minus; thence South 29°39' West 147 feet plus or minus; thence North 76°19' West 42 feet plus or minus, to the Point of Beginning. Containing within said bounds 22,800 square feet plus or minus. The above described temporary easement is for the construction of a thirty-foot diameter access shaft. The location of said access shaft is more particularly described in section four of this act. Said parcel being part of property designated as Section: 38 Block: F Lots: 39-42, 50C, 50F and Section: 38, Block: T, Lots: 50A, 50B, 50C on the Nassau County Land and Tax Map.

§ 6. PERMANENT SUBSURFACE EASEMENT - Force Main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of Rockville Centre, Incorporated Village of East Rockaway, and Incorporated Village of Lynbrook, Town of Hempstead, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded

and described as follows: beginning at a point on the northerly side of Park Avenue, said Point of Beginning 193 feet plus or minus easterly, as measured along the northerly side of Park Avenue from the intersection of the northerly side of Park Avenue with the easterly side of Oxford Road; running thence North 13°01' East 956 feet plus or minus; thence North 44°00' East 446 feet plus or minus, to the northeasterly line of property designated as Section 38 Block F Lot 50F, on the Nassau County Land and Tax Map; thence South 53°10' East, along said northeasterly line, 20 feet plus or minus; thence South 44°00' West 443 feet plus or minus; thence South 13°01' West 950 feet plus or minus, to the northerly side of Park Avenue; thence North 79°36' West, along said northerly side, 20 feet plus or minus to the Point of Beginning; containing within said bounds 28,000 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 38 Block: F Lots: 39-42, 50C, 50F and Section: 38, Block: T, Lots: 50A, 50B, 50C on the Nassau County Land and Tax Map.

§ 7. TEMPORARY EASEMENT - Force Main Shaft Construction Area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of Rockville Centre, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: beginning at a point on the northerly side of Sunrise Highway (New York State Route 27A), said Point of Beginning being distant 254 feet plus or minus westerly as measured along the northerly side of Sunrise Highway from the intersection of the northerly side of Sunrise Highway with the westerly side of Forest Avenue; running thence North 86°15' West, along the northerly side of Sunrise Highway, 175 feet plus or minus; thence South 68°26' West, continuing along the northerly side of Sunrise Highway, 111 feet plus or minus; thence North 14°47' West 162 feet plus or minus, to the southerly side of the Long Island Rail Road right-of-way; thence South 86°59' East, along the southerly side of the Long Island Rail Road, 479 feet plus or minus; thence South 01°59' West 75 feet plus or minus, to the northerly side of the travelled way of Sunrise Highway, then 160 feet plus or minus along the arc or a circular curve to the left that has a radius of 850 feet and a chord that bears South 80°03' West 160 feet plus or minus to the Point of Beginning. Containing within said bounds 50,300 square feet plus or minus. The above described temporary easement is necessary for the construction of temporary access to the aqueduct below Sunrise Highway area. Said parcel being part of property designated as Section: 38 Block: 291 Lot: 17 on the Nassau County Land and Tax Map.

§ 8. Should the lands described in sections three, four and six of this act cease to be used for the purposes described in section one of this act, the permanent easements established pursuant to section one of this act shall cease and such lands shall be restored and dedicated as parklands.

§ 9. In the event that the village of Rockville Centre received any funding support or assistance from the federal government for the purchase, maintenance, or improvement of the parklands set forth in sections three through seven of this act, the discontinuance and alienation of such parklands authorized by the provisions of this act shall not occur until the village of Rockville Centre has complied with any

applicable federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 10. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, subpart or part of this act shall be adjudged by a 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, subpart or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

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

PART VV

Intentionally Omitted

PART WW

Section 1. Subdivision 3 of section 23-0501 of the environmental conservation law is renumbered subdivision 4 and a new subdivision 3 is added to read as follows:

3. (a) No permits shall be issued authorizing an applicant to drill, deepen, plug back, or convert wells that use high-volume hydraulic fracturing to complete or recomplete natural gas or oil resources. For purposes of this section, high-volume hydraulic fracturing shall be defined as the stimulation of a well using three hundred thousand or more gallons of water as the base fluid for hydraulic fracturing for all stages in a well completion, regardless of whether the well is vertical or directional, including horizontal.

(b) There shall be a moratorium on the department taking actions on applications filed after the effective date of the chapter of the laws of 2020 which added this subdivision to drill, deepen, plug back, or convert wells that use gelled propane hydraulic fracturing to complete or recomplete natural gas or oil resources until the department completes an analysis of the potential impacts of gelled propane fracturing and makes the analysis publicly available. The scope of the department's analysis shall reflect the potential for development of oil and gas wells using gelled propane hydraulic fracturing and shall disclose the potential adverse impacts to the environment. For purposes of this section, gelled propane hydraulic fracturing shall be defined as the stimulation of a well using gelled propane or liquefied petroleum gas as the base fluid for hydraulic fracturing for all stages in a well completion, regardless of whether the well is vertical or directional, including horizontal.

§ 2. This act shall take effect immediately.

PART XX

Section 1. The vehicle and traffic law is amended by adding a new section 102-c to read as follows:

§ 102-c. Bicycle with electric assist. A bicycle which is no more than thirty-six inches wide and has an electric motor of less than seven hundred fifty watts, equipped with operable pedals, meeting the equipment and manufacturing requirements for bicycles adopted by the Consumer Product Safety Commission under 16 C.F.R. Part 1512.1 et seq. and meeting the requirements of one of the following three classes:

(a) "Class one bicycle with electric assist." A bicycle with electric assist having an electric motor that provides assistance only when the person operating such bicycle is pedaling, and that ceases to provide assistance when such bicycle reaches a speed of twenty miles per hour.

(b) "Class two bicycle with electric assist." A bicycle with electric assist having an electric motor that may be used exclusively to propel such bicycle, and that is not capable of providing assistance when such bicycle reaches a speed of twenty miles per hour.

(c) "Class three bicycle with electric assist." Solely within a city having a population of one million or more, a bicycle with electric assist having an electric motor that may be used exclusively to propel such bicycle, and that is not capable of providing assistance when such bicycle reaches a speed of twenty-five miles per hour.

§ 2. The vehicle and traffic law is amended by adding a new section 114-e to read as follows:

§ 114-e. Electric scooter. Every device weighing less than one hundred pounds that (a) has handlebars, a floorboard or a seat that can be stood or sat upon by the operator, and an electric motor, (b) can be powered by the electric motor and/or human power, and (c) has a maximum speed of no more than twenty miles per hour on a paved level surface when powered solely by the electric motor.

§ 3. Section 125 of the vehicle and traffic law, as amended by chapter 365 of the laws of 2008, is amended to read as follows:

§ 125. Motor vehicles. Every vehicle operated or driven upon a public highway which is propelled by any power other than muscular power, except (a) electrically-driven mobility assistance devices operated or driven by a person with a disability, (a-1) electric personal assistive mobility devices operated outside a city with a population of one million or more, (b) vehicles which run only upon rails or tracks, (c) snowmobiles as defined in article forty-seven of this chapter, [~~and~~] (d) all terrain vehicles as defined in article forty-eight-B of this chapter**, (e) bicycles with electric assist as defined in section one hundred two-c of this article, and (f) electric scooters as defined in section one hundred fourteen-e of this article**. For the purposes of title four of this chapter, the term motor vehicle shall exclude fire and police vehicles other than ambulances. For the purposes of titles four and five of this chapter the term motor vehicles shall exclude farm type tractors and all terrain type vehicles used exclusively for agricultural purposes, or for snow plowing, other than for hire, farm equipment, including self-propelled machines used exclusively in growing, harvesting or handling farm produce, and self-propelled caterpillar or crawler-type equipment while being operated on the contract site.

§ 4. The section heading of section 1238 of the vehicle and traffic law, as amended by chapter 267 of the laws of 1993, is amended to read as follows:

Passengers on bicycles under one year of age prohibited; passengers and operators under fourteen years of age to wear protective headgear**;**

operators of class three bicycles with electric assist to wear protective headgear.

§ 5. Section 1238 of the vehicle and traffic law is amended by adding a new subdivision 5-c to read as follows:

5-c. No person shall ride upon, propel or otherwise operate a class three bicycle with electric assist unless such person is wearing a helmet meeting standards established by the commissioner. For the purposes of this subdivision, wearing a helmet means having a properly fitting helmet fixed securely on the head of such wearer with the helmet straps securely fastened.

§ 6. Subdivision 6 of section 1238 of the vehicle and traffic law, as added by chapter 267 of the laws of 1993, paragraph (a) as amended by chapter 402 of the laws of 2001 and paragraph (c) as amended by chapter 703 of the laws of 2004, is amended to read as follows:

6. (a) Any person who violates the provisions of subdivision five, five-a [~~or~~], five-b or five-c of this section shall pay a civil fine not to exceed fifty dollars.

(b) The court shall waive any fine for which a person who violates the provisions of subdivision five or subdivision five-c of this section would be liable if such person supplies the court with proof that between the date of violation and the appearance date for such violation such person purchased or rented a helmet.

(c) The court may waive any fine for which a person who violates the provisions of subdivision five, five-a, [~~or~~] five-b, or five-c of this section would be liable if the court finds that due to reasons of economic hardship such person was unable to purchase a helmet or due to such economic hardship such person was unable to obtain a helmet from the statewide in-line skate and bicycle helmet distribution program, as established in section two hundred six of the public health law, or a local distribution program. Such waiver of a fine shall not apply to a second or subsequent violation of subdivision five-c of this section.

§ 7. Subdivision 8 of section 1238 of the vehicle and traffic law, as amended by chapter 694 of the laws of 1995, is amended to read as follows:

8. (a) A police officer shall only issue a summons for a violation of subdivision two, five, or five-a of this section by a person less than fourteen years of age to the parent or guardian of such person if the violation by such person occurs in the presence of such person's parent or guardian and where such parent or guardian is eighteen years of age or more. Such summons shall only be issued to such parent or guardian, and shall not be issued to the person less than fourteen years of age.

(b) A police officer shall only issue a summons for a violation of subdivision five-c of this section by a person less than sixteen years of age to the parent or guardian of such person if the violation by such person occurs in the presence of such person's parent or guardian and where such parent or guardian is eighteen years of age or more. Such summons shall only be issued to such parent or guardian, and shall not be issued to the person less than sixteen years of age.

§ 8. The vehicle and traffic law is amended by adding two new sections 1242 and 1243 to read as follows:

§ 1242. Additional provisions applicable to bicycles with electric assist. 1. In addition to complying with all of the rules, regulations, and provisions applicable to bicycles contained in this article, bicycles with electric assist shall operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied or the rider stops pedaling, or operate in a manner such that the electric

motor is engaged through a switch or mechanism that, when released, will cause the electric motor to disengage or cease to function.

2. No person less than sixteen years of age shall operate a bicycle with electric assist. The failure of any person to comply with the provisions of this subdivision shall not constitute contributory negligence or assumption of risk, and shall not in any way bar, preclude or foreclose an action for personal injury or wrongful death by or on behalf of such person, nor in any way diminish or reduce the damages recoverable in any such action.

3. (a) Except as provided in paragraphs (b) and (c) of this subdivision, the governing body of any city, town or village may, by local law or ordinance, further regulate the time, place and manner of the operation of bicycles with electric assist including, but not limited to, maximum speed, requiring the use of protective headgear, and the wearing of readily visible reflective clothing or material by operators of bicycles with electric assist, and may limit, prohibit the use thereof in specified areas, or prohibit entirely the use of bicycles with electric assist within such city, town or village, provided that adequate signage is visibly posted outside the boundaries of such prohibited areas.

(b) The governing body of any city, town or village in the counties of Nassau or Suffolk may, by local law or ordinance, further regulate the time, place and manner of the operation of bicycles with electric assist, including, but not limited to, maximum speed, requiring the use of protective headgear, and the wearing of readily visible reflective clothing or material by operators of bicycles with electric assist only after adoption of a local law or ordinance by the governing body of the county in which the city, town or village is located. Provided, however, that the provisions of this paragraph shall not apply to the adoption of a local law or ordinance by a city, town or village in the counties of Nassau or Suffolk pursuant to the provisions of paragraph (a) of this subdivision to prohibit the use of bicycles with electric assist in specified areas, or prohibit entirely the use of bicycles with electric assist within such city, town or village, provided that adequate signage is visibly posted outside the boundaries of such prohibited areas.

(c) The governing body of any town or village in the county of Westchester may, by local law or ordinance, further regulate the time, place and manner of the operation of bicycles with electric assist, including, but not limited to, maximum speed, requiring the use of protective headgear, and the wearing of readily visible reflective clothing or material by operators of bicycles with electric assist only after adoption of a local law or ordinance by the governing body of Westchester county. Provided, however, that the provisions of this paragraph shall not apply to the adoption of a local law or ordinance by a town or village in the county of Westchester pursuant to the provisions of paragraph (a) of this subdivision to prohibit the use of bicycles with electric assist in specified areas, or prohibit entirely the use of bicycles with electric assist within such town or village, provided that adequate signage is visibly posted outside the boundaries of such prohibited areas.

4. (a) No person shall operate a bicycle with electric assist on any public lands or property, other than a highway exclusive of any greenway running adjacent to or connected with a highway, except that a bicycle with electric assist may be operated on any such lands that have been designated and posted for travel by bicycles with electric assist in accordance with the provisions of paragraph (b) of this subdivision. For the purposes of this subdivision, the term "greenway" shall have the same meaning as such term is defined by subdivision seven of section

44-0103 of the environmental conservation law and subdivision one of section 39.03 of the parks, recreation and historic preservation law.

(b) A state agency, by regulation or order, and a city, town or village, by local law or ordinance, may designate any appropriate public lands and properties under its jurisdiction, other than highways exclusive of any greenway running adjacent to or connected with a highway, as a place open for travel by bicycles with electric assist upon written request for such designation by any person, and may impose restrictions and conditions for the regulation and safe operation of bicycles with electric assist on such public lands or property, such as travel on designated trails and hours of operation.

5. (a) No bicycle with electric assist shall be operated on a sidewalk, except as may be authorized by a local law or ordinance adopted by a city, town or village having jurisdiction over such sidewalk including parking on certain sidewalks within such city, town or village in compliance with the federal Americans with Disabilities Act of 1990, as amended (Public Law 101-336).

(b) (i) Notwithstanding the provisions of paragraph (a) of this subdivision, a bicycle with electric assist owned by a natural person where the owner is engaged in personal use may park on a sidewalk whether attended or unattended. A city, town or village having jurisdiction over such sidewalk shall provide a method by which a bicycle with electric assist owned by a natural person may be identified as such.

(ii) Notwithstanding the provisions of paragraph (a) of this subdivision, a bicycle with electric assist used to transport property in commerce may temporarily park on a sidewalk, whether attended or unattended, for the purpose of and while actually engaged commercially in the loading or unloading of property. A city, town or village having jurisdiction over such sidewalk shall provide a method by which a bicycle with electric assist used to transport property in commerce may be identified as such.

(iii) No person shall park a bicycle with electric assist pursuant to this paragraph in a manner that interferes with the free passage of pedestrians on a sidewalk.

6. Every person operating a bicycle with electric assist shall yield the right of way to pedestrians.

7. Notwithstanding the provisions of subdivision (b) of section twelve hundred thirty-four of this article to the contrary, persons operating bicycles with electric assist upon a roadway shall ride single file.

8. Except as may be otherwise provided by local law, ordinance, order, rule or regulation enacted or promulgated pursuant to this article, a bicycle with electric assist may only be operated on highways with a posted speed limit of thirty miles per hour or less, including non-interstate public highways, private roads open to motor vehicle traffic, and designated bicycle or in-line skate lanes.

9. No person shall operate a class one or class two bicycle with electric assist in excess of twenty miles per hour. No person shall operate a class three bicycle with electric assist in excess of twenty-five miles per hour.

10. The operation of a class three bicycle with electric assist outside of a city having a population of one million or more is prohibited.

11. (a) No person, firm, association or corporation engaged in the business of selling or leasing bicycles with electric assist shall sell or lease any bicycle with electric assist on or after June first, two thousand twenty-two unless such bicycle with electric assist has perma-

nently affixed thereto, in a prominent location, a manufacturer's label which shall include the following information: the class, maximum motor-assisted speed, and motor wattage of such bicycle with electric assist. Manufacturers and distributors of bicycles with electric assist shall, by April first, two thousand twenty-two, establish a process by which an owner of a bicycle with electric assist may request and obtain a manufacturer's label providing the class, maximum motor-assisted speed, and motor wattage applicable to his or her bicycle with electric assist purchased prior to June first, two thousand twenty-two and installation instructions from such manufacturers and distributors.

(b) No person shall operate a bicycle with electric assist on any public highway or street in this state after June first, two thousand twenty-two unless such bicycle with electric assist has permanently affixed thereto, in a prominent location, a manufacturer's label providing the class, maximum motor-assisted speed, and motor wattage of such bicycle with electric assist. Any person who violates the provisions of this paragraph shall be punished by a civil fine of up to fifty dollars. The court shall waive any fine for which a person who violates the provisions of this paragraph would be liable if such person supplies the court with proof that, between the date on which he or she is charged with having violated this paragraph and the appearance date for such violation, a manufacturer's label was affixed to his or her bicycle with electric assist as required by this paragraph. Provided, however, that such waiver of fine shall not apply to a second or subsequent conviction under this paragraph.

12. A violation of the provisions of subdivision two, five, six, nine, or ten of this section shall result in a civil fine not to exceed fifty dollars.

13. A police officer shall only issue a summons for a violation of this section by a person less than sixteen years of age to the parent or guardian of such person if the violation by such person occurs in the presence of such person's parent or guardian and where such parent or guardian is eighteen years of age or older. Such summons shall only be issued to such parent or guardian, and shall not be issued to the person less than sixteen years of age.

§ 1243. Shared bicycle and shared bicycle with electric assist systems; data protection. 1. The governing body of any city, town or village may, by local law, ordinance, order, rule or regulation, authorize and regulate shared bicycle systems or shared bicycle with electric assist systems within such city, town or village. No such shared systems shall operate within a city, town or village except as authorized by such local law, ordinance, order, rule or regulation. For the purposes of this subdivision, the term shared bicycle system or shared bicycle with electric assist system shall mean a network of self-service and publicly available bicycles or bicycles with electric assist in which a bicycle or bicycle with electric assist trip begins and/or ends on any public highway.

2. Notwithstanding any other provision of law to the contrary, all trip data, personal information, images, videos, and other recorded images collected by any shared bicycle system or shared bicycle with electric assist system which is authorized to operate within a city, town or village pursuant to this section: (a) shall be for the exclusive use of such shared bicycle or shared bicycle with electric assist system and shall not be sold, distributed, or otherwise made available for any commercial purpose and (b) shall not be disclosed or otherwise made accessible except (i) to the person who is the subject of such data,

information or record; or (ii) if necessary to comply with a lawful court order, judicial warrant signed by a judge appointed pursuant to article III of the United States constitution, or subpoena for individual data, information or records properly issued pursuant to the criminal procedure law or the civil practice law and rules. Provided, however, that nothing contained in this paragraph shall be deemed to preclude the exchange of such data, information or recorded images solely for the purpose of administering such authorized shared system. For the purposes of this subdivision, "personal information" shall mean information that identifies an individual, including but not limited to name, address, telephone number, and the type and form of payment including credit card number, debit card number, or other payment method.

§ 9. The vehicle and traffic law is amended by adding a new section 1242-a to read as follows:

§ 1242-a. Operation of a bicycle with electric assist while under the influence of alcohol or drugs. 1. Offenses; criminal penalties. (a) Operating a bicycle with electric assist while ability impaired. No person shall operate a bicycle with electric assist while the person's ability to operate such bicycle with electric assist is impaired by the consumption of alcohol.

(i) A violation of this paragraph shall be a traffic infraction and shall be punishable by a fine of not more than three hundred dollars, or by imprisonment in a penitentiary or county jail for not more than fifteen days, or by both such fine and imprisonment.

(ii) A person who operates a bicycle with electric assist in violation of this paragraph after having been convicted of a violation of any paragraph of this subdivision within the preceding five years shall be punished by a fine of not more than seven hundred fifty dollars, or by imprisonment of not more than thirty days in a penitentiary or county jail or by both such fine and imprisonment.

(iii) A person who operates a bicycle with electric assist in violation of this paragraph after being convicted two or more times of a violation of any paragraph of this subdivision within the preceding ten years shall be guilty of a misdemeanor, and shall be punished by a fine of not more than one thousand dollars, or by imprisonment of not more than one hundred eighty days in a penitentiary or county jail or by both such fine and imprisonment.

(b) Operating a bicycle with electric assist while intoxicated; per se. No person shall operate a bicycle with electric assist while such person has .08 of one per centum or more by weight of alcohol in the person's blood as shown by chemical analysis of such person's blood, breath, urine or saliva, made pursuant to the provisions of subdivision five of this section.

(c) Operating a bicycle with electric assist while intoxicated. No person shall operate a bicycle with electric assist while in an intoxicated condition.

(d) Operating a bicycle with electric assist while ability impaired by drugs. No person shall operate a bicycle with electric assist while the person's ability to operate such bicycle with electric assist is impaired by the use of a drug as defined in this chapter.

(e) Operating a bicycle with electric assist while ability impaired by the combined influence of drugs or of alcohol and any drug or drugs. No person shall operate a bicycle with electric assist while the person's ability to operate such bicycle with electric assist is impaired by the combined influence of drugs or of alcohol and any drug or drugs.

(f) Penalty. (i) A violation of paragraph (b), (c), (d) or (e) of this subdivision shall be a misdemeanor and shall be punishable by a fine of not more than five hundred dollars, or by imprisonment in a penitentiary or county jail for not more than one year, or by both such fine and imprisonment.

(ii) A person who operates a bicycle with electric assist in violation of paragraph (b), (c), (d) or (e) of this subdivision after having been convicted of a violation of paragraph (b), (c), (d) or (e) of this subdivision within the preceding ten years shall be guilty of a class E felony, and shall be punished by a fine of not more than one thousand dollars or by a period of imprisonment as provided in the penal law, or by both such fine and imprisonment.

(iii) A person who operates a bicycle with electric assist in violation of paragraph (b), (c), (d) or (e) of this subdivision after having been convicted of a violation of paragraph (b), (c), (d) or (e) of this subdivision two or more times within the preceding ten years shall be guilty of a class E felony, and shall be punished by a fine of not more than four thousand dollars or by a period of imprisonment as provided in the penal law, or by both such fine and imprisonment.

2. Certain sentences prohibited. Notwithstanding any provisions of the penal law, no judge or magistrate shall impose a sentence of unconditional discharge for a violation of paragraph (b), (c), (d) or (e) of subdivision one of this section.

3. Sentencing; previous convictions. When sentencing a person for a violation of paragraph (b), (c), (d) or (e) of subdivision one of this section pursuant to subparagraph (ii) of paragraph (f) of subdivision one of this section, the court shall consider any prior convictions the person may have for a violation of subdivision two, two-a, three, four, or four-a of section eleven hundred ninety-two of this title within the preceding ten years. When sentencing a person for a violation of paragraph (b), (c), (d) or (e) of subdivision one of this section pursuant to subparagraph (iii) of paragraph (f) of subdivision one of this section, the court shall consider any prior convictions the person may have for a violation of subdivision two, two-a, three, four, or four-a of section eleven hundred ninety-two of this title within the preceding ten years. When sentencing a person for a violation of subparagraph (ii) of paragraph (a) of subdivision one of this section, the court shall consider any prior convictions the person may have for a violation of any subdivision of section eleven hundred ninety-two of this title within the preceding five years. When sentencing a person for a violation of subparagraph (iii) of paragraph (a) of subdivision one of this section, the court shall consider any prior convictions the person may have for a violation of any subdivision of section eleven hundred ninety-two of this title within the preceding ten years.

4. Arrest and field testing. (a) Arrest. Notwithstanding the provisions of section 140.10 of the criminal procedure law, a police officer may, without a warrant, arrest a person, in case of a violation of any paragraph of subdivision one of this section, if such violation is coupled with an accident or collision in which such person is involved, which in fact had been committed, though not in the police officer's presence, when the officer has reasonable cause to believe that the violation was committed by such person. For the purposes of this subdivision, police officer shall also include a peace officer authorized to enforce this chapter when the alleged violation constitutes a crime.

(b) Field testing. Every person operating a bicycle with electric assist which has been involved in an accident shall, at the request of a police officer, submit to a breath test to be administered by the police officer. If such test indicates that such operator has consumed alcohol, the police officer may request such operator to submit to a chemical test in the manner set forth in subdivision five of this section.

5. Chemical tests; when authorized. A police officer may request any person who operates a bicycle with electric assist in this state to consent to a chemical test of one or more of the following: breath, blood, urine, or saliva, for the purpose of determining the alcoholic and/or drug content of such person's blood, provided that such test is administered at the direction of a police officer with respect to a chemical test of breath, urine or saliva or, with respect to a chemical test of blood, at the direction of a police officer: (a) having reasonable grounds to believe such person to have been operating in violation of paragraph (a), (b), (c), (d) or (e) of subdivision one of this section and within two hours after such person has been placed under arrest for any such violation; or (b) within two hours after a breath test, as provided in paragraph (b) of subdivision four of this section, indicates that alcohol has been consumed by such person and in accordance with the rules and regulations established by the police force of which the officer is a member.

6. Testing procedures. (a) Persons authorized to withdraw blood; immunity; testimony. (i) At the request of a police officer, the following persons may withdraw blood for the purpose of determining the alcoholic or drug content therein: (A) a physician, a registered professional nurse, a registered physician assistant, a certified nurse practitioner, or an advanced emergency medical technician as certified by the department of health; or (B) under the supervision and at the direction of a physician, registered physician assistant or certified nurse practitioner acting within his or her lawful scope of practice, or upon the express consent of the person eighteen years of age or older from whom such blood is to be withdrawn: a clinical laboratory technician or clinical laboratory technologist licensed pursuant to article one hundred sixty-five of the education law; a phlebotomist; or a medical laboratory technician or medical technologist employed by a clinical laboratory approved under title five of article five of the public health law. This limitation shall not apply to the taking of a urine, saliva or breath specimen.

(ii) No person entitled to withdraw blood pursuant to subparagraph (i) of this paragraph or hospital employing such person, and no other employer of such person shall be sued or held liable for any act done or omitted in the course of withdrawing blood at the request of a police officer pursuant to this section.

(iii) Any person who may have a cause of action arising from the withdrawal of blood as aforesaid, for which no personal liability exists under subparagraph (ii) of this paragraph, may maintain such action against the state if any person entitled to withdraw blood pursuant to this paragraph acted at the request of a police officer employed by the state, or against the appropriate political subdivision of the state if such person acted at the request of a police officer employed by a political subdivision of the state. No action shall be maintained pursuant to this subparagraph unless notice of claim is duly filed or served in compliance with law.

(iv) Notwithstanding subparagraphs (i), (ii) and (iii) of this paragraph, an action may be maintained by the state or a political subdivi-

sion thereof against a person entitled to withdraw blood pursuant to subparagraph (i) of this paragraph or hospital employing such person for whose act or omission the state or the political subdivision has been held liable under this paragraph to recover damages, not exceeding the amount awarded to the claimant, that may have been sustained by the state or the political subdivision by reason of gross negligence or bad faith on the part of such person.

(v) The testimony of any person other than a physician, entitled to withdraw blood pursuant to subparagraph (i) of this paragraph, in respect to any such withdrawal of blood made by such person may be received in evidence with the same weight, force and effect as if such withdrawal of blood were made by a physician.

(vi) The provisions of subparagraphs (ii), (iii) and (iv) of this paragraph shall also apply with regard to any person employed by a hospital as security personnel for any act done or omitted in the course of withdrawing blood at the request of a police officer pursuant to this section.

(b) Right to additional test. The person tested shall be permitted to choose a physician to administer a chemical test in addition to the one administered at the direction of the police officer.

(c) Rules and regulations. The department of health shall issue and file rules and regulations approving satisfactory techniques or methods of conducting chemical analyses of a person's blood, urine, breath or saliva and to ascertain the qualifications and competence of individuals to conduct and supervise chemical analyses of a person's blood, urine, breath or saliva. If the analyses were made by an individual possessing a permit issued by the department of health, this shall be presumptive evidence that the examination was properly given. The provisions of this paragraph do not prohibit the introduction as evidence of an analysis made by an individual other than a person possessing a permit issued by the department of health.

7. Chemical test evidence. (a) Admissibility. Upon the trial of any such action or proceeding arising out of actions alleged to have been committed by any person arrested for a violation of any paragraph of subdivision one of this section, the court shall admit evidence of the amount of alcohol or drugs in the defendant's blood as shown by a test administered pursuant to the provisions of subdivision five of this section.

(b) Probative value. The following effect shall be given to evidence of blood-alcohol content, as determined by such tests, of a person arrested for a violation of subdivision one of this section:

(i) evidence that there was .05 of one per centum or less by weight of alcohol in such person's blood shall be prima facie evidence that the ability of such person to operate a bicycle with electric assist was not impaired by the consumption of alcohol, and that such person was not in an intoxicated condition;

(ii) evidence that there was more than .05 of one per centum but less than .07 of one per centum by weight of alcohol in such person's blood shall be prima facie evidence that such person was not in an intoxicated condition, but such evidence shall be relevant evidence, but shall not be given prima facie effect, in determining whether the ability of such person to operate a bicycle with electric assist was impaired by the consumption of alcohol; and

(iii) evidence that there was .07 of one per centum or more but less than .08 of one per centum by weight of alcohol in such person's blood shall be prima facie evidence that such person was not in an intoxicated

condition, but such evidence shall be given prima facie effect in determining whether the ability of such person to operate a bicycle with electric assist was impaired by the consumption of alcohol.

8. Where applicable. The provisions of this section shall apply upon public highways, private roads open to motor vehicle traffic, any other parking lot, and sidewalks. For the purposes of this section "parking lot" shall mean any area or areas of private property, including a driveway, near or contiguous to and provided in connection with premises and used as a means of access to and egress from a public highway to such premises and having a capacity for the parking of four or more motor vehicles. The provisions of this section shall not apply to any area or areas of private property comprising all or part of property on which is situated a one or two-family residence.

9. Enforcement upon crash. Notwithstanding any provision of this section, no part of this section may be enforced unless in conjunction with a crash involving an operator of a bicycle with electric assist. For the purposes of this subdivision, "crash" shall mean colliding with a vehicle, person, building or other object.

§ 10. The vehicle and traffic law is amended by adding a new article 34-D to read as follows:

ARTICLE 34-D

OPERATION OF ELECTRIC SCOOTERS

Section 1280. Effect of regulations.
1281. Traffic laws apply to persons operating electric scooters; local laws.
1282. Operating electric scooters.
1283. Clinging to vehicles.
1284. Riding on roadways, shoulders, and lanes reserved for non-motorized vehicles and devices.
1285. Lamps and other equipment.
1286. Operators to wear protective headgear.
1287. Leaving the scene of an incident involving an electric scooter without reporting in the second degree.
1288. Leaving the scene of an incident involving an electric scooter without reporting in the first degree.
1289. Operation of an electric scooter while under the influence of alcohol or drugs.

§ 1280. Effect of regulations. 1. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this article.

2. These regulations applicable to electric scooters shall apply whenever an electric scooter is operated upon any highway, upon private roads open to public motor vehicle traffic and upon any path set aside for the exclusive use of bicycles, in-line skates, electric scooters, or all.

§ 1281. Traffic laws apply to persons operating electric scooters; local laws. 1. Every person riding an electric scooter upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle and the rider of a bicycle by this title, except as to special regulations in this article and except as to those provisions of this title which by their nature can have no application.

2. (a) Except as provided in paragraphs (b) and (c) of this subdivision, the governing body of any city, town or village may, by local law or ordinance, further regulate the time, place and manner of the operation of electric scooters, including, but not limited to, maximum speed,

requiring the use of protective headgear, and the wearing of readily visible reflective clothing or material by operators of electric scooters, and may limit, prohibit the use thereof in specified areas, or prohibit entirely the use of electric scooters within such city, town, or village, provided that adequate signage is visibly posted outside the boundaries of such prohibited areas.

(b) The governing body of any city, town or village in the counties of Nassau or Suffolk may, by local law or ordinance, further regulate the time, place and manner of the operation of electric scooters, including, but not limited to, maximum speed, requiring the use of protective headgear, and the wearing of readily visible reflective clothing or material by operators of electric scooters only after adoption of a local law or ordinance by the governing body of the county in which the city, town or village is located. Provided, however, that the provisions of this paragraph shall not apply to the adoption of a local law or ordinance by a city, town or village in the counties of Nassau or Suffolk pursuant to the provisions of paragraph (a) of this subdivision to prohibit the use of electric scooters in specified areas, or prohibit entirely the use of electric scooters within such city, town or village, provided that adequate signage is visibly posted outside the boundaries of such prohibited areas.

(c) The governing body of any town or village in the county of Westchester may, by local law or ordinance, further regulate the time, place and manner of the operation of electric scooters, including, but not limited to, maximum speed, requiring the use of protective headgear, and the wearing of readily visible reflective clothing or material by operators of electric scooters only after adoption of a local law or ordinance by the governing body of Westchester county. Provided, however, that the provisions of this paragraph shall not apply to the adoption of a local law or ordinance by a town or village in the county of Westchester pursuant to the provisions of paragraph (a) of this subdivision to prohibit the use of electric scooters in specified areas, or prohibit entirely the use of electric scooters within such town or village, provided that adequate signage is visibly posted outside the boundaries of such prohibited areas.

3. No person shall operate an electric scooter unless such operation is in compliance with the provisions of this chapter, and any regulation or order or local law or ordinance adopted pursuant to this article.

§ 1282. Operating electric scooters. 1. No electric scooter shall be used to carry more than one person at one time. No person operating an electric scooter shall carry any person as a passenger in a pack fastened to the operator or fastened to the electric scooter. The failure of any person to comply with the provisions of this subdivision shall not constitute contributory negligence or assumption of risk, and shall not in any way bar, preclude or foreclose an action for personal injury or wrongful death by or on behalf of such person, nor in any way diminish or reduce the damages recoverable in any such action.

2. No person operating an electric scooter shall carry any package, bundle or article which prevents the operator from keeping at least one hand upon the handle bars or which obstructs his or her vision in any direction.

3. Every person operating an electric scooter shall yield the right of way to pedestrians.

4. No person less than sixteen years of age shall operate or ride as a passenger upon an electric scooter, and no person sixteen years of age

or older shall allow any person less than sixteen years of age to operate or ride as a passenger upon such scooter.

5. Except as may be otherwise provided by local law, ordinance, order, rule or regulation enacted or promulgated pursuant to this article, an electric scooter may only be operated on highways with a posted speed limit of thirty miles per hour or less, including non-interstate public highways, private roads open to motor vehicle traffic, and designated bicycle or in-line skate lanes.

6. No person shall operate an electric scooter in excess of fifteen miles per hour.

7. (a) No person shall operate an electric scooter on a sidewalk, except as may be authorized by a local law or ordinance adopted by a city, town or village having jurisdiction over such sidewalk including parking on certain sidewalks within such city, town or village in compliance with the federal Americans with Disabilities Act of 1990, as amended (Public Law 101-336).

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, an electric scooter owned by a natural person where the owner is engaged in personal use may park on a sidewalk whether attended or unattended, provided however that no person shall park an electric scooter pursuant to this paragraph in a manner that interferes with the free passage of pedestrians on a sidewalk. A city, town or village having jurisdiction over such sidewalk shall provide a method by which an electric scooter owned by a natural person may be identified as such.

8. (a) No person shall operate an electric scooter on any public lands or property, other than a highway exclusive of any greenway running adjacent to or connected with a highway, except that an electric scooter may be operated on any such lands that have been designated and posted for travel by electric scooters in accordance with the provisions of paragraph (b) of this subdivision. For the purposes of this subdivision, the term "greenway" shall have the same meaning as such term is defined by subdivision seven of section 44-0103 of the environmental conservation law and subdivision one of section 39.03 of the parks, recreation and historic preservation law.

(b) A state agency, by regulation or order, and a city, town or village, by local law or ordinance, may designate any appropriate public lands and properties under its jurisdiction, other than highways exclusive of any greenway running adjacent to or connected with a highway, as a place open for travel by electric scooters upon written request for such designation by any person, and may impose restrictions and conditions for the regulation and safe operation of electric scooters on such public lands or property, such as travel on designated trails and hours of operation.

9. (a) No person, firm, association or corporation engaged in the business of selling or leasing electric scooters shall sell or lease any electric scooter on or after June first, two thousand twenty-two unless such electric scooter has permanently affixed thereto, in a prominent location, a manufacturer's label which shall include the following information: the maximum motor-assisted speed, the number of persons for which such electric scooter is designed and equipped, and motor wattage of such electric scooter. Manufacturers and distributors of electric scooters shall, by April first, two thousand twenty-two, establish a process by which an owner of an electric scooter may request and obtain a manufacturer's label providing the maximum motor-assisted speed, the number of persons for which such electric scooter is designed and equipped, and motor wattage applicable to his or her electric scooter

purchased prior to June first, two thousand twenty-two and installation instructions from such manufacturers and distributors.

(b) No person shall operate an electric scooter on any public highway or street in this state after June first, two thousand twenty-two unless such electric scooter has permanently affixed thereto, in a prominent location, a manufacturer's label providing the maximum motor-assisted speed, the number of persons for which such electric scooter is designed and equipped, and motor wattage of such electric scooter. Any person who violates the provisions of this paragraph shall be punished by a civil fine of up to fifty dollars. The court shall waive any fine for which a person who violates the provisions of this paragraph would be liable if such person supplies the court with proof that, between the date on which he or she is charged with having violated this paragraph and the appearance date for such violation, a manufacturer's label was affixed to his or her electric scooter as required by this paragraph. Provided, however, that such waiver of fine shall not apply to a second or subsequent conviction under this paragraph.

10. (a) The governing body of any city, town or village may, by local law, ordinance, order, rule or regulation, authorize and regulate shared electric scooter systems within such city, town or village. No such shared systems shall operate within a city, town or village except as authorized by such local law, ordinance, order, rule or regulation. No such shared electric scooter system shall operate on public highways in a county with a population of no less than one million five hundred eighty-five thousand and no more than one million five hundred eighty-seven thousand as of the two thousand ten decennial census. For the purposes of this subdivision, the term shared electric scooter system shall mean a network of self-service and publicly available electric scooters, and related infrastructure, in which an electric scooter trip begins and/or ends on any public highway.

(b) Notwithstanding any other provision of law to the contrary, all trip data, personal information, images, videos, and other recorded images collected by any shared electric scooter system which is authorized to operate within a city, town or village pursuant to this section: (i) shall be for the exclusive use of such shared electric scooter system and shall not be sold, distributed or otherwise made available for any commercial purpose and (ii) shall not be disclosed or otherwise made accessible except: (1) to the person who is the subject of such data, information or record; or (2) if necessary to comply with a lawful court order, judicial warrant signed by a judge appointed pursuant to article III of the United States constitution, or subpoena for individual data, information or records properly issued pursuant to the criminal procedure law or the civil practice law and rules. Provided, however, that nothing contained in this paragraph shall be deemed to preclude the exchange of such data, information or recorded images solely for the purpose of administering such authorized shared system.

For the purposes of this subdivision, "personal information" shall mean information that identifies an individual, including but not limited to name, address, telephone number, and the type and form of payment including credit card number, debit card number, or other payment method.

11. A violation of the provisions of subdivision one, two, three, four, six, or seven of this section shall result in a civil fine not to exceed fifty dollars.

12. A police officer shall only issue a summons for a violation of this section by a person less than sixteen years of age to the parent or

guardian of such person if the violation by such person occurs in the presence of such person's parent or guardian and where such parent or guardian is eighteen years of age or more. Such summons shall only be issued to such parent or guardian, and shall not be issued to the person less than sixteen years of age.

§ 1283. Clinging to vehicles. 1. No person operating an electric scooter shall attach such scooter, or himself or herself, to any vehicle being operated upon a roadway.

2. No vehicle operator shall knowingly permit any person to attach any electric scooter, or himself or herself, to such operator's vehicle in violation of subdivision one of this section.

§ 1284. Riding on roadways, shoulders, and lanes reserved for non-motorized vehicles and devices. 1. Upon all roadways, any electric scooter shall be operated either on a usable bicycle or in-line skate lane or, if a usable bicycle or in-line skate lane has not been provided, near the right-hand curb or edge of the roadway or upon a usable right-hand shoulder in such a manner as to prevent undue interference with the flow of traffic except when preparing for a left turn or when reasonably necessary to avoid conditions that would make it unsafe to continue along near the right-hand curb or edge. Conditions to be taken into consideration include, but are not limited to, fixed or moving objects, vehicles, bicycles, in-line skates, pedestrians, animals, surface hazards or traffic lanes too narrow for a person operating an electric scooter and a vehicle to travel safely side-by-side within the lane.

2. Persons operating electric scooters upon a roadway shall ride single file. Persons operating electric scooters upon a shoulder, bicycle or in-line skate lane, or bicycle or in-line skate path intended for the use of bicycles, in-line skates or electric scooters may ride two or more abreast if sufficient space is available, except that when passing a vehicle, bicycle, electric personal assistive mobility device, person on in-line skates or pedestrian standing or proceeding along such shoulder, lane or path, persons operating electric scooters shall operate such scooters single file.

3. Any person operating an electric scooter who is entering a roadway from a private road, driveway, alley or over a curb shall come to a full stop before entering the roadway.

§ 1285. Lamps and other equipment. 1. Every electric scooter when in use during the period from one-half hour after sunset to one-half hour before sunrise shall be equipped with a lamp on the front which shall emit a white light visible during hours of darkness from a distance of at least five hundred feet to the front and with a red light visible to the rear for three hundred feet. At least one such light shall be visible for two hundred feet from each side.

2. No person shall operate an electric scooter unless such scooter is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred feet, except that an electric scooter shall not be equipped with nor shall any person use upon an electric scooter any siren or whistle.

3. Every electric scooter shall be equipped with a brake that enables the operator to bring the electric scooter to a controlled stop.

§ 1286. Operators to wear protective headgear. 1. No person sixteen or seventeen years of age shall ride upon, propel or otherwise operate an electric scooter unless such person is wearing a helmet meeting standards established by the commissioner pursuant to the provisions of subdivision two-a of section twelve hundred thirty-eight of this title. As used in this subdivision, wearing a helmet means having a properly

fitting helmet fixed securely on the head of such wearer with the helmet straps securely fastened.

2. Any person who violates the provisions of subdivision one of this section shall pay a civil fine not to exceed fifty dollars.

3. The court shall waive any fine for which a person who violates the provisions of subdivision one of this section would be liable if such person supplies the court with proof that between the date of violation and the appearance date for such violation such person purchased or rented a helmet, which meets the requirements of subdivision one of this section, or if the court finds that due to reasons of economic hardship such person was unable to purchase a helmet or due to such economic hardship such person was unable to obtain a helmet from the statewide in-line skate and bicycle helmet distribution program, as established in section two hundred six of the public health law or a local distribution program. Such waiver of fine shall not apply to a second or subsequent violation of subdivision one of this section.

4. The failure of any person to comply with the provisions of this section shall not constitute contributory negligence or assumption of risk, and shall not in any way bar, preclude or foreclose an action for personal injury or wrongful death by or on behalf of such person, nor in any way diminish or reduce the damages recoverable in any such action.

§ 1287. Leaving the scene of an incident involving an electric scooter without reporting in the second degree. 1. Any person age eighteen years or older operating an electric scooter who, knowing or having cause to know, that physical injury, as defined in subdivision nine of section 10.00 of the penal law, has been caused to another person, due to the operation of such electric scooter by such person, shall, before leaving the place where such physical injury occurred, stop, and provide his or her name and residence, including street and street number, to the injured party, if practical, and also to a police officer, or in the event that no police officer is in the vicinity of the place of said injury, then such person shall report such incident as soon as physically able to the nearest police station or judicial officer.

2. Leaving the scene of an incident involving an electric scooter without reporting in the second degree is a violation.

§ 1288. Leaving the scene of an incident involving an electric scooter without reporting in the first degree. 1. Any person age eighteen years or older operating an electric scooter who, knowing or having cause to know, that serious physical injury, as defined in subdivision ten of section 10.00 of the penal law, has been caused to another person, due to the operation of such electric scooter by such person, shall, before leaving the place where such serious physical injury occurred, stop, and provide his or her name and residence, including street and street number, to the injured party, if practical, and also to a police officer, or in the event that no police officer is in the vicinity of the place of said injury, then such person shall report said incident as soon as physically able to the nearest police station or judicial officer.

2. Leaving the scene of an incident involving an electric scooter without reporting in the first degree is a class B misdemeanor.

§ 1289. Operation of an electric scooter while under the influence of alcohol or drugs. 1. Offenses; criminal penalties. (a) Operating an electric scooter while ability impaired. No person shall operate an electric scooter while the person's ability to operate such electric scooter is impaired by the consumption of alcohol.

(i) A violation of this paragraph shall be a traffic infraction and shall be punishable by a fine of not more than three hundred dollars, or by imprisonment in a penitentiary or county jail for not more than fifteen days, or by both such fine and imprisonment.

(ii) A person who operates an electric scooter in violation of this paragraph after having been convicted of a violation of any paragraph of this subdivision within the preceding five years shall be punished by a fine of not more than seven hundred fifty dollars, or by imprisonment of not more than thirty days in a penitentiary or county jail or by both such fine and imprisonment.

(iii) A person who operates an electric scooter in violation of this paragraph after being convicted two or more times of a violation of any paragraph of this subdivision within the preceding ten years shall be guilty of a misdemeanor, and shall be punished by a fine of not more than one thousand dollars, or by imprisonment of not more than one hundred eighty days in a penitentiary or county jail or by both such fine and imprisonment.

(b) Operating an electric scooter while intoxicated; per se. No person shall operate an electric scooter while such person has .08 of one per centum or more by weight of alcohol in the person's blood as shown by chemical analysis of such person's blood, breath, urine or saliva, made pursuant to the provisions of subdivision five of this section.

(c) Operating an electric scooter while intoxicated. No person shall operate an electric scooter while in an intoxicated condition.

(d) Operating an electric scooter while ability impaired by drugs. No person shall operate an electric scooter while the person's ability to operate such electric scooter is impaired by the use of a drug as defined in this chapter.

(e) Operating an electric scooter while ability impaired by the combined influence of drugs or of alcohol and any drug or drugs. No person shall operate an electric scooter while the person's ability to operate such electric scooter is impaired by the combined influence of drugs or of alcohol and any drug or drugs.

(f) Penalty. (i) A violation of paragraph (b), (c), (d) or (e) of this subdivision shall be a misdemeanor and shall be punishable by a fine of not more than five hundred dollars, or by imprisonment in a penitentiary or county jail for not more than one year, or by both such fine and imprisonment.

(ii) A person who operates an electric scooter in violation of paragraph (b), (c), (d) or (e) of this subdivision after having been convicted of a violation of paragraph (b), (c), (d) or (e) of this subdivision within the preceding ten years shall be guilty of a class E felony, and shall be punished by a fine of not more than one thousand dollars or by a period of imprisonment as provided in the penal law, or by both such fine and imprisonment.

(iii) A person who operates an electric scooter in violation of paragraph (b), (c), (d) or (e) of this subdivision after having been convicted of a violation of paragraph (b), (c), (d) or (e) of this subdivision two or more times within the preceding ten years shall be guilty of a class E felony, and shall be punished by a fine of not more than four thousand dollars or by a period of imprisonment as provided in the penal law, or by both such fine and imprisonment.

2. Certain sentences prohibited. Notwithstanding any provisions of the penal law, no judge or magistrate shall impose a sentence of uncondi-

tional discharge for a violation of paragraph (b), (c), (d) or (e) of subdivision one of this section.

3. Sentencing: previous convictions. When sentencing a person for a violation of paragraph (b), (c), (d) or (e) of subdivision one of this section pursuant to subparagraph (ii) of paragraph (f) of subdivision one of this section, the court shall consider any prior convictions the person may have for a violation of subdivision two, two-a, three, four, or four-a of section eleven hundred ninety-two of this title within the preceding ten years. When sentencing a person for a violation of paragraph (b), (c), (d) or (e) of subdivision one of this section pursuant to subparagraph (iii) of paragraph (f) of subdivision one of this section, the court shall consider any prior convictions the person may have for a violation of subdivision two, two-a, three, four, or four-a of section eleven hundred ninety-two of this title within the preceding ten years. When sentencing a person for a violation of subparagraph (ii) of paragraph (a) of subdivision one of this section, the court shall consider any prior convictions the person may have for a violation of any subdivision of section eleven hundred ninety-two of this title within the preceding five years. When sentencing a person for a violation of subparagraph (iii) of paragraph (a) of subdivision one of this section, the court shall consider any prior convictions the person may have for a violation of any subdivision of section eleven hundred ninety-two of this title within the preceding ten years.

4. Arrest and field testing. (a) Arrest. Notwithstanding the provisions of section 140.10 of the criminal procedure law, a police officer may, without a warrant, arrest a person, in case of a violation of any paragraph of subdivision one of this section, if such violation is coupled with an accident or collision in which such person is involved, which in fact had been committed, though not in the police officer's presence, when the officer has reasonable cause to believe that the violation was committed by such person. For the purposes of this subdivision, police officer shall also include a peace officer authorized to enforce this chapter when the alleged violation constitutes a crime.

(b) Field testing. Every person operating an electric scooter which has been involved in an accident shall, at the request of a police officer, submit to a breath test to be administered by the police officer. If such test indicates that such operator has consumed alcohol, the police officer may request such operator to submit to a chemical test in the manner set forth in subdivision five of this section.

5. Chemical tests; when authorized. A police officer may request any person who operates an electric scooter in this state to consent to a chemical test of one or more of the following: breath, blood, urine, or saliva, for the purpose of determining the alcoholic and/or drug content of such person's blood, provided that such test is administered at the direction of a police officer with respect to a chemical test of breath, urine or saliva or, with respect to a chemical test of blood, at the direction of a police officer: (a) having reasonable grounds to believe such person to have been operating in violation of paragraph (a), (b), (c), (d) or (e) of subdivision one of this section and within two hours after such person has been placed under arrest for any such violation; or (b) within two hours after a breath test, as provided in paragraph (b) of subdivision four of this section, indicates that alcohol has been consumed by such person and in accordance with the rules and regulations established by the police force of which the officer is a member.

6. Testing procedures. (a) Persons authorized to withdraw blood; immunity; testimony. (i) At the request of a police officer, the following persons may withdraw blood for the purpose of determining the alcoholic or drug content therein: (A) a physician, a registered professional nurse, a registered physician assistant, a certified nurse practitioner, or an advanced emergency medical technician as certified by the department of health; or (B) under the supervision and at the direction of a physician, registered physician assistant or certified nurse practitioner acting within his or her lawful scope of practice, or upon the express consent of the person eighteen years of age or older from whom such blood is to be withdrawn: a clinical laboratory technician or clinical laboratory technologist licensed pursuant to article one hundred sixty-five of the education law; a phlebotomist; or a medical laboratory technician or medical technologist employed by a clinical laboratory approved under title five of article five of the public health law. This limitation shall not apply to the taking of a urine, saliva or breath specimen.

(ii) No person entitled to withdraw blood pursuant to subparagraph one of this paragraph or hospital employing such person, and no other employer of such person shall be sued or held liable for any act done or omitted in the course of withdrawing blood at the request of a police officer pursuant to this section.

(iii) Any person who may have a cause of action arising from the withdrawal of blood as aforesaid, for which no personal liability exists under subparagraph (ii) of this paragraph, may maintain such action against the state if any person entitled to withdraw blood pursuant to this paragraph acted at the request of a police officer employed by the state, or against the appropriate political subdivision of the state if such person acted at the request of a police officer employed by a political subdivision of the state. No action shall be maintained pursuant to this subparagraph unless notice of claim is duly filed or served in compliance with law.

(iv) Notwithstanding subparagraphs (i), (ii) and (iii) of this paragraph an action may be maintained by the state or a political subdivision thereof against a person entitled to withdraw blood pursuant to subparagraph (i) of this paragraph or hospital employing such person for whose act or omission the state or the political subdivision has been held liable under this paragraph to recover damages, not exceeding the amount awarded to the claimant, that may have been sustained by the state or the political subdivision by reason of gross negligence or bad faith on the part of such person.

(v) The testimony of any person other than a physician, entitled to withdraw blood pursuant to subparagraph (i) of this paragraph, in respect to any such withdrawal of blood made by such person may be received in evidence with the same weight, force and effect as if such withdrawal of blood were made by a physician.

(vi) The provisions of subparagraphs (ii), (iii) and (iv) of this paragraph shall also apply with regard to any person employed by a hospital as security personnel for any act done or omitted in the course of withdrawing blood at the request of a police officer pursuant to this section.

(b) Right to additional test. The person tested shall be permitted to choose a physician to administer a chemical test in addition to the one administered at the direction of the police officer.

(c) Rules and regulations. The department of health shall issue and file rules and regulations approving satisfactory techniques or methods

of conducting chemical analyses of a person's blood, urine, breath or saliva and to ascertain the qualifications and competence of individuals to conduct and supervise chemical analyses of a person's blood, urine, breath or saliva. If the analyses were made by an individual possessing a permit issued by the department of health, this shall be presumptive evidence that the examination was properly given. The provisions of this paragraph do not prohibit the introduction as evidence of an analysis made by an individual other than a person possessing a permit issued by the department of health.

7. Chemical test evidence. (a) Admissibility. Upon the trial of any such action or proceeding arising out of actions alleged to have been committed by any person arrested for a violation of any paragraph of subdivision one of this section, the court shall admit evidence of the amount of alcohol or drugs in the defendant's blood as shown by a test administered pursuant to the provisions of subdivision five of this section.

(b) Probative value. The following effect shall be given to evidence of blood-alcohol content, as determined by such tests, of a person arrested for a violation of subdivision one of this section:

(i) evidence that there was .05 of one per centum or less by weight of alcohol in such person's blood shall be prima facie evidence that the ability of such person to operate an electric scooter was not impaired by the consumption of alcohol, and that such person was not in an intoxicated condition;

(ii) evidence that there was more than .05 of one per centum but less than .07 of one per centum by weight of alcohol in such person's blood shall be prima facie evidence that such person was not in an intoxicated condition, but such evidence shall be relevant evidence, but shall not be given prima facie effect, in determining whether the ability of such person to operate an electric scooter was impaired by the consumption of alcohol; and

(iii) evidence that there was .07 of one per centum or more but less than .08 of one per centum by weight of alcohol in such person's blood shall be prima facie evidence that such person was not in an intoxicated condition, but such evidence shall be given prima facie effect in determining whether the ability of such person to operate an electric scooter was impaired by the consumption of alcohol.

8. Where applicable. The provisions of this section shall apply upon public highways, private roads open to motor vehicle traffic, any other parking lot, and sidewalks. For the purposes of this section "parking lot" shall mean any area or areas of private property, including a driveway, near or contiguous to and provided in connection with premises and used as a means of access to and egress from a public highway to such premises and having a capacity for the parking of four or more motor vehicles. The provisions of this section shall not apply to any area or areas of private property comprising all or part of property on which is situated a one or two family residence.

9. Enforcement upon crash. Notwithstanding any provision of this section, no part of this section may be enforced unless in conjunction with a crash involving an operator of an electric scooter. For the purposes of this subdivision, "crash" shall mean colliding with a vehicle, person, building or other object.

§ 11. This act shall take effect immediately; provided, however, that section ten of this act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for

the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART YY

Section 1. Section 13 of part U1 of chapter 62 of the laws of 2003, amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, as amended by section 1 of part A of chapter 58 of the laws of 2017, is amended to read as follows:

§ 13. This act shall take effect immediately; provided however that sections one through seven of this act, the amendments to subdivision 2 of section 205 of the tax law made by section eight of this act, and section nine of this act shall expire and be deemed repealed on April 1, [~~2020~~] **2022**; provided further, however, that the provisions of section eleven of this act shall take effect April 1, 2004 and shall expire and be deemed repealed on April 1, [~~2020~~] **2022**.

§ 2. Section 2 of part B of chapter 84 of the laws of 2002, amending the state finance law relating to the costs of the department of motor vehicles, as amended by section 2 of part A of chapter 58 of the laws of 2015, is amended to read as follows:

§ 2. This act shall take effect April 1, 2002; 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 April 1, 2002; provided further, however, that this act shall expire and be deemed repealed on April 1, [~~2020~~] **2022**.

§ 3. This act shall take effect immediately.

PART ZZ

Section 1. Section 399-l of the vehicle and traffic law, as amended by section 1 of part UU of chapter 59 of the laws of 2018, is amended to read as follows:

§ 399-l. Application. Applicants for participation in the pilot program established pursuant to this article shall be among those accident prevention course sponsoring agencies that have a course approved by the commissioner pursuant to article twelve-B of this title [~~prior to the effective date of this article~~] and which deliver such course to the public. Provided, [~~however,~~] the commissioner [~~may~~] **shall**, in his or her discretion, approve **additional** applications after [~~such~~] **the effective** date **of this article**. In order to be approved for participation in such pilot program, the course must comply with the provisions of law, rules and regulations applicable thereto. The commissioner may, in his or her discretion, impose a fee for the submission of each application to participate in the pilot program established pursuant to this article. Such fee shall not exceed seven thousand five hundred dollars.

§ 2. Section 399-q of the vehicle and traffic law, as added by chapter 368 of the laws of 2019, is amended to read as follows:

§ 399-q. Application. An applicant for participation in the pilot program established pursuant to this article shall be an approved sponsor of an internet accident prevention course, pursuant to article twelve-C of this title, prior to the effective date of this article and which delivers such courses to the public. **Provided, the commissioner shall, in his or her discretion, approve additional applications after such date.** In order to be approved for participation in such pilot program, the course must comply with provisions of law, rules and regulations applicable thereto. The commissioner may, in his or her

discretion, impose a fee for the submission of each application to participate in the pilot program established pursuant to this article. Such fee shall not exceed seven thousand five hundred dollars which shall, excluding administrative expenses of the department, be deposited in the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law.

§ 3. Section 399-s of the vehicle and traffic law, as added by chapter 368 of the laws of 2019, is amended to read as follows:

§ 399-s. Pilot program scope and duration. The commissioner shall conduct a pilot program designed to evaluate utilizing the internet for delivering an approved pre-licensing course required by subparagraph (i) of paragraph (a) of subdivision four of section five hundred two of this chapter, by permitting qualified applicants to participate in the pilot program from June thirtieth, two thousand twenty to June thirtieth, two thousand twenty-five. **Provided that applicants for class DJ and class MJ licenses shall not be eligible to participate in such pilot program.**

§ 4. Section 5 of chapter 751 of the laws of 2005, amending the insurance law and the vehicle and traffic law relating to establishing the accident prevention course internet technology pilot program, as amended by section 3 of part D of chapter 58 of the laws of 2016, is amended to read as follows:

§ 5. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall expire and be deemed repealed April 1, [~~2020~~] **2022**; provided that any rules and regulations necessary to implement the provisions of this act on its effective date are authorized and directed to be completed on or before such date.

§ 5. This act shall take effect immediately; provided that sections two and three of this act shall take effect on the same date and in the same manner as chapter 368 of the laws of 2019 takes effect; provided, however, that the amendments to section 399-l of the vehicle and traffic law made by section one of this act shall not affect the repeal of such section and shall be deemed to be repealed therewith; provided further, that the amendments to article 12-D of the vehicle and traffic law made by sections two and three of this act shall not affect the repeal of such article and shall be deemed to be repealed therewith. 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 AAA

Intentionally Omitted

PART BBB

Intentionally Omitted

PART CCC

Intentionally Omitted

PART DDD

Intentionally Omitted

PART EEE

Section 1. Section 5 of chapter 451 of the laws of 2017, enacting the New York Buy American Act, is amended to read as follows:

§ 5. This act shall take effect April 1, 2018 and shall apply to any state contracts executed and entered into on or after such date and shall exclude such contracts that have been previously awarded or have pending bids or pending requests for proposals issued as of April 1, 2018, and shall not apply to projects that have commenced project design and environmental studies prior to such date[~~; provided, however, that this act shall expire and be deemed repealed April 15, 2020~~].

§ 2. This act shall take effect immediately.

PART FFF

Section 1. The labor law is amended by adding a new section 224-a to read as follows:

§ 224-a. Prevailing wage requirements applicable to construction projects performed under private contract. 1. Subject to the provisions of this section, each "covered project" as defined in this section shall be subject to prevailing wage requirements in accordance with section two hundred twenty and two hundred twenty-b of this article. A "covered project" shall mean construction work done under contract which is paid for in whole or in part out of public funds as such term is defined in this section where the amount of all such public funds, when aggregated, is at least thirty percent of the total construction project costs and where such project costs are over five million dollars except as provided for by section two hundred twenty-four-c of this article.

2. For purposes of this section, "paid for in whole or in part out of public funds" shall mean any of the following:

a. The payment of money, by a public entity, or a third party acting on behalf of and for the benefit of a public entity, directly to or on behalf of the contractor, subcontractor, developer or owner that is not subject to repayment;

b. The savings achieved from fees, rents, interest rates, or other loan costs, or insurance costs that are lower than market rate costs; savings from reduced taxes as a result of tax credits, tax abatements, tax exemptions or tax increment financing; savings from payments in lieu of taxes; and any other savings from reduced, waived, or forgiven costs that would have otherwise been at a higher or market rate but for the involvement of the public entity;

c. Money loaned by the public entity that is to be repaid on a contingent basis; or

d. Credits that are applied by the public entity against repayment of obligations to the public entity.

3. For purposes of this section, "paid for in whole or in part out of public funds" shall not include:

a. Benefits under section four hundred twenty-one-a of the real property tax law;

b. Funds that are not provided primarily to promote, incentivize, or ensure that construction work is performed, which would otherwise be captured in subdivision two of this section;

c. Funds used to incentivize or ensure the development of a comprehensive sewage system, including connection to existing sewer lines or creation of new sewage lines or sewer capacity, provided, however, that

such work shall be deemed to be a public work covered under the provisions of this article;

d. tax benefits provided for projects the length or value of which are not able to be calculated at the time the work is to be performed;

e. tax benefits related to brownfield remediation or brownfield redevelopment pursuant to section twenty-one, twenty-two, one hundred eighty-seven-g or one hundred eighty-seven-h of the tax law, subdivision seventeen or eighteen of section two hundred ten-B of the tax law, subsection (dd) or (ee) of section six hundred six of the tax law, or subdivision (u) or (v) of section fifteen hundred eleven of the tax law;

f. funds provided pursuant to subdivision three of section twenty-eight hundred fifty-three of the education law; and

g. any other public monies, credits, savings or loans, determined by the public subsidy board created in section two hundred twenty-four-c of this article as exempt from this definition.

4. For purposes of this section "covered project" shall not include any of the following:

a. Construction work on one or two family dwellings where the property is the owner's primary residence, or construction work performed on property where the owner of the property owns no more than four dwelling units;

b. Construction work performed under a contract with a not-for-profit corporation as defined in section one hundred two of the not-for-profit corporation law, other than a not-for-profit corporation formed exclusively for the purpose of holding title to property and collecting income thereof or any public entity as defined in this section where the not-for-profit corporation has gross annual revenue and support less than five million dollars;

c. Construction work performed on a multiple residence and/or ancillary amenities or installations that is wholly privately owned in any of the following circumstances except as provided for by section two hundred twenty-four-c of this article:

(i) where no less than twenty-five percent of the residential units are affordable and shall be retained subject to an anticipated regulatory agreement with a local, state, or federal governmental entity, or a not-for-profit entity with an anticipated formal agreement with a local, state, or federal governmental entity for purposes of providing affordable housing in a given locality or region provided that the period of affordability for a residential unit deemed affordable under the provisions of this paragraph shall be for no less than fifteen years from the date of construction; or

(ii) where no less than thirty-five percent of the residential units involves the provision of supportive housing services for vulnerable populations provided that such units are subject to an anticipated regulatory agreement with a local, state, or federal governmental entity; or

(iii) any newly created programs for affordable or subsidized housing as determined by the public subsidy board established by section two hundred twenty-four-c of this article.

d. Construction work performed on a manufactured home park as defined in paragraph three of subdivision a of section two hundred thirty-three of the real property law where the manufactured home park is subject to a regulatory agreement with a local, state, or federal governmental entity for no less than fifteen years;

e. Construction work performed under a pre-hire collective bargaining agreement between an owner or contractor and a bona fide building and construction trade labor organization which has established itself as

the collective bargaining representative for all persons who will perform work on such a project, and which provides that only contractors and subcontractors who sign a pre-negotiated agreement with the labor organization can perform work on such a project, or construction work performed under a labor peace agreement, project labor agreement, or any other construction work performed under an enforceable agreement between an owner or contractor and a bona fide building and construction trade labor organization;

f. Construction work performed on projects funded by section sixteen-n of the urban development corporation act or the downtown revitalization initiative;

g. Construction work and engineering and consulting services performed in connection with the installation of a renewable energy system, renewable heating or cooling system, or energy storage system, with a capacity equal to or under five megawatts alternating current;

h. Construction work performed on supermarket retail space built or renovated with tax incentives provided under the food retail expansion to support health (FRESH) program through the New York city industrial development agency;

i. Construction work performed for interior fit-outs and improvements under ten thousand square feet through small business incubation programs operated by the New York city economic development corporation;

j. Construction work on space to be used as a school under sixty thousand square feet, pursuant to a lease from a private owner to the New York city department of education and the school construction authority; or

k. Construction work performed on projects that received tax benefits related to historic rehabilitation pursuant to subdivision twenty-six of section two hundred ten-B of the tax law, subsection (oo) or (pp) of section six hundred six of the tax law, or subdivision (y) of section fifteen hundred eleven of the tax law.

5. For purposes of this section, "public entity" shall include, but shall not be limited to, the state, a local development corporation as defined in subdivision eight of section eighteen hundred one of the public authorities law or section fourteen hundred eleven of the not-for-profit corporation law, a municipal corporation as defined in section one hundred nineteen-n of the general municipal law, an industrial development agency formed pursuant to article eighteen-A of the general municipal law or industrial development authorities formed pursuant to article eight of the public authorities law, and any state, local or interstate or international authorities as defined in section two of the public authorities law; and shall include any trust created by any such entities.

6. For purposes of this section, "construction" means work which shall be as defined by the public subsidy board to require payment of prevailing wage, and which may involve the employment of laborers, workers, or mechanics.

7. For purposes of this section and section two hundred twenty-four-b of this article, the "fiscal officer" shall be deemed to be the commissioner.

8. The enforcement of any construction work deemed to be a covered project pursuant to this section, and any additional requirements, shall be subject, in addition to this section, only to the requirements of sections two hundred twenty, two hundred twenty-four-b, two hundred twenty-four-c, and two hundred twenty-b of this article and within the jurisdiction of the fiscal officer; provided, however, nothing contained

in this section shall be deemed to construe any covered project as otherwise being considered public work pursuant to this article; and further provided:

a. The owner or developer of such covered project shall certify under penalty of perjury within five days of commencement of construction work whether the project at issue is subject to the provisions of this section through the use of a standard form developed by the fiscal officer.

b. The owners or developers of a property who are undertaking a project under private contract, may seek guidance from the public subsidy board contained in section two hundred twenty-four-c of this article, and such board may render an opinion as to whether or not the project is a covered project within the meaning of this article. Any such determination shall not be reviewable by the fiscal officer, nor shall it be reviewable by the department pursuant to section two hundred twenty of this article.

c. The owner or developer of a covered project shall be responsible for retaining original payroll records in accordance with section two hundred twenty of this article for a period of six years from the conclusion of such work. All payroll records maintained by an owner or developer pursuant to this section shall be subject to inspection on request of the fiscal officer. Such owner or developer may authorize the prime contractor of the construction project to take responsibility for retaining and maintaining payroll records, but will be held jointly and severally liable for any violations of such contractor. All records obtained by the fiscal officer shall be subject to the Freedom of Information Law.

d. Each public entity providing any of the public funds listed in subdivision two of this section to an owner, developer, contractor or subcontractor of a project shall identify the nature and dollar value of such funds and whether any such funds are excluded under subdivision three of this section and shall so notify the recipient of such funds of such determination and of their obligations under paragraph a of this subdivision.

e. The fiscal officer may issue rules and regulations governing the provisions of this section. Violations of this section shall be grounds for determinations and orders pursuant to section two hundred twenty-b of this article.

9. Each owner and developer subject to the requirements of this section shall comply with the objectives and goals of minority and women-owned business enterprises pursuant to article fifteen-A of the executive law and service-disabled veteran-owned businesses pursuant to article seventeen-B of the executive law. The department in consultation with the directors of the division of minority and women's business development and of the division of service-disabled veterans' business development shall make training and resources available to assist minority and women-owned business enterprises and service-disabled veteran-owned business enterprises on covered projects achieve and maintain compliance with prevailing wage requirements. The department shall make such training and resources available online and shall afford minority and women-owned business enterprises and service-disabled veteran-owned business enterprises an opportunity to submit comments on such training.

10. a. The fiscal officer shall report to the governor, the temporary president of the senate, and the speaker of the assembly by July first, two thousand twenty-two, and annually thereafter, on the participation of minority and women-owned business enterprises in relation to covered

projects and contracts for public work subject to the provisions of this section and section two hundred twenty of this article respectively as well as the diversity practices of contractors and subcontractors employing laborers, workers, and mechanics on such projects.

b. Such reports shall include aggregated data on the utilization and participation of minority and women-owned business enterprises, the employment of minorities and women in construction-related jobs on such projects, and the commitment of contractors and subcontractors on such projects to adopting practices and policies that promote diversity within the workforce. The reports shall also examine the compliance of contractors and subcontractors with other equal employment opportunity requirements and anti-discrimination laws, in addition to any other employment practices deemed pertinent by the commissioner.

c. The fiscal officer may require any owner or developer to disclose information on the participation of minority and women-owned business enterprises and the diversity practices of contractors and subcontractors involved in the performance of any covered project. It shall be the duty of the fiscal officer to consult and to share such information in order to effectuate the requirements of this section.

11. If construction work is not deemed to be a covered project, whether by virtue of an exclusion of such project under subdivision four of this section, or by virtue or not receiving sufficient public money to be deemed "paid for in whole or in part out of public funds", such project shall not be subject to the requirements of sections two hundred twenty and two hundred twenty-b of this article.

§ 2. The labor law is amended by adding a new section 224-b to read as follows:

§ 224-b. Stop-work orders. Where a complaint is received pursuant to this article, or where the fiscal officer upon his or her own investigation, finds cause to believe that any person, in connection with the performance of any contract for public work pursuant to section two hundred twenty of this article or any covered project pursuant to section two hundred twenty-four-a of this article, has substantially and materially failed to comply with or intentionally evaded the provisions of this article, the fiscal officer may notify such person in writing of his or her intention to issue a stop-work order. Such notice shall (i) be served in a manner consistent with section three hundred eight of the civil practice law and rules; (ii) notify such person of his or her right to a hearing; and (iii) state the factual basis upon which the fiscal officer has based his or her decision to issue a stop-work order. Any documents, reports, or information that form a basis for such decision shall be provided to such person within a reasonable time before the hearing. Such hearing shall be expeditiously conducted.

Following the hearing, if the fiscal officer issues a stop-work order, it shall be served by regular mail, and a second copy may be served by telefacsimile or by electronic mail, with service effective upon receipt of any such order. Such stop-work order shall also be served with regard to a worksite by posting a copy of such order in a conspicuous location at the worksite. The order shall remain in effect until the fiscal officer directs that the stop-work order be removed, upon a final determination on the complaint or where such failure to comply or evade has been deemed corrected. If the person against whom such order is issued shall within thirty days after issuance of the stop-work order makes an application in affidavit form for a redetermination review of such order the fiscal officer shall make a decision in writing on the issues raised in such application. The fiscal officer may direct a conditional release

from a stop-work order upon a finding that such person has taken meaningful and good faith steps to comply with the provisions of this article.

§ 3. The labor law is amended by adding a new section 224-c to read as follows:

§ 224-c. Public subsidy board. 1. A board on public subsidies, hereinafter "the board", is hereby created, to consist of thirteen members. The thirteen members shall be appointed by the governor as follows: one member upon the recommendation of the temporary president of the senate, one member upon the recommendation of the speaker of the assembly, the commissioner, the president of the empire state development corporation, the director of the division of the budget, two members representing employees in the construction industry, of whom one shall be a representative of the largest statewide trade labor association representing building and construction workers, and one shall be a representative of the largest trade labor association representing building and construction workers with membership in New York City, and two members representing employers in the construction industry, of whom one shall be a representative of the largest statewide organization representing building owners and developers, either for-profit or not-for-profit, and one shall be a representative of a statewide organization representing building owners and developers, either for-profit or not-for-profit, representing a region different than the region primarily represented by the initial employer representative. The commissioner shall act as the chair. The members shall serve at the pleasure of the authority recommending, designating, or otherwise appointing such member and shall serve without salary or compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

2. The board shall meet on an as needed basis and shall have the power to conduct public hearings. The board may also consult with employers and employees, and their respective representatives, in the construction industry and with such other persons, including the commissioner, as it shall determine. No public officer or employee appointed to the board shall forfeit any position or office by virtue of appointment to such board. Any proceedings of the board which relate to a particular individual or project shall be confidential.

3. The board may examine and make recommendations regarding the following:

(a) the minimum threshold percentage of public funds set forth in subdivision one of section two hundred twenty-four-a of this article, but no lower than that which is set forth in such subdivision;

(b) the minimum dollar threshold of projects set forth in subdivision one of section two hundred twenty-four-a of this article, but no lower than that which is set forth in such subdivision;

(c) construction work excluded as a covered project, as set forth in subparagraphs (i), (ii) and (iii) of paragraph c of subdivision four of section two hundred twenty-four-a of this article;

(d) the definition of construction for purposes of section two hundred twenty-four-a of this article; or

(e) particular instances of benefits, monies or credits as to whether or not they should constitute public funds.

4. Prior to making any recommendation intended to apply to all projects, the board shall hold a public hearing. The board shall announce each public hearing at least fifteen days in advance. The announcement shall contain an agenda of the topics the board will discuss. At each hearing, the board may hear testimony and/or review

written documents from any interested stakeholders related to the planned agenda of the meeting. The board shall make any such recommendations in writing. In making its recommendations, the board shall examine the impact of such thresholds and circumstances on private development in light of available public subsidies, existing labor market conditions, prevailing wage and supplement practices, and shall consider the extent to which adjustments to such thresholds and circumstances could ameliorate adverse impacts, if any, or expand opportunities for prevailing wage and supplement standards on publicly subsidized private construction projects in any region or regions of the state.

5. The board shall be empowered to issue binding determinations to any public entity, or any private or not-for-profit owner or developer as to any particular matter related to an existing or potential covered project. In such instances the board shall make a determination based upon documents, or testimony, or both in its sole discretion. Any such proceedings shall be confidential, except that publication of such decisions shall be made available on the department's website, subject to redaction or confidentiality as the board shall deem warranted in accordance with any applicable federal or state statutory or regulatory requirement governing confidentiality and personal privacy.

6. Any recommendation rendered by the board pursuant to this section shall be subject to the provisions of article seventy-eight of the civil practice law and rules.

7. In the event that the board finds that there is or likely would be a significant negative economic impact of implementing the prevailing wage requirements provided for in section two hundred twenty-four-a of this article, the board may temporarily delay the implementation of such requirements beyond January first, two thousand twenty-two. Such a delay may be effective statewide or effective only in a region of the state as defined by the regional economic development councils. In making such a determination to delay, the board shall consult the department, the department's division of research and statistics, the United States department of labor, the federal reserve bank of New York and other economic experts. The board will reference well-established economic indexes and accepted economic factors tied to the construction industry, including but not limited to construction industry employment, wages, and overall construction activity.

§ 4. The labor law is amended by adding a new section 813-a to read as follows:

§ 813-a. Annual reports by apprenticeship programs. 1. On an annual basis, all apprenticeship programs covered under the provisions of this article shall report to the department on the participation of apprentices currently enrolled in such apprenticeship program. The data to be included in such report shall include, at a minimum: (a) the total number of apprentices in such apprenticeship program; (b) the demographic information of such apprentices to the extent such data is available, including, but not limited to, the age, gender, race, ethnicity, and national origin of such apprentices; (c) the rate of advancement and graduation of such apprentices; and (d) the rate of placement of such apprentices onto job sites as well as the demographic information of such apprentices to the extent such data is available, including, but not limited to the age, gender, race, ethnicity, and national origin of such apprentices.

2. The department shall make such data publicly available on its website by July first, two thousand twenty-two and on an annual basis, but no later than December thirty-first of each following year.

3. The commissioner may promulgate rules and regulations necessary for the implementation of this section.

§ 5. Severability clause. If any clause, sentence, paragraph, subdivision, or section 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, or section thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 6. This act shall take effect on January 1, 2022 and shall apply to contracts for construction executed, incentive agreements executed, procurements or solicitations issued, or applications for building permits on or after such date; provided however that section three of this act shall take effect on April 1, 2021, and provided further that this act shall not pre-exempt any existing contracts, nor apply to any appropriations of public funds made prior to the day on which this act shall have become a law, or to re-appropriations of such funds first appropriated prior to the day on which this act shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date shall be authorized to be made and completed on or before such effective date.

PART GGG

Intentionally Omitted

PART HHH

Intentionally Omitted

PART III

Section 1. Subdivision 3 of section 16-o of section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development corporation act, as added by chapter 186 of the laws of 2007, is amended to read as follows:

3. Establishment and purposes. The corporation shall establish a fund to be known as the "community development financial institutions fund" and shall pay into such fund any monies made available to the corporation for such fund from any source. The monies held in or credited to the fund shall be expended solely for the purposes set forth in this section. The corporation shall not [~~commingle~~] **transfer** the monies of such fund [~~with~~] **to** any other **fund or** monies of the corporation or any monies held in trust by the corporation. The corporation is authorized, [~~within~~] **subject to** available [~~appropriations~~] **funding**, **including, but not limited to, available appropriations,** to provide financial and technical assistance to community development financial institutions that make loans and provide development services to specific investment areas or targeted populations.

§ 2. This act shall take effect immediately.

PART JJJ

Section 1. This act shall be known as the "accelerated renewable energy growth and community benefit act".

§ 2. Legislative findings and statement of purpose. The legislature hereby finds, determines and declares:

1. Chapter 106 of the laws of 2019 enacted the New York state climate leadership and community protection act (the "CLCPA") that among other things:

(a) directed the department of environmental conservation to establish a statewide greenhouse gas emissions limit as a percentage of 1990 emissions as follows: (i) 2030: 60% of 1990 emissions; and (ii) 2050: 15% of 1990 emissions;

(b) directed the public service commission ("commission") to establish programs to require that a minimum of 70% statewide electric generation be produced by renewable energy systems by 2030, and that by the year 2040 the statewide electrical demand system will generate zero emissions; and

(c) directed the commission to require the procurement by the state's jurisdictional load serving entities of at least 9 gigawatts of offshore wind electricity generation by 2035 and six gigawatts of photovoltaic solar generation by 2025, and to support three gigawatts of statewide energy storage capacity by 2030 (collectively, the "CLCPA targets").

2. In order to achieve the CLCPA targets, the state shall take appropriate action to ensure that:

(a) new renewable energy generation projects can be sited in a timely and cost-effective manner that includes consideration of local laws concerning zoning, the environment or public health and safety and avoids or minimizes, to the maximum extent practicable, adverse environmental impacts; and

(b) renewable energy can be efficiently and cost effectively injected into the state's distribution and transmission system for delivery to regions of the state where it is needed. In particular, the state shall provide for timely and cost effective construction of new, expanded and upgraded distribution and transmission infrastructure as may be needed to access and deliver renewable energy resources, which may include alternating current transmission facilities, high voltage direct current transmission infrastructure facilities, and submarine transmission facilities needed to interconnect off-shore renewable generation resources to the state's transmission system.

3. A public policy purpose would be served and the interests of the people of the state would be advanced by directing the public service commission to make a comprehensive study of the state's power grid to identify distribution and transmission infrastructure needed to enable the state to meet the CLCPA targets, and based on such study, develop definitive plans that: (a) provide for the timely development of local transmission and distribution system upgrades by the state's regulated utilities and the Long Island power authority; (b) identify bulk transmission investments that should be undertaken, including projects that should be undertaken immediately and on an expedited basis in cooperation with the power authority of the state of New York; and (c) otherwise advance the policies of this act.

4. A public policy purpose would be served and the interests of the people of the state would be advanced by:

(a) expediting the regulatory review for the siting of major renewable energy facilities and transmission infrastructure necessary to meet the CLCPA targets, in recognition of the importance of these facilities and their ability to lower carbon emissions;

(b) making available to developers of clean generation resources build-ready sites for the construction and operation of such renewable energy facilities;

(c) developing uniform permit standards and conditions that are applicable to classes and categories of renewable energy facilities, that reflect the environmental benefits of such facilities and address common conditions necessary to minimize impacts to the surrounding community and environment;

(d) providing for workforce training, especially in disadvantaged communities;

(e) implementing one or more programs to provide benefits to owners of land and communities where renewable energy facilities and transmission infrastructure would be sited;

(f) incentivizing the re-use or adaptation of sites with existing or abandoned commercial or industrial uses, such as brownfields, landfills, dormant electric generating sites and former commercial or industrial sites, for the development of major renewable energy facilities and to restore and protect the value of taxable land and leverage existing resources; and

(g) implementing the state's policy to protect, conserve and recover endangered and threatened species while establishing additional mechanisms to facilitate the achievement of a net conservation benefit to endangered or threatened species which may be impacted by the construction or operation of major renewable energy facilities.

§ 3. Paragraphs (c) and (d) of subdivision 4 of section 162 of the public service law, as added by chapter 388 of the laws of 2011, are amended and a new subdivision (e) is added to read as follows:

(c) To a major electric generating facility (i) constructed on lands dedicated to industrial uses, (ii) the output of which shall be used solely for industrial purposes, on the premises, and (iii) the generating capacity of which does not exceed two hundred thousand kilowatts; [~~or~~]

(d) To a major electric generating facility if, on or before the effective date of the rules and regulations promulgated pursuant to this article and section 19-0312 of the environmental conservation law, an application has been made for a license, permit, certificate, consent or approval from any federal, state or local commission, agency, board or regulatory body, in which application the location of the major electric generating facility has been designated by the applicant; or if the facility is under construction at such time[~~.~~]**; or**

(e) To a major renewable energy facility as such term is defined in section ninety-four-c of the executive law; provided, however, that any person intending to construct a major renewable energy facility, that has a draft pre-application public involvement program plan pursuant to section one hundred sixty-three of this article and the regulations implementing this article, which is pending with the siting board as of the effective date of this paragraph may remain subject to the provisions of this article or, may, by written notice to the secretary of the commission, elect to become subject to the provisions of section ninety-four-c of the executive law.

§ 4. The executive law is amended by adding a new section 94-c to read as follows:

§ 94-c. Major renewable energy development program. 1. Purpose. It is the purpose of this section to consolidate the environmental review and permitting of major renewable energy facilities in this state and to provide a single forum in which the office of renewable energy siting

created by this section may undertake a coordinated and timely review of proposed major renewable energy facilities to meet the state's renewable energy goals while ensuring the protection of the environment and consideration of all pertinent social, economic and environmental factors in the decision to permit such facilities as more specifically provided in this section.

2. Definitions. (a) "Executive director" or "director" shall mean the executive director of the office of renewable energy siting.

(b) "CLCPA targets" shall mean the public policies established in the climate leadership and community protection act enacted in chapter one hundred six of the laws of two thousand nineteen, including the requirement that a minimum of seventy percent of the statewide electric generation be produced by renewable energy systems by two thousand thirty, that by the year two thousand forty the statewide electrical demand system will generate zero emissions and the procurement of at least nine gigawatts of offshore wind electricity generation by two thousand thirty-five, six gigawatts of photovoltaic solar generation by two thousand twenty-five and to support three gigawatts of statewide energy storage capacity by two thousand thirty.

(c) "Local agency account" or "account" shall mean the account established by the office pursuant to subdivision seven of this section.

(d) "Local agency" means any local agency, board, district, commission or governing body, including any city, county, and other political subdivision of the state.

(e) "Municipality" shall mean a county, city, town, or village.

(f) "Office" shall mean the office of renewable energy siting established pursuant to this section.

(g) "Department" shall mean the department of state.

(h) "Major renewable energy facility" means any renewable energy system, as such term is defined in section sixty-six-p of the public service law as added by chapter one hundred six of the laws of two thousand nineteen, with a nameplate generating capacity of twenty-five thousand kilowatts or more, and any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission system, including all associated appurtenances to electric plants as defined under section two of the public service law, including electric transmission facilities less than ten miles in length in order to provide access to load and to integrate such facilities into the state's bulk electric transmission system.

(i) "Siting permit" shall mean the major renewable energy facility siting permit established pursuant to this section and the rules and regulations promulgated by the office.

(j) "Dormant electric generating site" shall mean a site at which one or more electric generating facilities produced electricity but has permanently ceased operating.

3. Office of renewable energy siting; responsibilities. (a) There is hereby established within the department an office of renewable energy siting which is charged with accepting applications and evaluating, issuing, amending, approving the assignment and/or transfer of siting permits. The office shall exercise its authority by and through the executive director.

(b) The office shall within one year of the effective date of this section establish a set of uniform standards and conditions for the siting, design, construction and operation of each type of major renewable energy facility relevant to issues that are common for particular classes and categories of major renewable energy facilities, in consul-

tation with the New York state energy research and development authority, the department of environmental conservation, the department of public service, the department of agriculture and markets, and other relevant state agencies and authorities with subject matter expertise. Prior to adoption of uniform standards and conditions, the office shall hold four public hearings in different regions of the state to solicit comment from municipal, or political subdivisions, and the public on proposed uniform standards and conditions to avoid, minimize or mitigate potential adverse environmental impacts from the siting, design, construction and operation of a major renewable energy facility.

(c) The uniform standards and conditions established pursuant to this section shall be designed to avoid or minimize, to the maximum extent practicable, any potential significant adverse environmental impacts related to the siting, design, construction and operation of a major renewable energy facility. Such uniform standards and conditions shall apply to those environmental impacts the office determines are common to each type of major renewable energy facility.

(d) In its review of an application for a permit to develop a major renewable energy facility, the office, in consultation with the department of environmental conservation, shall identify those site-specific environmental impacts, if any, that may be caused or contributed to by a specific proposed major renewable energy facility and are unable to be addressed by the uniform standards and conditions. The office shall draft in consultation with the department of environmental conservation site specific permit terms and conditions for such impacts, including provisions for the avoidance or mitigation thereof, taking into account the CLCPA targets and the environmental benefits of the proposed major renewable energy facility, provided, however, that the office shall require that the application of uniform standards and conditions and site-specific conditions shall achieve a net conservation benefit to any impacted endangered and threatened species.

(e) To the extent that environmental impacts are not completely addressed by uniform standards and conditions and site-specific permit conditions proposed by the office, and the office determines that mitigation of such impacts may be achieved by off-site mitigation, the office may require payment of a fee by the applicant to achieve such off-site mitigation. If the office determines, in consultation with the department of environmental conservation, that mitigation of impacts to endangered or threatened species that achieves a net conservation benefit can be achieved by off-site mitigation, the amount to be paid for such off-site mitigation shall be set forth in the final siting permit. The office may require payment of funds sufficient to implement such off-site mitigation into the endangered and threatened species mitigation fund established pursuant to section ninety-nine-hh of the state finance law.

(f) The office, by and through the executive director, shall be authorized to conduct hearings and dispute resolution proceedings, issue permits, and adopt such rules, regulations and procedures as may be necessary, convenient, or desirable to effectuate the purposes of this section.

(g) The office shall within one year of the effective date of this section promulgate rules and regulations with respect to all necessary requirements to implement the siting permit program established in this section and promulgate modifications to such rules and regulations as it deems necessary; provided that the office shall promulgate regulations requiring the service of applications on affected municipalities and

political subdivisions simultaneously with submission of the application to the office.

(h) At the request of the office, all other state agencies and authorities are hereby authorized to provide support and render services to the office within their respective functions.

(i) Notwithstanding any other provision of law, rule, or regulation to the contrary and consistent with appropriations therefor, employees of any state agency who are necessary to the functions of the office and who may be substantially engaged in the performance of its functions shall be transferred to the office in accordance with the provisions of section seventy-eight of the civil service law. Employees transferred pursuant to this section shall be transferred without further examination or qualification and shall retain their respective civil service classifications. Nothing set forth in this subdivision shall be construed to impede, infringe, or diminish the rights and benefits that accrue to employees through collective bargaining agreements, impact or change an employee's membership in a bargaining unit, or otherwise diminish the integrity of the collective bargaining relationship.

4. Applicability. (a) On and after the effective date of this section, no person shall commence the preparation of a site for, or begin the construction of, a major renewable energy facility in the state, or increase the capacity of an existing major renewable energy facility, without having first obtained a siting permit pursuant to this section. Any such major renewable energy facility with respect to which a siting permit is issued shall not thereafter be built, maintained, or operated except in conformity with such siting permit and any terms, limitations, or conditions contained therein, provided that nothing in this subdivision shall exempt such major renewable energy facility from compliance with federal laws and regulations.

(b) A siting permit issued by the office may be transferred or assigned, subject to the prior written approval of the office, to a person that agrees to comply with the terms, limitations and conditions contained in such siting permit.

(c) The office or a permittee may initiate an amendment to a siting permit under this section. An amendment initiated by the office or permittee that is likely to result in any material increase in any environmental impact or involves a substantial change to the terms or conditions of a siting permit shall comply with the public notice and hearing requirements of this section.

(d) Any hearings or dispute resolution proceedings initiated under this section or pursuant to rules or regulations promulgated pursuant to this section may be conducted by the executive director or any person to whom the executive director shall delegate the power and authority to conduct such hearings or proceedings in the name of the office at any time and place.

(e) This section shall not apply:

(i) to a major renewable energy facility, or any portion thereof, over which any agency or department of the federal government has exclusive siting jurisdiction, or has siting jurisdiction concurrent with that of the state and has exercised such jurisdiction to the exclusion of regulation of the facility by the state; provided, however, nothing herein shall be construed to expand federal jurisdiction;

(ii) to normal repairs, maintenance, replacements, non-material modifications and improvements of a major renewable energy facility, whenever built, which are performed in the ordinary course of business

and which do not constitute a violation of any applicable existing permit;

(iii) to a major renewable energy facility if, on or before the effective date of this section, an application has been made or granted for a license, permit, certificate, consent or approval from any federal, state or local commission, agency, board or regulatory body, including the submission of a pre-application public involvement program plan under article ten of the public service law and its implementing regulations, in which application the location of the major renewable energy facility has been designated by the applicant, except in the case of a person who elects to be subject to this section as authorized by paragraph e of subdivision four of section one hundred sixty-two of the public service law.

(f) Any person intending to construct a major renewable energy facility excluded from this section pursuant to paragraph (ii) or (iii) of paragraph (e) of this subdivision may elect to become subject to the provisions of this section by filing an application for a siting permit. This section shall thereafter apply to each major renewable energy facility identified in such notice from the date of its receipt by the office. With respect to such major renewable energy facilities, the rules and regulations promulgated pursuant to this section shall set forth an expedited permitting process to account for matters and issues already presented and resolved in relevant alternative permitting proceedings.

(i) With respect to a major renewable energy facility for which an application was previously reviewed pursuant to article ten of the public service law, and for which a completeness determination had already been issued at the time an application was filed pursuant to this section, such application shall be considered complete pursuant to this section upon filing.

(ii) With respect to a major renewable energy facility for which an application was previously reviewed pursuant to article ten of the public service law, and for which a completeness determination had not been issued at the time the application was filed pursuant to this section, the sixty-day time period provided in paragraph (b) of subdivision five of this section shall commence upon filing.

(g) Any person intending to construct a facility that is a renewable energy system, as such term is defined in section sixty-six-p of the public service law as added by chapter one hundred six of the laws of two thousand nineteen, with a nameplate capacity of at least twenty thousand but less than twenty-five thousand kilowatts, may apply to become subject to the provisions of this section by filing an application for a siting permit. Upon submission of such application, the subject renewable energy facility shall be treated as a "major renewable energy facility" exclusively for purposes of permitting under this section.

5. Application, municipal notice and review. (a) Until the office establishes uniform standards and conditions required by subdivision three of this section and promulgates regulations specifying the content of an application for a siting permit, an application for a siting permit submitted to the office shall conform substantially to the form and content of an application required by section one hundred sixty-four of the public service law.

(b) Notwithstanding any law to the contrary, the office shall, within sixty days of its receipt of an application for a siting permit determine whether the application is complete and notify the applicant of its

determination. If the office does not deem the application complete, the office shall set forth in writing delivered to the applicant the reasons why it has determined the application to be incomplete. If the office fails to make a determination within the foregoing sixty-day time period, the application shall be deemed complete; provided, however, that the applicant may consent to an extension of the sixty-day time period for determining application completeness. Provided, further, that no application may be complete without proof of consultation with the municipality or political subdivision where the project is proposed to be located, or an agency thereof, prior to submission of an application to the office, related to procedural and substantive requirements of local law.

(c) (i) No later than sixty days following the date upon which an application has been deemed complete, and following consultation with any relevant state agency or authority, the office shall publish for public comment draft permit conditions prepared by the office, which comment period shall be for a minimum of sixty days from public notice thereof. Such public notice shall include, at a minimum, written notice to the municipality or political subdivision in which the major renewable energy facility is proposed to be located; publication in a newspaper or in electronic form, having general circulation in such municipality or political subdivision; and posted on the office's website.

(ii) For any municipality, political subdivision or an agency thereof that has received notice of the filing of an application, pursuant to regulations promulgated in accordance with this section, the municipality or political subdivision or agency thereof shall within the timeframes established by this subdivision submit a statement to the office indicating whether the proposed facility is designed to be sited, constructed and operated in compliance with applicable local laws and regulations, if any, concerning the environment, or public health and safety. In the event that a municipality, political subdivision or an agency thereof submits a statement to the office that the proposed facility is not designed to be sited, constructed or operated in compliance with local laws and regulations and the office determines not to hold an adjudicatory hearing on the application, the department shall hold non-adjudicatory public hearing in the affected municipality or political subdivision.

(d) If public comment on a draft permit condition published by the office pursuant to this subdivision, including comments provided by a municipality or political subdivision or agency thereof, or members of the public raises a substantive and significant issue, as defined in regulations adopted pursuant to this section, that requires adjudication, the office shall promptly fix a date for an adjudicatory hearing to hear arguments and consider evidence with respect thereto.

(e) Following the expiration of the public comment period set forth in this subdivision, or following the conclusion of a hearing undertaken pursuant to this subdivision, the office shall, in the case of a public comment period, issue a written summary of public comment and an assessment of comments received, and in the case of an adjudicatory hearing, the executive officer or any person to whom the executive director has delegated such authority, shall issue a final written hearing report. A final siting permit may only be issued if the office makes a finding that the proposed project, together with any applicable uniform and site-specific standards and conditions would comply with applicable laws and regulations. In making this determination, the office may elect not to apply, in whole or in part, any local law or ordinance which would

otherwise be applicable if it makes a finding that, as applied to the proposed major renewable energy facility, it is unreasonably burdensome in view of the CLCPA targets and the environmental benefits of the proposed major renewable energy facility.

(f) Notwithstanding any other deadline made applicable by this section, the office shall make a final decision on a siting permit for any major renewable energy project within one year from the date the application was deemed complete, or within six months from the date the application was deemed complete if the major renewable energy facility is proposed to be sited on an existing or abandoned commercial use, including without limitation, brownfields, landfills, former commercial or industrial sites, dormant electric generating sites, and abandoned or otherwise underutilized sites, as further defined by the regulations promulgated by this section. Unless the office and the applicant have agreed to an extension, with such extension limited to thirty days, and if a final siting permit decision has not been made by the office within such time period, then such siting permit shall be deemed to have been automatically granted for all purposes set forth in this section and all uniform conditions or site specific permit conditions issued for public comment shall constitute enforceable provisions of the siting permit. The final siting permit shall include a provision requiring the permittee to provide a host community benefit, which may be a host community benefit as determined by the public service commission pursuant to section eight of the chapter of the laws of two thousand twenty that added this section or such other project as determined by the office or as subsequently agreed to between the applicant and the host community.

(g) Any party aggrieved by the issuance or denial of a permit under this section may seek judicial review of such decision as provided in this paragraph. (i) A judicial proceeding shall be brought in the appellate division of the supreme court of the state of New York in the judicial department embracing the county wherein the facility is to be located or, if the application is denied, the county wherein the applicant has proposed to locate the facility. Such proceeding shall be initiated by the filing of a petition in such court within ninety days after the issuance of a final decision by the office together with proof of service of a demand on the office to file with said court a copy of a written transcript of the record of the proceeding and a copy of the office's decision and opinion. The office's copy of said transcript, decision and opinion, shall be available at all reasonable times to all parties for examination without cost. Upon receipt of such petition and demand the office shall forthwith deliver to the court a copy of the record and a copy of the office's decision and opinion. Thereupon, the court shall have jurisdiction of the proceeding and shall have the power to grant such relief as it deems just and proper, and to make and enter an order enforcing, modifying and enforcing as so modified, remanding for further specific evidence or findings or setting aside in whole or in part such decision. The appeal shall be heard on the record, without requirement of reproduction, and upon briefs to the court. The findings of fact on which such decision is based shall be conclusive if supported by substantial evidence on the record considered as a whole and matters of judicial notice set forth in the opinion. The jurisdiction of the appellate division of the supreme court shall be exclusive and its judgment and order shall be final, subject to review by the court of appeals in the same manner and form and with the same effect as provided for appeals in a special proceeding. All such proceedings shall be heard and determined by the appellate division of the supreme court and by the

court of appeals as expeditiously as possible and with lawful precedence over all other matters.

(ii) The grounds for and scope of review of the court shall be limited to whether the decision and opinion of the office are:

(A) In conformity with the constitution, laws and regulations of the state and the United States;

(B) Supported by substantial evidence in the record and matters of judicial notice properly considered and applied in the opinion;

(C) Within the office's statutory jurisdiction or authority;

(D) Made in accordance with procedures set forth in this section or established by rule or regulation pursuant to this section;

(E) Arbitrary, capricious or an abuse of discretion; or

(F) Made pursuant to a process that afforded meaningful involvement of citizens affected by the facility regardless of age, race, color, national origin and income.

(iii) Except as herein provided article seventy-eight of the civil practice law and rules shall apply to appeals taken hereunder.

6. Powers of municipalities and state agencies and authorities; scope of section. (a) Notwithstanding any other provision of law, including without limitation article eight of the environmental conservation law and article seven of the public service law, no other state agency, department or authority, or any municipality or political subdivision or any agency thereof may, except as expressly authorized under this section or the rules and regulations promulgated under this section, require any approval, consent, permit, certificate, contract, agreement, or other condition for the development, design, construction, operation, or decommissioning of a major renewable energy facility with respect to which an application for a siting permit has been filed, provided in the case of a municipality, political subdivision or an agency thereof, such entity has received notice of the filing of the application therefor. Notwithstanding the foregoing, the department of environmental conservation shall be the permitting agency for permits issued pursuant to federally delegated or federally approved programs.

(b) This section shall not impair or abrogate any federal, state or local labor laws or any otherwise applicable state law for the protection of employees engaged in the construction and operation of a major renewable energy facility.

(c) The department of public service or the public service commission shall monitor, enforce and administer compliance with any terms and conditions set forth in a permit issued pursuant to this section and in doing so may use and rely on authority otherwise available under the public service law.

7. Fees; local agency account. (a) Each application for a siting permit shall be accompanied by a fee in an amount equal to one thousand dollars for each thousand kilowatts of capacity of the proposed major renewable energy facility, to be deposited in an account to be known as the local agency account established for the benefit of local agencies and community intervenors by the New York state energy research and development authority and maintained in a segregated account in the custody of the commissioner of taxation and finance. The office may update the fee periodically solely to account for inflation. The proceeds of such account shall be disbursed by the office, in accordance with eligibility and procedures established by the rules and regulations promulgated by the office pursuant to this section, for the participation of local agencies and community intervenors in public comment periods or hearing procedures established by this section, including the

rules and regulations promulgated hereto; provided that fees must be disbursed for municipalities, political subdivisions or an agency thereof, to determine whether a proposed facility is designed to be sited, constructed and operated in compliance with the applicable local laws and regulations.

(b) All funds so held by the New York state energy research and development authority shall be subject to an annual independent audit as part of such authority's audited financial statements, and such authority shall prepare an annual report summarizing account balances and activities for each fiscal year ending March thirty-first and provide such report to the office no later than ninety days after commencement of such fiscal year and post on the authority's website.

(c) With respect to a person who has filed an application for a siting permit pursuant to subdivision four of this section, any amounts held in an intervenor account established pursuant to articles seven and ten of the public service law shall be applied to the intervenor account established by this subdivision.

(d) In addition to the fees established pursuant to paragraph (a) of this subdivision, the office, pursuant to regulations adopted pursuant to this section, may assess a fee for the purpose of recovering the costs the office incurs related to reviewing and processing an application submitted under this section.

§ 5. The opening paragraph of section 1854 of the public authorities law, as amended by chapter 558 of the laws of 1980, is amended to read as follows:

The purposes of the authority shall be to develop and implement new energy technologies and invest in build-ready sites, as defined in subdivision eight of section nineteen hundred one of this article, consistent with economic, social and environmental objectives, to develop and encourage energy conservation technologies, to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and industrial pollution control facilities at the Saratoga Research and Development Center, and to promote, develop, encourage and assist special energy projects and thereby advance job opportunities, health, general prosperity and economic welfare of the people of the state of New York. In carrying out such purposes, the authority shall, with respect to the activities specified, have the following powers:

§ 6. Article 8 of the public authorities law is amended by adding a new title 9-B to read as follows:

Title 9-B

CLEAN ENERGY RESOURCES DEVELOPMENT AND INCENTIVES PROGRAM

Section 1900. Statement of legislative intent.
1901. Definitions.
1902. Powers and duties.
1903. Eligibility.
1904. Funding.
1905. Reporting.

§ 1900. Statement of legislative intent. It is the intent of the legislature in enacting this title to empower the New York state energy research and development authority to establish effective programs and other mechanisms to: (1) foster and encourage the orderly and expedient siting and development of renewable energy facilities, particularly at sites which are difficult to develop, consistent with applicable law for the purpose of enabling the state to meet CLCPA targets as defined in

subdivision two of section ninety-four-c of the executive law; (2) incentivize the re-use of previously developed sites for renewable energy facilities to protect the value of taxable land, capitalize on existing infrastructure; (3) support the provision of benefits to communities that host renewable energy facilities; and (4) protect environmental justice areas from adverse environmental impacts.

§ 1901. Definitions. As used in this title, the following terms shall have the following meanings:

1. "Authority" shall have the same meaning as in subdivision two of section eighteen hundred fifty-one of this article.

2. "Commission" shall mean the public service commission.

3. "Departments" shall mean the department of environmental conservation, the department of agriculture and markets, the department of economic development and the department of public service.

4. "Environmental justice area" shall mean a minority or low-income community that may bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

5. "Host community" shall mean any municipality within which a major renewable energy facility, or any portion thereof, has been proposed for development.

6. "Renewable energy facility" shall have the same meaning as renewable energy systems defined in section sixty-six-p of the public service law.

7. "Municipality" shall mean a county, city, town or village or political subdivision.

8. "Build-ready site" shall mean a site for which the authority has secured permits, property interests, agreements and/or other authorizations necessary to offer such site for further development, construction and operation of a renewable energy facility in accordance with the other provisions of this title.

§ 1902. Powers and duties. The authority is hereby authorized and directed to undertake such actions it deems necessary or convenient to foster and encourage the siting and development of build-ready sites throughout the state in accordance with this title, work in collaboration with the department of public service and the New York state urban development corporation and any of their affiliates, including without limitation:

1. (a) Locate, identify and assess sites within the state that appear suitable for the development of build-ready sites with a priority given to previously developed sites. Such assessment may include but need not be limited to the following considerations:

(i) natural conditions at the site that are favorable to renewable energy generation;

(ii) current land uses at or near the site;

(iii) environmental conditions at or near the site;

(iv) the availability and characteristics of any transmission or distribution facilities on or near the site that could be used to facilitate the delivery of energy from the site, including existing or potential constraints on such facilities;

(v) the potential for the development of energy storage facilities at or near the site;

(vi) potential impacts of development on environmental justice communities; and

(vii) expressions of commercial interest in the site or general location by developers of major renewable energy facilities.

(b) In making such assessment the authority shall give priority to previously developed sites, existing or abandoned commercial sites, including without limitation brownfields, landfills, former commercial or industrial sites, dormant electric generating sites, or otherwise underutilized sites;

2. Notwithstanding any provision of law to the contrary that would require the authority to locate sites through a competitive procurement, negotiate and enter into agreements with persons who own or control interests in favorable sites for the purpose of securing the rights and interests necessary to enable the authority to establish build-ready sites;

3. Establish procedures and protocols for the purpose of establishment and transfer of build-ready sites which shall include, at a minimum: (a) written notice at the earliest practicable time to a municipality in which a potential build-ready site has been identified; and (b) a preliminary screening process to determine, in consultation with the department of environmental conservation, whether the potential build-ready site is located in or near an environmental justice area and whether an environmental justice area would be adversely affected by development of a build-ready site;

4. Undertake all work and secure such permits as the authority deems necessary or convenient to facilitate the process of establishing build-ready sites and for the transfer of the build-ready sites to developers selected pursuant to a publicly noticed, competitive bidding process authorized by law;

5. Notwithstanding title five-A of article nine of this chapter, establish a build-ready program, including eligibility and other criteria, pursuant to which the authority would, through a competitive and transparent bidding process, transfer rights and other interests in build-ready sites and development rights to developers for the purpose of facilitating the development of renewable energy facilities on such build-ready sites. Such transactions may include the transfer of rights, interests and obligations existing under agreements providing for host community benefits negotiated by the authority pursuant to programs established pursuant to subdivision six of this section on such terms and conditions as the authority deems appropriate;

6. Establish one or more programs pursuant to which property owners and communities would receive incentives to host major renewable energy facilities developed for the purpose of advancing the state policies embodied in this article. Such program may include without limitation, and notwithstanding any other provision of law to the contrary, provisions for the authority to negotiate and enter into agreements with property owners and host communities providing for incentives, including a payment in lieu of taxes, the transfer of the authority's interests in such agreements to developers to whom build-ready sites are transferred, and the provision of information and guidance to stakeholders concerning incentives. The authority shall maintain a record of such programs and incentives, and shall publish such record on the authority's website;

7. Procure the services of one or more service providers, including without limitation environmental consultants, engineers and attorneys, to support the authority's responsibilities under this section and perform such other functions as the authority deems appropriate;

8. In consultation with the department of economic development, the department of labor and other state agencies and authorities having

experience with job training programs, assess the need for and availability of workforce training in the local area of build-ready sites to support green jobs development with special attention to environmental justice communities and, subject to available funding, establish one or more programs pursuant to which financial support can be made available for the local workforce and under-employed populations in the area;

9. Manage, allocate and spend any monies made available to the authority in furtherance of this title as the authority determines to be appropriate for the proper administration of programs created pursuant to this title. The authority shall, in identifying build-ready sites, consider the ability to recoup funds allocated or spent in furtherance of the programs created pursuant to this title. Any proceeds, less program expenses and administration, so earned by the authority pursuant to this title shall be reinvested in accordance with a plan approved by the commission;

10. Where the authority determines that it would be beneficial to the policy embodied in this title, offer financing or other incentives to eligible developers through a competitive process, including without limitation measures and activities undertaken by the authority in conjunction with its administration of the state's clean energy standard or similar program as established in commission orders, including without limitation orders issued in commission case number 15-E-0302; and

11. Request and receive the assistance of, the departments or any other state agency or authority, within their respective relevant subject matter expertise, to support the administration of the program created pursuant to this title.

§ 1903. Eligibility. The authority may establish and revise any eligibility and evaluation criteria it deems appropriate for the proper administration of the programs created pursuant to this title.

§ 1904. Funding. 1. The authority may seek funding from any authorized or other available source to administer this program.

2. Without limiting the foregoing, the authority shall submit a petition or other appropriate filing to the commission describing the activities it has taken and plans to undertake in furtherance of the policy embodied in this title. Such filing may include a request for funding to allow such activities to proceed promptly and for a period of at least five years from the date of the order responding to such petition. The commission shall, in accordance with and as promptly as authorized by existing law and regulation but in no event more than four months following the submission of the petition, issue an order responding to such petition subject to any necessary and reasonable limitations based on the public service law.

§ 1905. Reporting. 1. Effective April first, two thousand twenty-one, the authority shall issue an annual report specifying:

(a) any proceeds, less program expenses and administration, so earned by the authority pursuant to this title;

(b) the sites auctioned for development pursuant to subdivision 5 of section nineteen hundred two of this title;

(c) the identity of developers to whom rights have been transferred pursuant to section nineteen hundred two of this title; and,

(d) the resulting renewable energy production.

2. The authority shall submit such report to the governor, the temporary president of the senate, and the speaker of the assembly. A copy of the report shall also be posted on the authority's website.

§ 7. State power grid study and program to achieve CLCPA targets. 1. As used in this section:

(a) "CLCPA targets" means the public policies established in the climate leadership and community protection act enacted in chapter 106 of the laws of 2019, including the requirements that a minimum of 70% statewide electric generation be produced by renewable energy systems by 2030, by the year 2040 the statewide electrical demand system will generate zero emissions, and the state's jurisdictional load serving entities will procure at least 9 gigawatts of offshore wind electricity generation by 2035, 6 gigawatts of photovoltaic solar generation by 2025, and support 3 gigawatts of statewide energy storage capacity by 2030, as such policies may from time to time be amended.

(b) "Commission" means the public service commission.

(c) "Department" means the department of public service.

(d) "Distribution upgrade" means a new distribution facility or an improvement, enhancement, replacement, or other modification to the electric power grid at the distribution level in a utility's service territory that facilitates achievement of the CLCPA targets.

(e) "Local transmission upgrade" means a new transmission facility that is identified within a utility's local transmission capital plan, an upgrade to a local transmission facility as defined in the tariff of the state grid operator, or an improvement, enhancement, replacement, or other modification to a transmission facility in a utility's service territory that facilitates achievement of the CLCPA targets.

(f) "Major renewable energy facility" has the same meaning as in paragraph (g) of subdivision 2 of section 94-c of the executive law.

(g) "Bulk transmission investment" means a new transmission facility or an improvement, enhancement, replacement, or other modification to the state's bulk electric transmission grid that facilitates achievement of the CLCPA targets and includes without limitation alternating current facilities and high voltage direct current facilities, including submarine transmission facilities.

(h) "State grid operator" means the federally designated electric bulk system operator for New York state.

(i) "Utility" means an electric transmission or delivery utility or any other person owning or maintaining an electric transmission or delivery system, over which the commission has jurisdiction.

2. The department, in consultation with the New York state energy research and development authority, the power authority of the state of New York, the Long Island power authority, the state grid operator, and the utilities shall undertake a comprehensive study for the purpose of identifying distribution upgrades, local transmission upgrades and bulk transmission investments that are necessary or appropriate to facilitate the timely achievement of the CLCPA targets (collectively, "power grid study"). The power grid study shall identify needed distribution upgrades and local transmission upgrades for each utility service territory and separately address needed bulk transmission system investments. In performing the study, the department may consider such issues it determines to be appropriate including by way of example system reliability; safety; cost-effectiveness of upgrades and investments in promoting development of major renewable energy facilities and relieving or avoiding constraints; and factors considered by the office of renewable energy siting in issuing and enforcing renewable energy siting permits pursuant to section 94-c of the executive law. In carrying out the study, the department shall gather input from owners and developers of competitive transmission projects, the state grid operator, and providers of transmission technology and smart grid solutions and to utilize information available to the department from other pertinent

studies or research relating to modernization of the state's power grid. To enable the state to meet the CLCPA targets in an orderly and cost-effective manner, the department may issue findings and recommendations as part of the power grid study at reasonable intervals but shall make an initial report of findings and recommendations within 270 days of the effective date of this section.

3. The commission shall, within 60 days of the initial findings and recommendations required by subdivision two of this section, or at such earlier time as the commission determines to be appropriate, commence a proceeding to establish a distribution and local transmission capital plan for each utility in whose service territory the power grid study identified distribution upgrades and local transmission upgrades that the department determines are necessary or appropriate to achieve the CLCPA targets (the "state distribution and local transmission upgrade programs"). The state distribution and local transmission upgrade programs shall establish a prioritized schedule upon which each such upgrade shall be accomplished. Concurrently, the Long Island power authority shall establish a capital program to address identified distribution and local transmission upgrades in its service territory.

4. The commission shall, within 60 days of the initial findings and recommendations required by subdivision two of this section, commence a proceeding to establish a bulk transmission system investment program, consistent with the commissions siting authority in article 7 of the public service law that identifies bulk transmission investments that the commission determines are necessary or appropriate to achieve the CLCPA targets (the "state bulk transmission investment plan"). The commission shall establish a prioritized schedule for implementation of the state bulk transmission investment plan and, in particular shall identify projects which shall be completed expeditiously to meet the CLCPA targets. The state bulk transmission investment plan shall be submitted by the commission to the state grid operator for appropriate incorporation into the state grid operator's studies and plans. The commission shall utilize the state grid operator's public policy transmission planning process to select a project necessary for implementation of the state bulk transmission investment plan, and shall identify such projects no later than eight months following a notice of the state grid operator's public policy transmission planning process cycle, except that for those projects for which the commission determines there is a need to proceed expeditiously to promote the state's public policy goals, such projects shall be designated and proceed in accordance with subdivision five of this section. The commission shall periodically review and update the state bulk transmission investment plan, and its designation of projects in that plan which shall be completed expeditiously.

5. The legislature finds and determines that timely development of the bulk transmission investments identified in the state bulk transmission investment plan is in the public interest of the people of the state of New York. The legislature further finds and determines that the power authority of the state of New York ("power authority") owns and operates backbone electric transmission assets in New York, has rights-of-way that can support in whole or in part bulk transmission investment projects, and has the financial stability, access to capital, technical expertise and experience to effectuate expeditious development of bulk transmission investments needed to help the state meet the CLCPA targets, and thus it is appropriate for the power authority as deemed feasible and advisable by its trustees, by itself or in collaboration

with other parties as it determines to be appropriate, to develop those bulk transmission investments found by the commission to be needed expeditiously to achieve CLCPA targets ("priority transmission projects"). The power authority shall, through a public process, solicit interest from potential co-participants in each project it has agreed to develop and assess whether any joint development would provide for significant additional benefits in achieving the CLCPA targets. The power authority may thereafter determine to undertake the development of the project on its own, or undertake the project jointly with one or more other parties on such terms and conditions as the power authority finds to be appropriate and, notwithstanding any other law to the contrary, enter into such agreements and take such other actions the power authority determines to be necessary in order to undertake and complete timely development of the project. The intent of this act is for the power authority to develop priority transmission projects authorized in this subdivision. For priority projects that the authority determines to undertake and that are not substantially within the power authority's existing rights of way, the authority shall, as deemed feasible and advisable by its board of trustees, select private sector participants through a competitive bidding process, provided however that priority transmission projects is not intended to include generation lead lines, or repairs to, replacement of or upgrades to the power authority's own transmission assets.

6. For the state distribution and local transmission upgrade program, the commission shall address implementation of such upgrades pursuant to the existing processes under the public service law. The department shall also make recommendations to the Long Island power authority for upgrades for purposes of assisting the state to achieve the CLCPA targets.

7. No later than January 1, 2023, and every 4 years thereafter, the commission shall, after notice and provision for the opportunity to comment, issue a comprehensive review of the actions taken pursuant to this section and their impacts on grid congestion and achievement of the CLCPA targets, and shall institute new proceedings as the commission determines to be necessary to address any deficiencies identified therewith.

8. The power authority of the state of New York and the New York state energy research and development authority, are each authorized, as deemed feasible and advisable by their respective boards, to contribute to the cost of the power grid study required by subdivision two of this section.

9. Nothing in this section is intended to:

(a) limit, impair, or affect the legal authority of the power authority that existed as of the effective date of this section; or

(b) limit the authority of the power authority to undertake any transmission project, including bulk transmission investments, and recover costs under any other process or procedure authorized by state or federal law as the authority determines to be appropriate.

§ 8. Host community benefit. 1. Definitions. As used in this section, the following terms shall have the following meanings:

(a) "Renewable host community" shall mean any municipality within which a major renewable energy facility defined in paragraph (h) of subdivision 2 of section 94-c of the executive law, or any portion thereof, has been proposed for development.

(b) "Renewable owner" shall mean the owner of a major renewable energy facility constructed after the effective date of this section that is

proposed to be located in a host community, for which the New York state energy research and development authority has executed an agreement for the acquisition of environmental attributes related to a solicitation issued by such authority after the effective date of this section.

(c) "Utility" means an electric distribution utility regulated pursuant to section 66 of the public service law and serving customers within a host community.

2. The public service commission shall, within 60 days from the effective date hereof, commence a proceeding to establish a program under which renewable owners would fund a program to provide a discount or credit on the utility bills of the utility's customers in a renewable host community, or a compensatory or environmental benefit to such customers. Such proceeding shall determine the amount of such discount, credit, compensatory or environmental benefit based on all factors deemed appropriate by the commission, including the expected average electrical output of the facility, the average number of customers within the renewable host community, and the expected aggregate annual electric consumption within such renewable host community, the potential impact on environmental justice communities, and the role of utilities, if any, in implementing any aspect of such program. The Long Island power authority shall establish a program for renewable facilities in its service territory to achieve the same objectives.

§ 9. Subdivision 3 of section 123 of the public service law, as added by chapter 252 of the laws of 2002, is amended to read as follows:

3. Unless otherwise stipulated by the applicant[~~, a final determination regarding an application for a certificate to construct transmission facilities for interconnection with a wind energy production facility located in the county of Lewis shall be rendered within six months from the date of receipt of a compliant application.~~]:

(a) proceedings on an application for a major utility transmission facility as defined in paragraph a of subdivision two of section one hundred twenty of this article shall be completed in all respects, including a final decision by the commission, within twelve months from the date of a determination by the secretary of the commission that an application complies with section one hundred twenty-two of this article; provided, however, the commission may extend the deadline in reasonable circumstances by no more than six months in order to give consideration to specific issues necessary to develop an adequate record, because the applicant has been unable to obtain necessary approvals and/or consents related to highway crossings or for other reasons deemed in the public interest. The commission shall render a final decision on the application by the aforementioned deadlines unless such deadlines are waived by the applicant or if the applicant notices the application for settlement, in which case the timeframes established in this paragraph are tolled until such time that settlement discussions are suspended. If, at any time subsequent to the commencement of the hearing, there is a substantive and significant amendment to the application, the commission shall promptly fix a date for commencement of a public hearing thereon, such public hearing to commence no later than sixty days after receipt of such amendment. The commission shall issue a final decision thereon no later than six months after the conclusion of the public hearing, unless such deadline is waived by the applicant.

(b) the commission shall, for the purpose of meeting the goals of chapter one hundred six of the laws of two thousand nineteen, promulgate rules or regulations to establish an expedited process for proceedings on applications for a major utility transmission facility as defined in

paragraph a of subdivision two of section one hundred twenty of this article that (i) would be constructed within existing rights-of-way, (ii) the commission determines in consultation with the department of environmental conservation would not result in any significant adverse environmental impacts considering current uses and conditions existing at the site, or (iii) would necessitate expanding the existing rights-of-way but such expansion is only for the purpose of complying with law, regulations, or industry practices relating to electromagnetic fields.

(c) for purposes of this subdivision, the following terms shall have the following meanings:

(i) "Expedited process" shall mean a process for proceedings on applications for a major electric transmission facility that is completed in all respects, including a final decision by the commission, within nine months from the date of a determination by the secretary of the commission that an application complies with section one hundred twenty-two of this article; provided, however, that if the applicant notices the application for settlement, the timeframe established in this paragraph shall be tolled until such time that settlement discussions are suspended.

(ii) "Right-of-way" shall mean (a) real property that is used or authorized to be used for electric utility purposes, or (b) real property owned or controlled by or under the jurisdiction of the state, a distribution utility, or a state public authority including by means of ownership, lease or easement, that is used or authorized to be used for transportation or canal purposes.

§ 10. Paragraphs (c) and (d) of subdivision 1 of section 126 of the public service law, paragraph (c) as amended by chapter 406 of the laws of 1987 and paragraph (d) as amended by chapter 521 of the laws of 2015, are amended to read as follows:

(c) that the facility [~~represents the minimum~~] avoids or minimizes to the extent practicable any significant adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations including but not limited to, the effect on agricultural lands, wetlands, parklands and river corridors traversed;

(d) that the facility [~~represents a minimum~~] avoids or minimizes to the extent practicable any significant adverse impact on active farming operations that produce crops, livestock and livestock products, as defined in section three hundred one of the agriculture and markets law, considering the state of available technology and the nature and economics of various alternatives, and the ownership and easement rights of the impacted property;

§ 11. Notwithstanding section 2897 of the public authorities law, the power authority of the state of New York and the New York state energy research and development authority may each negotiate and enter into agreements with other parties providing for the conveyance of interests in real property provided that in the case of any such conveyance such entity determines that the conveyance will further the purposes of this act or provide other benefits to the entity or the state.

§ 12. The environmental conservation law is amended by adding a new section 11-0535-c to read as follows:

§ 11-0535-c. Endangered and threatened species mitigation bank fund.

1. The department is hereby authorized to utilize funds in the endangered and threatened species mitigation bank fund, established pursuant to section ninety-nine-hh of the state finance law, for the purposes of

implementing an endangered and threatened species mitigation plan approved by the department.

2. Such fund shall consist of contributions, in an amount determined by the department, deposited by an applicant granted a siting permit to construct a major renewable energy facility, where such applicant has been ordered to mitigate harm to a threatened or endangered species or its habitat.

3. In administering the provisions of this article, the commissioner:

a. May, in the name of the state, enter into contracts with not-for-profit corporations, private or public universities, and private contractors for services contemplated by this title. Such contracts shall be subject to approval by the state comptroller and, as to form, by the attorney general.

b. Shall approve vouchers for payments pursuant to an approved contract. All such payments shall be paid on the audit and warrant of the state comptroller;

c. May, in the name of the state, enter into contracts with a not-for-profit corporation to administer grants made pursuant to this title, including the approval and payment of vouchers for approved contracts; and

d. May perform such other and further acts as may be necessary, proper, or desirable to carry out the provisions of this article.

4. Nothing in this article shall be construed to limit or restrict any powers of the commissioner or any other agency pursuant to any other provision of law.

5. The commissioner is authorized and directed to promulgate any regulations deemed necessary to implement this section.

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

§ 99-hh. Endangered and threatened species mitigation bank fund. 1. There is hereby established in the joint custody of the comptroller and the commissioner of taxation and finance a special fund to be known as the "Endangered and threatened species mitigation bank fund".

2. Such fund shall consist of all revenues received pursuant to the provisions of section 11-0535-c of the environmental conservation law and all other moneys appropriated, credited, or transferred thereto from any other fund or source pursuant to law.

3. All moneys deposited in the endangered and threatened species mitigation bank fund shall be available for projects undertaken to facilitate a net conservation benefit to endangered and threatened species potentially impacted by a major renewable energy facility.

4. Monies shall be payable from the fund on the audit and warrant of the comptroller on vouchers approved and certified by the commissioner of environmental conservation.

§ 14. Severability. If any clause, sentence, paragraph, 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, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 15. This act shall take effect immediately and shall expire December 31, 2030 when upon such date this act shall be deemed repealed; provided that such repeal shall not affect or impair any act done, any application filed, any right, permit or authorization awarded, accrued, received or acquired, or any liability incurred, prior to the time such repeal takes effect, and provided further that any project for which the

New York state energy research and development authority has expended, or committed to a third party to expend, funds towards the development of a build-ready site prior to such repeal shall be permitted to continue in accordance with title 9-B of article 8 of the public authorities law notwithstanding such repeal; provided further that any bulk transmission investments the power authority of the state of New York has notified the public service commission of its intent to develop individually or jointly prior to such repeal shall be permitted to continue under this act notwithstanding such repeal, and provided further that on the effective date of this act, the office of renewable energy siting shall be authorized to promulgate any rules or regulations necessary to implement section four of this act.

PART KKK

Section 1. Subdivision 1 of section 436 of the economic development law, as added by section 1 of part A of chapter 68 of the laws of 2013, is amended to read as follows:

1. A campus, university or college that has sponsored a tax-free NY area (including any strategic state asset affiliated with the campus, university or college) shall solicit and accept applications from businesses to locate in such area that are consistent with the plan of such campus, university or college or strategic state asset that has been approved pursuant to section four hundred thirty-five of this article. Any business that wants to locate in a tax-free NY area must submit an application to the campus, university or college which is sponsoring the tax-free NY area by December thirty-first, two thousand [~~twenty~~] twenty-five. Prior to such date, the commissioner shall prepare an evaluation on the effectiveness of the START-UP NY program and deliver it to the governor and the legislature to determine continued eligibility for application submissions.

§ 2. This act shall take effect immediately.

PART LLL

Section 1. Section 1265 of the public authorities law is amended by adding a new subdivision 3-a to read as follows:

3-a. (a) To borrow money, to issue negotiable notes, bonds or other obligations and to provide for the rights of the holders thereof, in the fiscal years of the authority beginning in two thousand twenty through two thousand twenty-two to offset decreases in revenue, including but not limited to, lost taxes, fees, charges, fares and tolls, or increases in operating costs of the authority and its subsidiary corporations, the New York city transit authority and its subsidiary corporations and the Triborough bridge and tunnel authority due in whole or in part to the state disaster emergency caused by the novel coronavirus, COVID-19; provided, that such notes, bonds or other obligations shall be issued in accordance with the provisions of section twelve hundred sixty-nine of this title, except that the last sentence of subdivision two thereof relating to the approval of the comptroller or the director of the budget, as applicable, for private sales, and subdivision twelve thereof, and the provisions of section twelve hundred sixty-nine-b of this title, shall not be applicable with respect to notes, bonds or other obligations issued for such purposes. No sale of such notes, bonds or other obligations of the authority may be sold by the authority, however, prior to the earlier of (i) seven days following the receipt by the

state comptroller of notice by the authority of such proposed sale and the terms thereof or (ii) the receipt by the authority of the state comptroller's comments on such proposed sale and the terms thereof. Additionally, no sale of such notes, bonds or other obligations of the authority may be sold by the authority, however, unless such sale and the terms thereof have been approved in writing by the director of the budget. The proceeds of the sale of such notes, bonds or other obligations shall be taken into consideration as "revenue and any other funds or property actually available to the authority and its subsidiary corporations" within the meaning of subdivision three of section twelve hundred sixty-six of this title. The aggregate principal amount of bonds, notes or other obligations issued pursuant to this subdivision shall not exceed ten billion dollars.

(b) The authority shall report on any issuances or obligations incurred related to paragraph (a) of this subdivision. Such report shall include, but not be limited to, an explanation of each note, bond, or obligation and their respective values issued by the authority pursuant to decreases in revenue in whole or in part due to the state disaster emergency caused by novel coronavirus, COVID-19. The report shall also provide: (i) details of such decreases in revenue in whole, (ii) details of such decreases in revenue in part, (iii) details of such increases in costs, (iv) the methodology used by the authority or metropolitan transportation authority to calculate such changes, (v) an explanation for attributing a particular increase in cost or a particular decrease in revenue, to the state disaster emergency caused by coronavirus, COVID-19, and (vi) how the authority determined that the particular note, bond, or obligation issued was its most desired option. Such report shall be posted on the authority's website and be submitted to the governor, the temporary president of the senate, the speaker of the assembly, the mayor and council of the city of New York, the metropolitan transportation authority board, and the metropolitan transportation authority capital program review board.

§ 2. This act shall take effect immediately, provided that paragraph (a) of subdivision 3-a of section 1265 of the public authorities law as added by section one of this act shall expire and be deemed repealed three years after such effective date, provided that such repeal shall not affect the terms of any notes, bonds, or other obligations issued prior to such repeal.

PART MMM

Section 1. Subdivisions 2 and 4 of section 553-j of the public authorities law, as added by section 5 of subpart A of part ZZZ of chapter 59 of the laws of 2019, are amended to read as follows:

2. Monies in the fund shall be applied, subject to agreements with bondholders and applicable federal law, to the payment of operating, administration, and other necessary expenses of the authority, or to the city of New York subject to the memorandum of understanding executed pursuant to subdivision two-a of section seventeen hundred four of the vehicle and traffic law properly allocable to such program, including the planning, designing, constructing, installing or maintaining of the central business district tolling program, including, without limitation, the central business district tolling infrastructure, the central business district tolling collection system and the central business district tolling customer service center, and the costs of any metropolitan transportation authority capital projects included within the 2020

to 2024 MTA capital program or any successor programs. Monies in the fund may be: (a) pledged by the authority to secure and be applied to the payment of the bonds, notes or other obligations of the authority to finance the costs of the central business district tolling program, including, without limitation, the central business district tolling infrastructure, the central business district tolling collection system and the central business district tolling customer service center, and the costs of any metropolitan transportation authority capital projects included within the 2020 to 2024 MTA capital program or any successor programs, including debt service, reserve requirements, if any, the payment of amounts required under bond and note facilities or agreements related thereto, the payment of federal government loans, security or credit arrangements or other agreements related thereto; or (b) used by the authority for the payment of such capital costs of the central business district tolling program and the costs of any metropolitan transportation authority capital projects included within the 2020 to 2024 MTA capital program or any successor programs; or (c) transferred to the metropolitan transportation authority and (1) pledged by the metropolitan transportation authority to secure and be applied to the payment of the bonds, notes or other obligations of the metropolitan transportation authority to finance the costs of any metropolitan transportation authority capital projects included within the 2020 to 2024 MTA capital program or any successor programs, including debt service, reserve requirements, if any, the payment of amounts required under bond and note facilities or agreements related thereto, the payment of federal government loans, security or credit arrangements or other agreements related thereto, or (2) used by the metropolitan transportation authority for the payment of the costs of any metropolitan transportation authority capital projects included within the 2020 to 2024 MTA capital program or any successor programs**, or (3) subject to approval by the board of the metropolitan transportation authority and the director of the budget, used by the metropolitan transportation authority in all or any of the fiscal years of the authority beginning in 2020 through 2021 to offset decreases in revenue, including but not limited to, lost taxes, fees, charges, fares and tolls, due in whole or in part, or increases in operating costs due in whole to the state disaster emergency caused by the novel coronavirus, COVID-19**. Such revenues shall only supplement and shall not supplant any federal, state, or local funds expended by the authority or the metropolitan transportation authority, or such authority's or metropolitan transportation authority's affiliates or subsidiaries for such respective purposes. Central business district toll revenues may be used as required to obtain, utilize, or maintain federal authorization to collect tolls on federal aid highways. **Provided further that, in the event the authority or metropolitan transportation authority receives funds or reimbursements, including without limitation from the federal government or insurance maintained by the authority or metropolitan transportation authority, due in whole or in part to the novel coronavirus, COVID-19, any monies from the fund used to offset decreases in revenue or increases in operating costs due in whole or in part to the state disaster emergency caused by the novel coronavirus, COVID-19, shall be repaid after the authority or the metropolitan transportation authority fully repays any public or private borrowings, draws on any lines of credit, issuances of revenue anticipation notes, any internal loans, and use of corpus of OPEB Trust to pay current retiree healthcare cost necessitated by COVID-19 revenue shortfall. Such obligation to repay shall be limited to the availability**

of any excess monies, and any such funds or reimbursements in excess of the amounts needed to fully repay such amounts shall be transferred to the fund and used for the purposes originally intended for such fund.

4. The authority shall report annually on all receipts and expenditures of the fund. The report shall detail operating expenses of the central business district tolling program and all fund expenditures including capital projects. If, during the period of the report, any monies in the fund were used by the authority or the metropolitan transportation authority to offset decreases in revenue lost in whole or in part due to the state disaster emergency caused by novel coronavirus, COVID-19, or increases in operating costs in whole due to the novel coronavirus, COVID-19, the report shall also provide: (a) details of such decreases in revenue in whole, (b) details of such decreases in revenue in part, (c) details of such increases in costs, (d) the methodology used by the authority or metropolitan transportation authority to calculate such changes, and (e) explanation for attributing a particular increase in cost or a particular decrease in revenue, to the state disaster emergency caused by coronavirus, COVID-19. The report shall be readily available to the public, and shall be posted on the authority's website and be submitted to the governor, the temporary president of the senate, the speaker of the assembly, the comptroller, the director of the budget, the mayor and council of the city of New York, the metropolitan transportation authority board, and the metropolitan transportation authority capital program review board.

§ 2. This act shall take effect immediately; provided, however, that the amendments to subdivision 2 of section 553-j of the public authorities law made by section one of this act shall expire and be deemed repealed two years after such effective date; and provided further, that such repeal shall not affect the terms of any bonds, notes, or other obligations issued prior to such repeal.

PART NNN

Section 1. Section 9.51 of the mental hygiene law, as added by chapter 947 of the laws of 1981, subdivision (b) as amended by chapter 465 of the laws of 1992, subdivision (c) as amended by chapter 230 of the laws of 2004, the opening paragraph of subdivision (d) as amended by chapter 273 of the laws of 1986, subdivision (f) as amended by chapter 401 of the laws of 2006, and the closing paragraph of subdivision (g) as amended by section 66 of part A of chapter 3 of the laws of 2005, is amended to read as follows:

§ 9.51 Residential treatment facilities for children and youth; admissions.

(a) The director of a residential treatment facility for children and youth, as defined by section 1.03 of this chapter, may receive as a patient a person under the age of twenty-one in need of care and treatment in such a facility who has been [~~certified as needing~~] determined appropriate for such care [~~by the pre-admission certification committee serving the facility~~] and treatment in accordance with standards and priorities for admission established by [~~such committee, as provided by this section. Subject to the provisions of this section, the provisions of this article shall apply to admission and retention of patients to residential treatment facilities for children and youth~~] the office in regulations in accordance with federal regulations.

(b) Persons admitted as in-patients to hospitals operated by the office of mental health upon the application of the [~~director of the~~

~~division for youth~~] commissioner of the office of children and family services pursuant to section five hundred nine of the executive law or 353.4 of the family court act who are not subject to a restrictive placement pursuant to section 353.5 of the family court act, may, if appropriate, and subject to the provisions of subdivision (d) of this section, be transferred to a residential treatment facility for children and youth. The [~~director of the division for youth~~] commissioner of the office of children and family services shall be notified of any such transfer. When appropriate, the director of the residential treatment facility may arrange the return of a patient so transferred to the hospital or the transfer of a patient to another hospital or, in accordance with subdivision four of section five hundred nine of the executive law[~~, to the division for youth~~] to the commissioner of the office of children and family services.

(c) The commissioner shall [~~designate pre-admission certification committees for defined geographic areas to evaluate each person proposed for admission or transfer to a residential treatment facility for children and youth. When designating persons to serve on pre-admission certification committees, the commissioners shall assure that the interests of the people residing in the area to be served by each committee are represented. Such committees shall include a person designated by the office of mental health, a person designated by the state commissioner of social services and a person designated by the state commissioner of education. The commissioner of mental health shall consult with the conference of local mental hygiene directors and the commissioner of social services shall consult with county commissioners of social services in the area to be served by a committee prior to designating persons to serve on a committee. The commissioners may designate persons who are not state employees to serve on pre-admission certification committees. Membership of pre-admission certification committees shall be limited to persons licensed in accordance with the education law to practice medicine, nursing, psychology, or licensed clinical social work. In the event the persons originally designated to a committee by the commissioners do not include a physician, the commissioner shall designate a physician to serve as an additional member of the committee. Each pre-admission certification committee shall designate five persons representing local governments, voluntary agencies, parents and other interested persons who shall serve as an advisory board to the committee~~] consult with the executive director of the council on children and families regarding the establishment of an advisory board. The advisory board shall include, as deemed appropriate by the commissioner and the executive director of the council on children and families, representatives of the members of the council on children and families as specified in section four hundred eighty-three of the social services law, local agency representatives under the jurisdiction of a member agency of the council on children and families, family representatives with lived experience with residential treatment facility services, medical directors from residential treatment facilities, and representatives from hospitals with pediatric inpatient psychiatric beds, that is not operated by the state office of mental health. Members of the advisory board shall be representative of the racial, ethnic, and geographic diversity of the state. Such board shall have the right to visit residential treatment facilities for children and youth [~~served by the committee~~] and shall have the right to review clinical records [~~obtained by the pre-admission certification committee~~] and shall be bound by the confidentiality requirements of section 33.13 of this chap-

ter. The advisory board shall issue an annual report on the disposition of applications for admission to residential treatment facilities. Such report shall include, but not be limited to: the number of children that applied to each residential treatment facility, the number of children admitted to each residential treatment facility, the number of children transferred from a hospital operated by the office of mental health and subsequently transferred to another hospital, the average length of stay for residents at each residential treatment facility, the number of children served at each residential treatment facility, and the number of involuntary placements and/or transfers from office of mental health operated inpatient facilities which occur each calendar year. Such annual report shall be posted on the office of mental health's website and submitted to the governor, the speaker of the assembly and the temporary president of the senate by March first for the previous calendar year.

(d) [~~All applications~~] Applications for admission or transfer of an individual to a residential treatment facility for children and youth [~~shall be referred to a pre-admission certification committee for~~] must document that there has been an evaluation of the needs of the individual and [~~certification~~] a determination of the individual's need for treatment in a residential treatment facility for children and youth[~~. Applications shall include an assessment of the individual's psychiatric, medical and social needs prepared in accordance with a uniform assessment method specified by the regulations of the commissioner. The committee may at its discretion refer an applicant to a hospital or other facility operated or licensed by the office for an additional assessment. In the event of such an additional assessment of the individual's needs, the facility conducting the assessment shall attempt to receive all third party insurance or federal reimbursement available as payment for the assessment. The state shall pay the balance of the fees which may be charged by the provider in accordance with applicable provisions of law. In addition, if necessary, in accordance with section four thousand five of the education law, the pre-admission certification committee shall obtain an evaluation of the educational needs of the child by the committee on special education of the school district of residence. The pre-admission certification committee shall review all requests for evaluation and certification within thirty days of receipt of a complete application and any additional assessments it may require and, using a uniform assessment method specified by regulation of the commissioner, evaluate the psychiatric, medical and social needs of the proposed admittee and certify: (i) the individual's need for services in a residential treatment facility for children and youth and (ii) the immediacy of that need, given the availability of such services in the area and the needs of other children evaluated by the committee and certified as eligible for admission to a residential treatment facility for children and youth who have not yet been admitted to such a facility. A pre-admission certification committee shall not certify an individual for admission unless it finds that~~] and the appropriateness of such treatment. In the case of individuals who are applicants or recipients of medical assistance pursuant to title eleven of article five of the social services law, such determination shall also include certification of need for residential treatment facility services in accordance with this section. Where certification is required, an individual will be certified for admission if:

(1) Available ambulatory care resources and other residential placements do not meet the treatment needs of the individual;

(2) Proper treatment of the individual's psychiatric condition requires in-patient care and treatment under the direction of a physician; and

(3) Care and treatment in a residential treatment facility for children and youth can reasonably be expected to improve the individual's condition or prevent further regression so that services will no longer be needed, provided that a poor prognosis shall not in itself constitute grounds for a denial of certification if treatment can be expected to effect a change in prognosis. [~~All decisions of the committee to recommend admission or priority of admission shall be based on the unanimous vote of those present. The decision of the committee shall be reported to the applicant.~~] Decisions to recommend admission or priority admission shall occur in consultation with the residential treatment facility and be based on a determination of appropriateness including consideration of facility staffing, patient mix and acuity and the impact on the safety of other residents. In the event [~~a committee~~] the office evaluates a child who is the subject of a proceeding currently pending in the family court, the [~~committee~~] office shall report its decision to the family court. Prior to admission and no sooner than fourteen days after admission, the office or its designee may evaluate the medical necessity and quality of services for each Medicaid member. If the office or its designee determines that residential treatment services are no longer appropriate, the determination of the office or its designee shall be reported to the facility and the person, or the person's legally authorized representative. Such determination shall not be effective retroactively.

No residential treatment facility for children and youth shall admit a person who has not been determined appropriate and where appropriate, certified [~~as suitable~~] for such admission [~~by the appropriate pre-admission certification committee~~]. Residential treatment facilities shall admit [~~children in accordance with priorities for admission of children most immediately in need of such services established by the pre-admission certification committee serving the facility in accordance with standards established by the commissioner~~] individuals who have been designated as priority admissions by the office or commissioner's designee.

(e) Notwithstanding any inconsistent provision of law, no government agency shall make payments pursuant to title nineteen of the federal social security act or articles five and six of the social services law to a residential treatment facility for children and youth for service to a person whose need for care and treatment in such a facility was not certified pursuant to this section.

(f) No person shall be admitted to a residential treatment facility for children and youth who has a mental illness which presents a likelihood of serious harm to others; "likelihood of serious harm" shall mean a substantial risk of physical harm to other persons as manifested by recent homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm.

(g) Notwithstanding any other provision of law, [~~pre-admission certification committees~~] the office or commissioner's designee shall be entitled to review clinical records maintained by any person or entity which pertain to an individual on whose behalf an application is made for admission to a residential treatment facility for children and youth. Any clinical records received by [~~a pre-admission certification committee and all assessments submitted to the committee~~] the office or commissioner's designee shall be kept confidential in accordance with

the provisions of section 33.13 of [~~the mental hygiene law, provided, however, that the commissioner may have access to and receive copies of such records for the purpose of evaluating the operation and effectiveness of the committee~~] this chapter.

Confidentiality of clinical records of treatment of a person in a residential treatment facility for children and youth shall be maintained as required in section 33.13 of this chapter. That portion of the clinical record maintained by a residential treatment facility for children and youth operated by an authorized agency specifically related to medical care and treatment shall not be considered part of the record required to be maintained by such authorized agency pursuant to section three hundred seventy-two of the social services law and shall not be discoverable in a proceeding under section three hundred fifty-eight-a of the social services law or article ten-A of the family court act except upon order of the family court; provided, however, that all other information required by a local social services district or the office of children and family services for purposes of sections three hundred fifty-eight-a, four hundred nine-e and four hundred nine-f of the social services law and article ten-A of the family court act shall be furnished on request, and the confidentiality of such information shall be safeguarded as provided in section four hundred sixty-e of the social services law.

§ 2. Subdivisions (b) and (c) of section 31.26 of the mental hygiene law, as added by chapter 947 of the laws of 1981, are amended to read as follows:

(b) The commissioner shall have the power to adopt rules and regulations governing the establishment and operation of residential treatment facilities for children and youth. Such rules and regulations shall at least require, as a condition of issuance or retention of an operating certificate for a residential treatment facility for children and youth, that admission of children into such facilities be in accordance with priorities for admission of children most immediately in need of such services [~~established by the pre-admission certification committee serving the facility,~~] in accordance with [~~section 9.51 of this chapter~~] standards established by the commissioner which shall be in accordance with federal regulations.

(c) The commissioner [~~and the commissioner of social services shall~~], in consultation with the commissioner of education [~~and the director of the division for youth,~~] and the commissioner of the office of children and family services, shall adopt rules and regulations governing the [~~operation of the pre-admission certification committees~~] standards for admissions of individuals to residential treatment facilities required in section 9.51 of this chapter in accordance with federal regulations.

§ 3. Subdivision (g) of section 9.27 of the mental hygiene law, as added by chapter 947 of the laws of 1981, is amended to read as follows:

(g) Applications for involuntary admission of patients to residential treatment facilities for children and youth or transfer of involuntarily admitted patients to such facilities [~~shall~~] may be reviewed by the [~~pre-admission certification committee~~] office or commissioner's designee serving such facility in accordance with section 9.51 of this article and in consultation with the residential treatment facility receiving an involuntary admission or transfer of an involuntarily admitted patient.

§ 4. This act shall take effect July 1, 2020 and shall apply to all applications received on or after such effective date.

PART OOO

Section 1. Pursuant to section 7.18 of the mental hygiene law, the office of mental health will establish a separate appointing authority of secure treatment and rehabilitation center within the office of mental health for the care and treatment of dangerous sex offenders requiring confinement as described in article 10 of the mental hygiene law. All office of mental health employees who are substantially engaged in the care and treatment of article 10 sex offenders will be transferred to the secure treatment and rehabilitation center pursuant to subdivision 2 of section 70 of the civil service law. Employees will remain in their current geographic location, and civil service title and status. Such separate appointing authority shall not prevent an office of mental health employee that is providing care and treatment of article 10 sex offenders to also provide care and treatment to other populations at office of mental health facilities.

§ 2. This act shall take effect immediately.

PART PPP

Section 1. Sections 19 and 21 of chapter 723 of the laws of 1989 amending the mental hygiene law and other laws relating to comprehensive psychiatric emergency programs, as amended by section 1 of part I of chapter 59 of the laws of 2016, are amended to read as follows:

§ 19. Notwithstanding any other provision of law, the commissioner of mental health shall, until July 1, [~~2020~~] 2024, be solely authorized, in his or her discretion, to designate those general hospitals, local governmental units and voluntary agencies which may apply and be considered for the approval and issuance of an operating certificate pursuant to article 31 of the mental hygiene law for the operation of a comprehensive psychiatric emergency program.

§ 21. This act shall take effect immediately, and sections one, two and four through twenty of this act shall remain in full force and effect, until July 1, [~~2020~~] 2024, at which time the amendments and additions made by such sections of this act shall be deemed to be repealed, and any provision of law amended by any of such sections of this act shall revert to its text as it existed prior to the effective date of this act.

§ 2. Subdivision (b) of section 9.40 of the mental hygiene law, as added by chapter 723 of the laws of 1989, is amended and a new subdivision (a-1) is added to read as follows:

(a-1) The director shall cause triage and referral services to be provided by a psychiatric nurse practitioner or physician of the program as soon as such person is received into the comprehensive psychiatric emergency program. After receiving triage and referral services, such person shall be appropriately treated and discharged, or referred for further crisis intervention services including an examination by a physician as described in subdivision (b) of this section.

(b) The director shall cause examination of such persons not discharged after the provision of triage and referral services to be initiated by a staff physician of the program as soon as practicable and in any event within six hours after the person is received into the program's emergency room. Such person may be retained for observation, care and treatment and further examination for up to twenty-four hours if, at the conclusion of such examination, such physician determines that such person may have a mental illness for which immediate observa-

tion, care and treatment in a comprehensive psychiatric emergency program is appropriate, and which is likely to result in serious harm to the person or others.

§ 3. Paragraphs 2 and 5 of subdivision (a), paragraph 1 and subparagraph (ii) of paragraph 2 of subdivision (b) of section 31.27 of the mental hygiene law, paragraph 2 of subdivision (a) as added by chapter 723 of the laws of 1989, paragraph 5 of subdivision (a) as amended by section 1 and paragraph 1 of subdivision (b) as amended by section 2 of part M of chapter 57 of the laws of 2006 and subparagraph (ii) of paragraph 2 of subdivision (b) as amended by section 2 of part E of chapter 111 of the laws of 2010, are amended and a new paragraph 12 is added to subdivision (a) to read as follows:

(2) "Crisis intervention services" means [~~psychiatric emergency~~] services provided in an emergency room located within a general hospital, which shall include **but not be limited to:** psychiatric and medical evaluations and assessments; prescription or adjustment of medication, counseling, and other stabilization or treatment services intended to reduce symptoms of mental illness[~~; extended observation beds; and other on-site psychiatric emergency services~~] **when appropriate**.

(5) "Extended observation bed" means an inpatient bed which is in or adjacent to an emergency room located within a general hospital **or satellite facility approved by the commissioner**, designed to provide a safe environment for an individual who, in the opinion of the examining physician, requires extensive evaluation, assessment, or stabilization of the person's acute psychiatric symptoms, except that, if the commissioner determines that the program can provide for the privacy and safety of all patients receiving services in a hospital, he or she may approve the location of one or more such beds within another unit of the hospital.

(12) "Satellite facility" means a medical facility providing psychiatric emergency services that is managed and operated by a general hospital who holds a valid operating certificate for a comprehensive psychiatric emergency program and is located away from the central campus of the general hospital.

(1) The commissioner may license the operation of comprehensive psychiatric emergency programs by general hospitals which are operated by state or local governments or voluntary agencies. The provision of such services in general hospitals may be located either within the state or, with the approval of the commissioner and the director of the budget and to the extent consistent with state and federal law, in a contiguous state. The commissioner is further authorized to enter into interstate agreements for the purpose of facilitating the development of programs which provide services in another state. A comprehensive psychiatric emergency program shall serve as a primary psychiatric emergency service provider within a defined catchment area for persons in need of psychiatric emergency services including persons who require immediate observation, care and treatment in accordance with section 9.40 of this chapter. Each comprehensive psychiatric emergency program shall provide or contract to provide psychiatric emergency services twenty-four hours per day, seven days per week, including but not limited to: crisis intervention services, crisis outreach services, [~~crisis residence services,~~] extended observation beds, and triage and referral services.

(ii) a description of the program's psychiatric emergency services, including **but not limited to** crisis intervention services, crisis outreach services, [~~crisis residence services,~~] extended observation

beds, and triage and referral services, whether or not provided directly or through agreement with other providers of services;

§ 4. Paragraphs 4 and 8 of subdivision (a) and subdivision (i) of section 31.27 of the mental hygiene law are REPEALED.

§ 5. 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:

(a) sections two through four of this act shall take effect on the one hundred eightieth day after it shall have become a law;

(b) the amendments to section 19 of chapter 723 of the laws of 1989 amending the mental hygiene law and other laws relating to comprehensive psychiatric emergency programs made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith;

(c) the amendments to section 9.40 of the mental hygiene law made by section two of this act shall not affect the repeal of such section and shall be deemed repealed therewith; and

(d) the amendments to section 31.27 of the mental hygiene law made by section three of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART QQQ

Section 1. The insurance law is amended by adding a new section 344 to read as follows:

§ 344. Mental health and substance use disorder parity compliance programs. Penalties collected for violations of section three thousand two hundred sixteen, three thousand two hundred twenty-one and four thousand three hundred three of this chapter related to mental health and substance use disorder parity compliance shall be deposited in a fund established pursuant to section ninety-nine-hh of the state finance law.

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

§ 99-hh. Behavioral health parity compliance fund. 1. There is hereby established in the custody of the state comptroller and the department of taxation and finance a special fund to be known as the behavioral health parity compliance fund.

2. Moneys in the behavioral health parity compliance fund shall be kept separate from and shall not be commingled with any other moneys in the custody of the comptroller or the commissioner of taxation and finance. Provided, however that any moneys of the fund not required for immediate use may, at the discretion of the comptroller, in consultation with the director of the budget, be invested by the comptroller in obligations of the United States or the state. The proceeds of any such investment shall be retained by the fund as assets to be used for purposes of this fund.

3. Such fund shall consist of all moneys required to be deposited thereto pursuant to section three hundred forty-four of the insurance law, section forty-four hundred fourteen of the public health law or any other provision of law, monetary grants, gifts or bequests received by the state, and all other moneys credited or transferred thereto from any other fund or source.

4. Moneys of the fund shall only be expended for initiatives supporting parity implementation and enforcement on behalf of consumers, including the behavioral health ombudsman program.

§ 3. Section 4414 of the public health law, as added by chapter 2 of the laws of 1998, and as further amended by section 104 of part A of chapter 62 of the laws of 2011, is amended to read as follows:

§ 4414. Health care compliance programs. 1. The commissioner [~~of health~~], after consultation with the superintendent of financial services, shall by regulation establish standards and criteria for compliance programs to be implemented by persons providing coverage or coverage and service pursuant to any public or governmentally-sponsored or supported plan for health care coverage or services. Such regulations shall include provisions for the design and implementation of programs or processes to prevent, detect and address instances of fraud and abuse. Such regulations shall take into account the nature of the entity's business and the size of its enrolled population. The commissioner [~~of health~~] and the superintendent of financial services shall accept programs and processes implemented pursuant to section four hundred nine of the insurance law as satisfying the obligations of this section and the regulations promulgated thereunder when such programs and processes incorporate the objectives contemplated by this section.

2. Notwithstanding any provisions of section twelve of this chapter to the contrary, penalties collected from any health maintenance organization certified pursuant to this article resulting from a violation of the health maintenance organization's mental health and substance use disorder parity compliance program shall be deposited into the behavioral health parity compliance fund as established pursuant to section ninety-nine-hh of the state finance law.

§ 4. 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 RRR

Section 1. Subdivision (a) of section 16.03 of the mental hygiene law is amended by adding a new paragraph 5 to read as follows:

(5) The provision of services approved in a medicaid state plan authorized pursuant to section nineteen hundred two of the federal social security act, including optional state plan services authorized pursuant to subdivision (g) of section nineteen hundred fifteen of the federal social security act, and designated by the commissioner of health, in consultation with the commissioner, as being for persons with developmental disabilities.

§ 2. Subdivision (d) of section 16.03 of the mental hygiene law, as added by chapter 786 of the laws of 1983, is amended to read as follows:

(d) The operation of a facility or provision of services for which an operating certificate is required pursuant to this article shall be in accordance with the terms of the operating certificate and the regulations of the commissioner.

§ 3. Subdivision (a) of section 16.11 of the mental hygiene law is amended by adding a new paragraph 3 to read as follows:

(3) The review of providers of services, as defined in paragraph five of subdivision (a) of section 16.03 of this article, shall ensure that the provider of services complies with all the requirements of the applicable federal regulations and rules and the regulations adopted by the commissioner.

§ 4. Paragraph (a) of subdivision 4 of section 488 of the social services law, as amended by section 2 of part MM of chapter 58 of the laws of 2015, is amended to read as follows:

(a) a facility or program in which services are provided and which is operated, licensed or certified by the office of mental health, the office for people with developmental disabilities or the office of [~~alcoholism and substance abuse services~~] **addiction services and supports**, including but not limited to psychiatric centers, inpatient psychiatric units of a general hospital, developmental centers, intermediate care facilities, community residences, group homes and family care homes, provided, however, that such term shall not include a secure treatment facility as defined in section 10.03 of the mental hygiene law, services defined in [~~subparagraph~~] **paragraphs** four **and five** of subdivision (a) of section 16.03 of the mental hygiene law, or services provided in programs or facilities that are operated by the office of mental health and located in state correctional facilities under the jurisdiction of the department of corrections and community supervision;

§ 5. Subdivision 6 of section 2899 of the public health law, as amended by section 3 of part C of chapter 57 of the laws of 2018, is amended to read as follows:

6. "Provider" shall mean: (a) any residential health care facility licensed under article twenty-eight of this chapter; or any certified home health agency, licensed home care services agency or long term home health care program certified under article thirty-six of this chapter; any hospice program certified pursuant to article forty of this chapter; or any adult home, enriched housing program or residence for adults licensed under article seven of the social services law; or (b) a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services**, including** [~~to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law and~~] enrollees who are under twenty-one years of age**,** under section three hundred sixty-five-l of the social services law, **except for a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law;** or any entity that provides home and community based services to enrollees who are under twenty-one years of age under a demonstration program pursuant to section eleven hundred fifteen of the federal social security act.

§ 6. Paragraph (b) of subdivision 9 of section 2899-a of the public health law, as amended by section 4 of part C of chapter 57 of the laws of 2018, is amended to read as follows:

(b) Residential health care facilities licensed pursuant to article twenty-eight of this chapter and certified home health care agencies and long-term home health care programs certified or approved pursuant to article thirty-six of this chapter or a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services**, including** [~~to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law and~~] enrollees who are under twenty-one years of age**,** under section three hundred sixty-five-l of the social services law, **except for a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twen-**

ty-two of section 1.03 of the mental hygiene law; or any entity that provides home and community based services to enrollees who are under twenty-one years of age under a demonstration program pursuant to section eleven hundred fifteen of the federal social security act, may, subject to the availability of federal financial participation, claim as reimbursable costs under the medical assistance program, costs reflecting the fee established pursuant to law by the division of criminal justice services for processing a criminal history information check, the fee imposed by the federal bureau of investigation for a national criminal history check, and costs associated with obtaining the fingerprints, provided, however, that for the purposes of determining rates of payment pursuant to article twenty-eight of this chapter for residential health care facilities, such reimbursable fees and costs shall be reflected as timely as practicable in such rates within the applicable rate period.

§ 7. Subdivision 10 of section 2899-a of the public health law, as amended by section 1 of part EE of chapter 57 of the laws of 2019, is amended to read as follows:

10. Notwithstanding subdivision eleven of section eight hundred forty-five-b of the executive law, a certified home health agency, licensed home care services agency or long term home health care program certified, licensed or approved under article thirty-six of this chapter or a home care services agency exempt from certification or licensure under article thirty-six of this chapter, a hospice program under article forty of this chapter, or an adult home, enriched housing program or residence for adults licensed under article seven of the social services law, or a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services, including [~~to all enrollees enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law and~~] enrollees who are under twenty-one years of age, under section three hundred sixty-five-l of the social services law, except for a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law; or any entity that provides home and community based services to enrollees who are under twenty-one years of age under a demonstration program pursuant to section eleven hundred fifteen of the federal social security act may temporarily approve a prospective employee while the results of the criminal history information check and the determination are pending, upon the condition that the provider conducts appropriate direct observation and evaluation of the temporary employee, while he or she is temporarily employed, and the care recipient; provided, however, that for a health home, or any subcontractor of a health home, who contracts with or is approved or otherwise authorized by the department to provide health home services, including [~~to all enrollees enrolled pursuant to a diagnosis of developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law and~~] enrollees who are under twenty-one years of age, under section three hundred sixty-five-l of the social services law, except for a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twen-

ty-two of section 1.03 of the mental hygiene law; or any entity that provides home and community based services to enrollees who are under twenty-one years of age under a demonstration program pursuant to section eleven hundred fifteen of the federal social security act, direct observation and evaluation of temporary employees shall not be required until July first, two thousand nineteen. The results of such observations shall be documented in the temporary employee's personnel file and shall be maintained. For purposes of providing such appropriate direct observation and evaluation, the provider shall utilize an individual employed by such provider with a minimum of one year's experience working in an agency certified, licensed or approved under article thirty-six of this chapter or an adult home, enriched housing program or residence for adults licensed under article seven of the social services law, a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services, including [to those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law and] enrollees who are under twenty-one years of age, under section three hundred sixty-five-l of the social services law, except for a health home, or any subcontractor of such health home, who contracts with or is approved or otherwise authorized by the department to provide health home services to all those enrolled pursuant to a diagnosis of a developmental disability as defined in subdivision twenty-two of section 1.03 of the mental hygiene law; or any entity that provides home and community based services to enrollees who are under twenty-one years of age under a demonstration program pursuant to section eleven hundred fifteen of the federal social security act. If the temporary employee is working under contract with another provider certified, licensed or approved under article thirty-six of this chapter, such contract provider's appropriate direct observation and evaluation of the temporary employee, shall be considered sufficient for the purposes of complying with this subdivision.

§ 8. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that the amendments to subdivision 6 of section 2899 of the public health law made by section five of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

PART SSS

Section 1. Subdivision a of section 13 of chapter 554 of the laws of 2013, amending the education law and other laws relating to applied behavior analysis, as amended by chapter 8 of the laws of 2014, is amended to read as follows:

a. Nothing in this act shall be construed as prohibiting a person employed or retained by programs licensed, certified, operated, approved, registered or funded and regulated by the office for people with developmental disabilities, the office of children and family services, or the office of mental health from performing the duties of a licensed behavior analyst or a certified behavior analyst assistant in the course of such employment or retention; provided, however, that this section shall not authorize the use of any title authorized pursuant to article 167 of the education law; and provided further, however, that this section shall be deemed repealed on July 1, [2020] 2025.

§ 2. This act shall take effect immediately.

PART TTT

Section 1. Section 2 of part Q of chapter 59 of the laws of 2016, amending the mental hygiene law relating to the closure or transfer of a state-operated individualized residential alternative, as amended by section 2 of part II of chapter 57 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed March 31, [~~2020~~] 2022.

§ 2. This act shall take effect immediately.

PART UUU

Section 1. This act commits the state of New York and the city of New York ("city") to fund, over a multi-year period, $6,000,000,000 in capital costs related to projects contained in the Metropolitan Transportation Authority ("MTA") 2020-2024 capital program ("capital program"). The state share of $3,000,000,000 and the city share of $3,000,000,000 shall be provided to pay the capital costs of the capital program. The funds committed by the state and city shall be provided concurrently, and in proportion to the respective shares of each, in accordance with the funding needs of the capital program.

§ 2. (a) No funds dedicated for operating assistance of the MTA shall be used to reduce or supplant the commitment of the state or city to provide $6,000,000,000 pursuant to section one of this act.

(b) The city and state's share of funds provided concurrently pursuant to section one of this act shall be scheduled and paid to the MTA on a schedule to be determined by the state director of the budget. In order to determine the adequacy and pace of the level of state and city funding in support of the MTA's capital program, and to gauge the availability of MTA capital resources planned for the capital program, the director of the budget and the city may request, and the MTA shall provide, periodic reports on the MTA's capital programs and financial activities. The city shall certify to the state comptroller and the New York state director of the budget, no later than seven days after making each payment pursuant to this section, the amount of the payments and the date upon which such payments were made.

§ 3. (a) Notwithstanding any provision of law to the contrary, in the event the city fails to certify to the state comptroller and the New York state director of the budget that the city has paid in full any concurrent payment required by section two of this act, the New York state director of the budget shall direct the state comptroller to transfer, collect, or deposit funds in accordance with subdivision (b) of this section in an amount equal to the unpaid balance of any payment required by section two of this act, provided that any such deposits shall be counted against the city share of the Metropolitan Transportation Authority (MTA) 2020-2024 capital program (capital program) pursuant to section one of this act. Such direction shall be pursuant to a written plan or plans filed with the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee.

(b) Notwithstanding any provision of law to the contrary and as set forth in a plan or plans submitted by the New York state director of the budget pursuant to subdivision (a) of this section, the state comptroller is hereby directed and authorized to: (i) transfer funds authorized by any undisbursed general fund aid to localities appropri-

ations or state special revenue fund aid to localities appropriations, excluding debt service, fiduciary, and federal fund appropriations, to the city to the Metropolitan Transportation Authority capital assistance fund established by section 92-ii of the state finance law in accordance with such plan; and/or (ii) collect and deposit into the Metropolitan Transportation Authority capital assistance fund established by section 92-ii of the state finance law funds from any other revenue source of the city, including the sales and use tax, in accordance with such plan. The state comptroller is hereby authorized and directed to make such transfers, collections and deposits as soon as practicable but not more than 3 days following the transmittal of such plan to the comptroller in accordance with subdivision (a) of this section.

(c) Notwithstanding any provision of law to the contrary, the state's obligation and or liability to fund any program included in general fund aid to localities appropriations or state special revenue fund aid to localities appropriations from which funds are transferred pursuant to subdivision (b) of this section shall be reduced in an amount equal to such transfer or transfers.

§ 4. The state finance law is amended by adding a new section 92-ii to read as follows:

§ 92-ii. Metropolitan transportation authority capital assistance fund. 1. There is hereby established in the custody of the comptroller a special fund to be known as the metropolitan transportation authority capital assistance fund.

2. Such fund shall consist of any monies directed thereto pursuant to the provisions of section three of the part of the chapter of the laws of two thousand twenty which added this section.

3. All monies deposited into the fund pursuant to the part of the chapter of the laws of two thousand twenty which added this section shall be paid to the metropolitan transportation authority by the comptroller, without appropriation, for use in the same manner as the payments required by section two of such part, as soon as practicable but not more than five days from the date the comptroller determines that the full amount of the unpaid balance of any payment required by section three of such part has been deposited into the fund.

§ 5. Starting July 1, 2020, the city will fund a fifty percent share of the net paratransit operating expenses of the MTA, provided that such contribution shall not exceed $215 million in 2020, $277 million in 2021, $290 million in 2022, and $310 million in 2023. Net paratransit operating expenses shall be calculated monthly by the MTA and will consist of the total paratransit operating expenses of the program minus the six percent of the urban tax dedicated to paratransit services as of the date of this act and minus any money collected as passenger fares from paratransit operations.

§ 6. The city's share of funds provided pursuant to section five of this act shall be paid to the MTA monthly. Such schedule shall include an annual reconciliation process to adjust for any overpayment or underpayment. The city shall certify to the state comptroller and the New York state director of the budget, no later than seven days after making each payment pursuant to this section, the amount of the payments and the date upon which such payments were made.

§ 7. (a) Notwithstanding any provision of law to the contrary, in the event the city fails to certify to the state comptroller and the New York state director of the budget that the city has paid in full any payment required by section six of this act, the New York state director of the budget shall direct the state comptroller to transfer, collect,

or deposit funds in accordance with subdivision (b) of this section in an amount equal to the unpaid balance of any payment required by section six of this act, and any such deposits shall be counted against the city's fifty percent share of the net paratransit operating expenses of the MTA pursuant to section five of this act. Such direction shall be pursuant to a written plan or plans filed with the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee.

(b) Notwithstanding any provision of law to the contrary and as set forth in a plan or plans submitted by the New York state director of the budget pursuant to subdivision (a) of this section, the state comptroller is hereby directed and authorized to: (i) transfer funds authorized by any undisbursed general fund aid to localities appropriations or state special revenue fund aid to localities appropriations, excluding debt service, fiduciary, and federal fund appropriations, to the city to the Metropolitan Transportation Authority paratransit assistance fund established by section 92-jj of the state finance law in accordance with such plan; and/or (ii) collect and deposit into the Metropolitan Transportation Authority paratransit assistance fund established by section 92-jj of the state finance law funds from any other revenue source of the city, including the sales and use tax, in accordance with such plan. The state comptroller is hereby authorized and directed to make such transfers, collections and deposits as soon as practicable but not more than 3 days following the transmittal of such plan to the comptroller in accordance with subdivision (a) of this section.

(c) Notwithstanding any provision of law to the contrary, the state's obligation and or liability to fund any program included in general fund aid to localities appropriations or state special revenue fund aid to localities appropriations from which funds are transferred pursuant to subdivision (b) of this section shall be reduced in an amount equal to such transfer or transfers.

§ 8. The state finance law is amended by adding a new section 92-jj to read as follows:

§ 92-jj. Metropolitan transportation authority paratransit assistance fund. 1. There is hereby established in the custody of the comptroller a special fund to be known as the metropolitan transportation authority paratransit assistance fund.

2. Such fund shall consist of any monies directed thereto pursuant to the provisions of section seven of the part of the chapter of the laws of two thousand twenty which added this section.

3. All monies deposited into the fund pursuant to the part of the chapter of the laws of two thousand twenty which added this section shall be paid to the metropolitan transportation authority by the comptroller, without appropriation, for use in the same manner as the payments required by section six of such part, as soon as practicable but not more than five days from the date the comptroller determines that the full amount of the unpaid balance of any payment required by section seven of such part has been deposited into the fund.

§ 9. This act shall take effect immediately; provided that sections five through seven of this act shall expire and be deemed repealed June 30, 2024; and provided further that such repeal shall not affect or otherwise reduce amounts owed to the metropolitan transportation authority paratransit assistance fund to meet the city's share of the net paratransit operating expenses of the MTA for services provided prior to June 30, 2024.

PART VVV

Section 1. Legislative findings and declaration of purpose. It is hereby found and declared that it is a matter of substantial and imperative state concern that the metropolitan transportation authority be enabled to deliver as quickly and efficiently as practicable the capital projects included in its 2015 to 2019 and 2020 to 2024 approved capital programs, which together will make the subway, bus, and commuter rail systems it operates in the metropolitan transportation commuter district safer, more reliable, cleaner, more modern, and more accessible for all its customers. The people of the state through their legislature have made substantial commitments to ensure stable and reliable capital funding to repair and revitalize the metropolitan transportation authority's subway, bus, and commuter rail systems including most recently the program to establish tolls for vehicles entering or remaining in New York city's central business district, which is expected to fund fifteen billion dollars for capital projects.

The legislature further finds and declares that the metropolitan transportation authority anticipates that some projects in an approved capital program plan will require that it acquire from the city of New York through negotiation temporary and permanent interests in real property for transportation facilities or transit projects. So as not to unduly delay the commencement of such capital projects and to ensure that their cost is not undue, the city of New York must not unreasonably withhold its consent to such acquisitions nor must it try to use the metropolitan transportation authority's urgent need for the interests in real property unreasonably as a lever to obtain an undue price. Otherwise, the metropolitan transportation authority's efforts to make its transportation system more accessible and more reliable and efficient will be significantly impeded. Valuations of the property interests and negotiations to determine the fair market value shall be conducted only after the metropolitan transportation authority has identified the need for such property interests and the city of New York has consented to their transfer or acquisition. Under the valuation procedure enacted herein, those negotiations will be swift and lead to a reasonable price. It is therefore the intent of the legislature to provide a means that fairly determines the fair market value of property interests to be acquired by the authority from the city of New York while at the same time ensuring that the metropolitan transportation authority be able to efficiently and cost-effectively deliver capital projects that will make the subway system more accessible and more reliable. In doing so, the legislature further finds and declares that it is acting on a matter of substantial state concern.

§ 2. Section 1266 of the public authorities law is amended by adding a new subdivision 12-a to read as follows:

12-a. (a) Whenever the authority determines in consultation with the city of New York that it is necessary to obtain the temporary or permanent use, occupancy, control or possession of vacant or undeveloped or underutilized but replaceable real property, or any interest therein, or subsurface real property or any interest therein then owned by the city of New York for a project in the two thousand fifteen to two thousand nineteen or the two thousand twenty to two thousand twenty-four approved capital programs to (i) install one or more elevators to make one or more subway stations more accessible, (ii) construct or reconstruct an electrical substation to increase available power to the subway system to expand passenger capacity or reliability, or (iii) in connection with

the capital project to construct four commuter railroad passengers stations in the borough of the Bronx known as Penn Station access, the authority upon approval by the board of the metropolitan transportation authority and upon suitable notice and with the consent of the city of New York may cause the title to such real property, or any interest therein, to be transferred to the authority by adding it to the agreement of lease dated June first, nineteen hundred fifty-three, as amended, renewed and supplemented, authorized by section twelve hundred three of this article, or may itself acquire title to such property from the city of New York, and any such transfer or acquisition of real property shall be subject to the provisions of subdivision five of section twelve hundred sixty-six-c of this title. Nothing in this subdivision shall be deemed to authorize any temporary or permanent transfer or acquisition of real property, or interest therein, that is dedicated parkland without separate legislative approval of such alienation.

(b) (i) Upon the execution of any transfer or acquisition pursuant to this subdivision, which shall be final upon the approval by the board of the metropolitan transportation authority and consent of the city of New York, the fair market value shall be determined pursuant to this paragraph. The authority shall make a written offer to pay to the city of New York the fair market value of the authority's use, occupancy, control, possession or acquisition of such property. The offer by the authority shall be based on an appraisal of the value of such property and a copy of such appraisal shall be included with the offer. Such appraisal shall be done by an independent New York state licensed or certified appraiser, who may not be employed by the authority, selected at random from a panel of appraisers maintained by it for such purpose. Such appraisal and a second appraisal, if required pursuant to subparagraph (ii) of this paragraph, shall consider only the reasonably anticipated lawful use of the property and its zoning designation under the zoning resolution of the city of New York at the time the authority notified the city of New York of its determination to use, occupy, control, possess or acquire such property.

(ii) Within thirty days of receipt of the offer by the authority, the city of New York may accept it, agree with the authority on another amount, or request a second appraisal by an independent New York state licensed or certified appraiser, who may not be employed by the city of New York, selected at random by the city of New York from a panel of appraisers maintained by it for such purpose. Such second appraisal shall be completed within thirty days. If the second appraisal produces an estimate of the fair market value of the property that is greater than that of the first appraisal, the authority shall have ten days to increase its offer to such higher amount, otherwise the two appraisers shall reconcile their valuations and agree on a final valuation within ten days, which shall be an amount not less than the first appraisal nor greater than the second appraisal.

(c) Nothing in this subdivision shall be construed to affect or limit the authority's power under subdivision twelve of this section.

§ 3. This act shall take effect immediately and shall expire and be deemed repealed on December 31, 2025; provided, however, that the repeal of this act shall not affect any transfer or acquisition pursuant to all of the terms of section two of this act that has been approved by the board of the metropolitan transportation authority before such repeal date.

PART WWW

Section 1. Paragraph (b) of subdivision 9 of section 208 of the tax law is amended by adding a new subparagraph 26 to read as follows:

(26) For taxable years beginning in two thousand nineteen and two thousand twenty, the amount of the increase in the federal interest deduction allowed pursuant to section 163(j)(10)(A)(i) of the internal revenue code.

§ 2. Subsection (a) of section 607 of the tax law, as amended by chapter 28 of the laws of 1987, is amended to read as follows:

(a) General. Any term used in this article shall have the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes, unless a different meaning is clearly required but such meaning shall be subject to the exceptions or modifications prescribed in this article or by statute. Any reference in this article to the laws of the United States shall mean the provisions of the internal revenue code of nineteen hundred eighty-six (unless a reference to the internal revenue code of nineteen hundred fifty-four is clearly intended), and amendments thereto, and other provisions of the laws of the United States relating to federal income taxes, as the same may be or become effective at any time or from time to time for the taxable year. **Provided however, for taxable years beginning before January first, two thousand twenty-two, any amendments made to the internal revenue code of nineteen hundred eighty-six after March first, two thousand twenty shall not apply to this article.**

§ 3. Subdivision (a) of section 11-1707 of the administrative code of the city of New York, as amended by chapter 333 of the laws of 1987, is amended to read as follows:

(a) General. Any term used in this chapter shall have the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes, unless a different meaning is clearly required but such meaning shall be subject to the exceptions or modifications prescribed in this chapter or by statute. Any reference in this chapter to the laws of the United States shall mean the provisions of the internal revenue code of nineteen hundred eighty-six (unless a reference to the internal revenue code of nineteen hundred fifty-four is clearly intended), and amendments thereto, and other provisions of the laws of the United States relating to federal income taxes, as the same may be or become effective at any time or from time to time for the taxable year, as included and quoted in the appendices (including any supplements and additions thereto) to this chapter. **Provided however, for taxable years beginning before January first, two thousand twenty-two, any amendments made to the internal revenue code of nineteen hundred eighty-six after March first, two thousand twenty shall not apply to this chapter.** (Such quotation of the aforesaid laws of the United States is intended to make them a part of this chapter and to avoid constitutional uncertainties which might result if such laws were merely incorporated by reference. The quotation of a provision of the internal revenue code or of any other law of the United States in such appendices shall not necessarily mean that it is applicable or has relevance to this chapter).

§ 4. Paragraph (b) of subdivision 8 of section 11-652 of the administrative code of the city of New York is amended by adding a new subparagraph 22 to read as follows:

(22) For taxable years beginning in two thousand nineteen and two thousand twenty, the amount of the increase in the federal interest deduction allowed pursuant to section 163(j)(10)(A)(i) of the internal revenue code.

§ 5. Subdivision (b) of section 11-506 of the administrative code of the city of New York is amended by adding a new paragraph 17 to read as follows:

(17) For taxable years beginning in two thousand nineteen and two thousand twenty, the amount of the increase in the federal interest deduction allowed pursuant to section 163(j)(10)(A)(i) of the internal revenue code.

§ 6. Paragraph (b) of subdivision 8 of section 11-602 of the administrative code of the city of New York is amended by adding a new subparagraph 21 to read as follows:

(21) For taxable years beginning in two thousand nineteen and two thousand twenty, the amount of the increase in the federal interest deduction allowed pursuant to section 163(j)(10)(A)(i) of the internal revenue code.

§ 7. This act shall take effect immediately.

PART XXX

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

SUBPART A

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

ITEM A

Section 1. Section 3 of chapter 492 of the laws of 1993, amending the local finance law relating to installment loans and obligations evidencing installment loans, as amended by chapter 46 of the laws of 2017, is amended to read as follows:

§ 3. This act shall take effect immediately and shall remain in full force and effect until September 30, [~~2020~~] **2023**, at which time it shall be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM B

Section 1. Section 2 of chapter 581 of the laws of 2005, amending the local finance law relating to statutory installment bonds, as amended by chapter 139 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect immediately and shall remain in full force and effect until September 30, [~~2020~~] **2023**, at which time it shall expire and be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM C

Section 1. Section 2 of chapter 629 of the laws of 2005, amending the local finance law relating to refunding bonds, as amended by chapter 45 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed September 30, [~~2020~~] **2023**.

§ 2. This act shall take effect immediately.

ITEM D

Section 1. Section 3 of chapter 307 of the laws of 2005, amending the public authorities law relating to the special powers of the New York state environmental facilities corporation, as amended by chapter 137 of the laws of 2017, is amended to read as follows:

§ 3. This act shall take effect immediately and shall expire and be deemed repealed September 30, [~~2020~~] **2023**.

§ 2. This act shall take effect immediately.

ITEM E

Section 1. Paragraph c of subdivision 1 of section 13-0339-a of the environmental conservation law, as amended by chapter 217 of the laws of 2017, is amended to read as follows:

c. Atlantic and shortnose sturgeon (Acipenser oxyrhynchus and brevirostrum) until December thirty-first, two thousand [~~twenty~~] **twenty-three**,

§ 2. This act shall take effect immediately.

ITEM F

Section 1. Paragraph a of subdivision 1 of section 13-0339-a of the environmental conservation law, as amended by chapter 218 of the laws of 2017, is amended to read as follows:

a. Atlantic cod (Gadus morhua) until December thirty-first, two thousand [~~twenty~~] **twenty-three**,

§ 2. This act shall take effect immediately

ITEM G

Section 1. Paragraph d of subdivision 1 of section 13-0339-a of the environmental conservation law, as amended by chapter 219 of the laws of 2017, is amended to read as follows:

d. Atlantic herring (Clupea harengus) until December thirty-first, two thousand [~~twenty~~] **twenty-three**,

§ 2. This act shall take effect immediately.

ITEM H

Section 1. Section 13-0340-f of the environmental conservation law, as amended by chapter 207 of the laws of 2017, is amended to read as follows:

§ 13-0340-f. Black sea bass (Centropristis striata).

The department may, until December thirty-first, two thousand [~~twenty~~] twenty-three, fix by regulation measures for the management of black sea bass (Centropristis striata), including size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

§ 2. This act shall take effect immediately.

ITEM I

Section 1. Paragraph g of subdivision 1 of section 13-0339-a of the environmental conservation law, as amended by chapter 220 of the laws of 2017, is amended to read as follows:

g. blueback herring (Alosa aestivalis) until December thirty-first, two thousand [~~twenty~~] twenty-three,

§ 2. This act shall take effect immediately.

ITEM J

Section 1. Subdivision 7 of section 13-0331 of the environmental conservation law, as amended by chapter 20 of the laws of 2019, is amended to read as follows:

7. The department may, until December thirty-first, two thousand [~~twenty~~] twenty-three, fix by regulation measures for the management of crabs of any kind including horseshoe crabs (Limulus sp.), including size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

§ 2. This act shall take effect immediately.

ITEM K

Section 1. Subdivision 3 of section 13-0360 of the environmental conservation law, as amended by chapter 209 of the laws of 2017, is amended to read as follows:

3. Notwithstanding any other provision of this chapter, the department may, until December thirty-first, two thousand [~~twenty~~] twenty-three, adopt regulations restricting the taking of fish, shellfish and crustacea in any special management area designated pursuant to subdivision two of this section. Such regulations may restrict the manner of taking of fish, shellfish and crustacea in such areas and the landing of fish, shellfish and crustacea which have been taken therefrom. Such regulations shall be consistent with all relevant federal and interstate fisheries management plans and with the marine fisheries conservation and management policy set forth in section 13-0105 of this article.

§ 2. This act shall take effect immediately.

ITEM L

Section 1. Section 13-0340-b of the environmental conservation law, as amended by chapter 221 of the laws of 2017, is amended to read as follows:

§ 13-0340-b. Fluke - summer flounder (Paralichthys dentatus).

The department may, until December thirty-first, two thousand [~~twenty~~] twenty-three, fix by regulation measures for the management of fluke or summer flounder (Paralichthys dentatus), including size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

§ 2. This act shall take effect immediately.

ITEM M

Section 1. Section 13-0340-e of the environmental conservation law, as amended by chapter 222 of the laws of 2017, is amended to read as follows:

§ 13-0340-e. Scup (Stenotomus chrysops).

The department may, until December thirty-first, two thousand [~~twenty~~] twenty-three, fix by regulation measures for the management of scup (Stenotomus chrysops), including size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

§ 2. This act shall take effect immediately.

ITEM N

Section 1. Subdivision 4 of section 13-0338 of the environmental conservation law, as amended by chapter 223 of the laws of 2017, is amended to read as follows:

4. The department may, until December thirty-first, two thousand [~~twenty~~] twenty-three, fix by regulation measures for the management of sharks, including size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. §1800 et seq.).

§ 2. This act shall take effect immediately.

ITEM O

Section 1. Paragraph h of subdivision 1 of section 13-0339-a of the environmental conservation law, as amended by chapter 208 of the laws of 2017, is amended to read as follows:

h. squid (cephalopoda) until December thirty-first, two thousand [~~twenty~~] twenty-three, and

§ 2. This act shall take effect immediately.

ITEM P

Section 1. Subdivision 6 of section 13-0330 of the environmental conservation law, as amended by chapter 224 of the laws of 2017, is amended to read as follows:

6. The department may, until December thirty-first, two thousand [~~twenty~~] twenty-three, fix by regulation measures for the management of whelk or conch (Busycon and Busycotypus spp.), including size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

§ 2. This act shall take effect immediately.

ITEM Q

Section 1. Section 13-0340-c of the environmental conservation law, as amended by chapter 213 of the laws of 2017, is amended to read as follows:

§ 13-0340-c. Winter flounder (Pleuronectes americanus).

The department may, until December thirty-first, two thousand [~~twenty~~] twenty-three, fix by regulation measures for the management of winter flounder (Pleuronectes americanus), including size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

§ 2. This act shall take effect immediately.

ITEM R

Section 1. Paragraphs a and b and the opening paragraph of paragraph c of subdivision 1 of section 13-0328 of the environmental conservation law, as amended by chapter 21 of the laws of 2019, are amended to read as follows:

a. for the period beginning January first, two thousand eighteen through December thirty-first, two thousand [~~twenty~~] twenty-one, the number of resident commercial food fish licenses and the number of non-resident commercial food fish licenses shall not exceed the following annual limits:

(i) for two thousand eighteen, the number of licenses shall be limited to the number of licenses issued in two thousand seventeen, plus fifty percent of any difference between the number of licenses issued in two thousand seventeen and nine hundred sixty-nine;

(ii) for two thousand nineteen, the number of licenses shall be limited to the number of licenses established in subparagraph (i) of this paragraph; [~~and~~]

(iii) for two thousand twenty, the number of licenses shall be limited to the number of licenses established in subparagraph (i) of this paragraph; and

(iv) for two thousand twenty-one, the number of licenses shall be limited to the number of licenses established in subparagraph (i) of this paragraph.

b. for the period beginning January first, two thousand [~~nineteen~~] twenty through December thirty-first, two thousand [~~twenty~~] twenty-one, persons who were issued a commercial food fish license in the previous year shall be eligible to be issued such license.

for the period beginning January first, two thousand [~~nineteen~~] twenty through December thirty-first, two thousand [~~twenty~~] twenty-one, the department shall issue commercial food fish licenses to persons who were not issued such license in the previous year provided that the total number of such licenses issued to such persons does not exceed the difference between the number of licenses established in paragraph a of this subdivision and the number of such licenses issued pursuant to paragraph b of this subdivision, subject to the following:

§ 2. Subdivisions 2, 3, 4 and 5 of section 13-0328 of the environmental conservation law, as amended by chapter 21 of the laws of 2019, are amended to read as follows:

2. Commercial lobster permits. Commercial lobster permits provided for by section 13-0329 of this title shall be issued as follows:

for the period beginning January first, two thousand [~~nineteen~~] twenty, through December thirty-first, two thousand [~~twenty~~] twenty-one, only persons who were issued a commercial lobster permit in the previous year shall be eligible to be issued such permit.

3. Commercial crab permits. Commercial crab permits provided for by section 13-0331 of this title shall be issued as follows:

a. for the period beginning January first, two thousand eighteen through December thirty-first, two thousand [~~twenty~~] twenty-one, the number of resident commercial crab permits and the number of non-resident commercial crab permits shall not exceed the following annual limits:

(i) for two thousand eighteen, the number of permits shall be limited to the number of permits issued in two thousand seventeen, plus fifty percent of any difference between the number of permits issued in two thousand seventeen and five hundred sixty-three;

(ii) for two thousand nineteen, the number of permits shall be limited to the number of permits established in subparagraph (i) of this paragraph; [~~and~~]

(iii) for two thousand twenty, the number of permits shall be limited to the number of permits established in subparagraph (i) of this paragraph; and

(iv) for two thousand twenty-one, the number of licenses shall be limited to the number of licenses established in subparagraph (i) of this paragraph.

b. for the period beginning January first, two thousand [~~nineteen~~] twenty through December thirty-first, two thousand [~~twenty~~] twenty-one, persons who were issued a commercial crab permit in the previous year shall be eligible to be issued such permit.

c. for the period beginning January first, two thousand [~~nineteen~~] twenty through December thirty-first, two thousand [~~twenty~~] twenty-one, the department shall issue commercial crab permits to persons who were not issued such permit in the previous year provided that the total number of such permits issued to such persons does not exceed the difference between the number of permits established in paragraph a of this subdivision and the number of such permits issued pursuant to paragraph b of this subdivision, subject to the following:

(i) permits shall be issued in the order in which the applications were received, except that where multiple applications are received by the department on the same day, applicants for whom the department has received notice of successful completion of an apprenticeship pursuant to subdivision seven of this section shall be considered by the department prior to other applicants;

(ii) permits may be issued to individuals only;

(iii) permits shall be issued to applicants who are sixteen years of age or older at the time of the application; and

(iv) permits shall be issued only to persons who demonstrate in a manner acceptable to the department that they received an average of at least fifteen thousand dollars of income over three consecutive years from commercial fishing or fishing, or who successfully complete an apprenticeship pursuant to subdivision seven of this section. As used in this subparagraph, "commercial fishing" means the taking and sale of

marine resources including fish, shellfish, crustacea or other marine biota and "fishing" means commercial fishing and carrying fishing passengers for hire. Individuals who wish to qualify based on income from "fishing" must hold a valid marine and coastal district party and charter boat license. No more than ten percent of the permits issued each year based on income eligibility pursuant to this paragraph shall be issued to applicants who qualify based upon income derived from operation of or employment by a party or charter boat.

4. Commercial whelk or conch licenses. Commercial whelk or conch licenses provided for by section 13-0330 of this title shall be issued as follows:

a. for the period beginning January first, two thousand eighteen through December thirty-first, two thousand [~~twenty~~] twenty-one, the number of resident commercial whelk or conch licenses and the number of non-resident commercial whelk or conch licenses shall not exceed the following annual limits:

(i) for two thousand eighteen, the number of licenses shall be limited to the number of licenses issued in two thousand seventeen plus fifty percent of any difference between the number of licenses issued in two thousand seventeen and two hundred fifty-two;

(ii) for two thousand nineteen, the number of licenses shall be limited to the number of licenses established in subparagraph (i) of this paragraph; [~~and~~]

(iii) for two thousand twenty, the number of licenses shall be limited to the number of licenses established in subparagraph (i) of this paragraph; and

(iv) for two thousand twenty-one, the number of licenses shall be limited to the number of licenses established in subparagraph (i) of this paragraph.

b. for the period beginning January first, two thousand [~~nineteen~~] twenty through December thirty-first, two thousand [~~twenty~~] twenty-one, persons who were issued a commercial whelk or conch license in the previous year shall be eligible to be issued such license.

c. for the period beginning January first, two thousand [~~nineteen~~] twenty through December thirty-first, two thousand [~~twenty~~] twenty-one, persons who were not issued a commercial whelk or conch license in the previous year shall be eligible to be issued such license provided that the total number of such licenses issued to such persons shall not exceed the difference between the number of licenses established in paragraph a of this subdivision and the number of such licenses issued pursuant to paragraph b of this subdivision, subject to the following:

(i) licenses shall be issued in the order in which the applications were received, except that where multiple applications are received by the department on the same day, applicants for whom the department has received notice of successful completion of an apprenticeship pursuant to subdivision seven of this section shall be considered by the department prior to other applicants;

(ii) licenses may be issued to individuals only;

(iii) licenses shall be issued to applicants who are sixteen years of age or older at the time of the application; and

(iv) licenses shall be issued only to persons who demonstrate in a manner acceptable to the department that they received an average of at least fifteen thousand dollars of income over three consecutive years from commercial fishing or fishing, or who successfully complete an apprenticeship pursuant to subdivision seven of this section. As used in this subparagraph, "commercial fishing" means the taking and sale of

marine resources including fish, shellfish, crustacea or other marine biota and "fishing" means commercial fishing and carrying fishing passengers for hire. Individuals who wish to qualify based on income from "fishing" must hold a valid marine and coastal district party and charter boat license. No more than ten percent of the licenses issued each year pursuant to this paragraph shall be issued to applicants who qualify based upon income derived from operation of or employment by a party or charter boat.

5. Marine and coastal district party and charter boat licenses. Marine and coastal district party and charter boat licenses provided for by section 13-0336 of this title shall be issued as follows, except that this subdivision shall not apply to the owner or operator of a party boat or charter boat whose vessel is classified by the United States Coast Guard as an Inspected Passenger Vessel and which is licensed to carry more than six passengers:

a. for the years two thousand [~~nineteen~~] twenty through two thousand [~~twenty~~] twenty-one, the annual number of marine and coastal district party and charter boat licenses issued shall not exceed five hundred seventeen.

b. for the years two thousand [~~nineteen~~] twenty through two thousand [~~twenty~~] twenty-one, persons who were issued a marine and coastal district party and charter boat license in the previous year shall be eligible to be issued such license.

c. for the years two thousand [~~nineteen~~] twenty through two thousand [~~twenty~~] twenty-one, the department shall issue marine and coastal district party and charter boat licenses to persons who were not issued such license in the previous year, provided that the total number of licenses issued does not exceed five hundred seventeen, subject to the following:

(i) licenses shall be issued in the order in which the applications were received;

(ii) licenses shall be issued only to persons who hold an Uninspected Passenger Vessel license issued by the United States Coast Guard.

§ 3. This act shall take effect December 31, 2020. 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 and directed to be made and completed on or before such effective date.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, or item of this subpart 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 item thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

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

SUBPART B

Section 1. This Subpart enacts into law major components of legislation relating to issues deemed necessary for the state. Each component is wholly contained within an Item identified as Items A through UUU.

The effective date for each particular provision contained within such Item is set forth in the last section of such Item. Any provision in any section contained within an Item, including the effective date of the Item, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Item in which it is found. Section three of this Subpart sets forth the general effective date of this Subpart.

ITEM A

Section 1. Notwithstanding any inconsistent provision of law, any person who is licensed or certified to practice as a physician, physician's assistant, massage therapist, physical therapist, chiropractor, dentist, optometrist, nurse, nurse practitioner, emergency medical technician, podiatrist or athletic trainer in another state or territory, who is in good standing in such state or territory and who has been appointed by the World Triathlon Corporation to provide professional services at an event in this state sanctioned by the World Triathlon Corporation, may provide such professional services to athletes and team personnel registered to train at a location in this state or registered to compete in an event conducted under the sanction of the World Triathlon Corporation in the state without first being licensed pursuant to the provisions of title 8 of the education law or certified pursuant to the provisions of the public health law, as may be applicable. Such services shall be provided only four days before through one day after each of the following events:

a. Ironman Lake Placid scheduled to be held on July 26, 2020; and

b. Ironman 70.3 Lake Placid scheduled to be held on September 13, 2020.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed September 17, 2020.

ITEM B

Section 1. Section 3 of chapter 510 of the laws of 2013, authorizing the city of Middletown to enter into a contract to sell or pledge as collateral for a loan some or all of the delinquent liens held by such city to a private party or engage a private party to collect some or all of the delinquent tax liens held by it, as amended by chapter 391 of the laws of 2017, is amended to read as follows:

§ 3. This act shall take effect immediately and shall expire and be deemed repealed on and after December 31, [~~2019~~] 2021.

§ 2. This act shall take effect immediately.

ITEM C

Section 1. Short title. This act shall be known and may be cited as the "private activity bond allocation act of 2020".

§ 2. Legislative findings and declaration. The legislature hereby finds and declares that the federal tax reform act of 1986 established a statewide bond volume ceiling on the issuance of certain tax exempt private activity bonds and notes and, under certain circumstances, governmental use bonds and notes issued by the state and its public authorities, local governments, agencies which issue on behalf of local governments, and certain other issuers. The federal tax reform act

establishes a formula for the allocation of the bond volume ceiling which was subject to temporary modification by gubernatorial executive order until December 31, 1987. That act also permits state legislatures to establish, by statute, an alternative formula for allocating the volume ceiling. Bonds and notes subject to the volume ceiling require an allocation from the state's annual volume ceiling in order to qualify for federal tax exemption.

It is hereby declared to be the policy of the state to maximize the public benefit through the issuance of private activity bonds for the purposes of, among other things, allocating a fair share of the bond volume ceiling upon initial allocation and from a bond reserve to local agencies and for needs identified by local governments; providing housing and promoting economic development; job creation; an economical energy supply; and resource recovery and to provide for an orderly and efficient volume ceiling allocation process for state and local agencies by establishing an alternative formula for making such allocations.

§ 3. Definitions. As used in this act, unless the context requires otherwise:

1. "Bonds" means bonds, notes or other obligations.

2. "Carryforward" means an amount of unused private activity bond ceiling available to an issuer pursuant to an election filed with the internal revenue service pursuant to section 146(f) of the code.

3. "Code" means the internal revenue code of 1986, as amended.

4. "Commissioner" means the commissioner of the New York state department of economic development.

5. "Covered bonds" means those tax exempt private activity bonds and that portion of the non-qualified amount of an issue of governmental use bonds for which an allocation of the statewide ceiling is required for the interest earned by holders of such bonds to be excluded from the gross income of such holders for federal income tax purposes under the code.

6. "Director" means the director of the New York state division of the budget.

7. "Issuer" means a local agency, state agency or other issuer.

8. "Local agency" means an industrial development agency established or operating pursuant to article 18-A of the general municipal law, the Troy industrial development authority and the Auburn industrial development authority.

9. "Other issuer" means any agency, political subdivision or other entity, other than a local agency or state agency, that is authorized to issue covered bonds.

10. "Qualified small issue bonds" means qualified small issue bonds, as defined in section 144(a) of the code.

11. "State agency" means the state of New York, the New York state energy research and development authority, the New York job development authority, the New York state environmental facilities corporation, the New York state urban development corporation and its subsidiaries, the Battery Park city authority, the port authority of New York and New Jersey, the power authority of the state of New York, the dormitory authority of the state of New York, the New York state housing finance agency, the state of New York mortgage agency, and any other public benefit corporation or public authority designated by the governor for the purposes of this act.

12. "Statewide ceiling" means for any calendar year the highest state ceiling (as such term is used in section 146 of the code) applicable to New York state.

13. "Future allocations" means allocations of statewide ceiling for up to two future years.

14. "Multi-year housing development project" means a project (a) which qualifies for covered bonds; (b) which is to be constructed over two or more years and (c) in which at least twenty percent of the dwelling units will be occupied by persons and families of low income.

§ 4. Local agency set-aside. A set-aside of statewide ceiling for local agencies for any calendar year shall be an amount which bears the same ratio to one-third of the statewide ceiling as the population of the jurisdiction of such local agency bears to the population of the entire state. The commissioner shall administer allocations of such set-aside to local agencies.

§ 5. State agency set-aside. A set-aside of statewide ceiling for all state agencies for any calendar year shall be one-third of the statewide ceiling. The director shall administer allocations of such set-aside to state agencies and may grant an allocation to any state agency upon receipt of an application in such form as the director shall require.

§ 6. Statewide bond reserve. One-third of the statewide ceiling is hereby set aside as a statewide bond reserve to be administered by the director.

1. Allocation of the statewide bond reserve among state agencies, local agencies and other issuers. The director shall transfer a portion of the statewide bond reserve to the commissioner for allocation to and use by local agencies and other issuers in accordance with the terms of this section. The remainder of the statewide bond reserve may be allocated by the director to state agencies in accordance with the terms of this section.

2. Allocation of statewide bond reserve to local agencies or other issuers.

(a) Local agencies or other issuers may at any time apply to the commissioner for an allocation from the statewide bond reserve. Such application shall demonstrate:

(i) that the requested allocation is required under the code for the interest earned on the bonds to be excluded from the gross income of bondholders for federal income tax purposes;

(ii) that the local agency's remaining unused allocation provided pursuant to section four of this act, and other issuer's remaining unused allocation, or any available carryforward will be insufficient for the specific project or projects for which the reserve allocation is requested; and

(iii) that, except for those allocations made pursuant to section thirteen of this act to enable carryforward elections, the requested allocation is reasonably expected to be used during the calendar year, and the requested future allocation is reasonably expected to be used in the calendar year to which the future allocation relates.

(b) In reviewing and approving or disapproving applications, the commissioner shall exercise discretion to ensure an equitable distribution of allocations from the statewide bond reserve to local agencies and other issuers. Prior to making a determination on such applications, the commissioner shall notify and seek the recommendation of the president and chief executive officer of the New York state housing finance agency in the case of an application related to the issuance of multi-family housing or mortgage revenue bonds, and in the case of other requests, such state officers, departments, divisions and agencies as the commissioner deems appropriate.

(c) Applications for allocations shall be made in such form and contain such information and reports as the commissioner shall require.

(d) On or before September fifteenth of each year, the commissioner shall publish the total amount of local agency set-aside that has been recaptured pursuant to section twelve of this act for that year on the department of economic development's website.

3. Allocation of statewide bond reserve to state agencies. The director may make an allocation from the statewide bond reserve to any state agency. Before making any allocation of statewide bond reserve to state agencies the director shall be satisfied:

(a) that the allocation is required under the code for the interest earned on the bonds to be excluded from the gross income of bondholders for federal income tax purposes;

(b) that the state agency's remaining unused allocation provided pursuant to section five of this act or any available carryforward will be insufficient to accommodate the specific bond issue or issues for which the reserve allocation is requested; and

(c) that, except for those allocations made pursuant to section thirteen of this act to enable carryforward elections, the requested allocation is reasonably expected to be used during the calendar year, and the requested future allocation is reasonably expected to be used in the calendar year to which the future allocation relates.

§ 7. Access to employment opportunities. 1. All issuers shall require that any new employment opportunities created in connection with industrial or manufacturing projects financed through the issuance of qualified small issue bonds shall be listed with the New York state department of labor and with the one-stop career center established pursuant to the federal Workforce Innovation and Opportunity Act (Pub. L. No. 113-128) serving the locality in which the employment opportunities are being created. Such listing shall be in a manner and form prescribed by the commissioner. All issuers shall further require that for any new employment opportunities created in connection with an industrial or manufacturing project financed through the issuance of qualified small issue bonds by such issuer, industrial or manufacturing firms shall first consider persons eligible to participate in the Workforce Innovation and Opportunity Act (Pub. L. No. 113-128) programs who shall be referred to the industrial or manufacturing firm by one-stop centers in local workforce investment areas or by the department of labor. Issuers of qualified small issue bonds are required to monitor compliance with the provisions of this section as prescribed by the commissioner.

2. Nothing in this section shall be construed to require users of qualified small issue bonds to violate any existing collective bargaining agreement with respect to the hiring of new employees. Failure on the part of any user of qualified small issue bonds to comply with the requirements of this section shall not affect the allocation of bonding authority to the issuer of the bonds or the validity or tax exempt status of such bonds.

§ 8. Overlapping jurisdictions. In a geographic area represented by a county local agency and one or more sub-county local agencies, the allocation granted by section four of this act with respect to such area of overlapping jurisdiction shall be apportioned one-half to the county local agency and one-half to the sub-county local agency or agencies. Where there is a local agency for the benefit of a village within the geographic area of a town for the benefit of which there is a local agency, the allocation of the village local agency shall be based on the population of the geographic area of the village, and the allocation of

the town local agency shall be based upon the population of the geographic area of the town outside of the village. Notwithstanding the foregoing, a local agency may surrender all or part of its allocation for such calendar year to another local agency with an overlapping jurisdiction. Such surrender shall be made at such time and in such manner as the commissioner shall prescribe.

§ 9. Ineligible local agencies. To the extent that any allocation of the local agency set-aside would be made by this act to a local agency which is ineligible to receive such allocation under the code or under regulations interpreting the state volume ceiling provisions of the code, such allocation shall instead be made to the political subdivision for whose benefit that local agency was created.

§ 10. Municipal reallocation. The chief executive officer of any political subdivision or, if such political subdivision has no chief executive officer, the governing board of the political subdivision for the benefit of which a local agency has been established, may withdraw all or any portion of the allocation granted by section four of this act to such local agency. The political subdivision may then reallocate all or any portion of such allocation, as well as all or any portion of the allocation received pursuant to section nine of this act, to itself or any other issuer established for the benefit of that political subdivision or may assign all or any portion of the allocation received pursuant to section nine of this act to the local agency created for its benefit. The chief executive officer or governing board of the political subdivision, as the case may be, shall notify the commissioner of any such reallocation.

§ 11. Future allocations for multi-year housing development projects. 1. In addition to other powers granted under this act, the commissioner is authorized to make the following future allocations of statewide ceiling for any multi-year housing development project for which the commissioner also makes an allocation of statewide ceiling for the current year under this act or for which, in the event of expiration of provisions of this act described in section eighteen of this act, an allocation of volume cap for a calendar year subsequent to such expiration shall have been made under section 146 of the code: (a) to local agencies from the local agency set-aside (but only with the approval of the chief executive officer of the political subdivision to which the local agency set-aside relates or the governing body of a political subdivision having no chief executive officer) and (b) to other issuers from that portion, if any, of the statewide bond reserve transferred to the commissioner by the director. Any future allocation made by the commissioner shall constitute an allocation of statewide ceiling for the future year specified by the commissioner and shall be deemed to have been made on the first day of the future year so specified.

2. In addition to other powers granted under this act, the director is authorized to make future allocations of statewide ceiling from the state agency set-aside or from the statewide bond reserve to state agencies for any multi-year housing development project for which the director also makes an allocation of statewide ceiling from the current year under this act or for which, in the event of expiration of provisions of this act described in section eighteen of this act, an allocation of volume cap for a calendar year subsequent to such expiration shall have been made under section 146 of the code, and is authorized to make transfers of the statewide bond reserve to the commissioner for future allocations to other issuers for multi-year housing development projects for which the commissioner has made an allocation of statewide ceiling

for the current year. Any such future allocation or transfer of the statewide bond reserve for future allocation made by the director shall constitute an allocation of statewide ceiling or transfer of the statewide bond reserve for the future years specified by the director and shall be deemed to have been made on the first day of the future year so specified.

3. (a) If an allocation made with respect to a multi-year housing development project is not used by September fifteenth of the year to which the allocation relates, the allocation with respect to the then current year shall be subject to recapture in accordance with the provisions of section twelve of this act, and in the event of such a recapture, unless a carryforward election by another issuer shall have been approved by the commissioner or a carryforward election by a state agency shall have been approved by the director, all future allocations made with respect to such project pursuant to subdivision one or two of this section shall be canceled.

(b) The commissioner and the director shall have the authority to make future allocations from recaptured current year allocations and canceled future allocations to multi-year housing development projects in a manner consistent with the provisions of this act. Any such future allocation shall, unless a carryforward election by another issuer shall have been approved by the commissioner or a carryforward election by a state agency shall have been approved by the director, be canceled if the current year allocation for the project is not used by December 31, 2021.

(c) The commissioner and the director shall establish procedures consistent with the provisions of this act relating to carryforward of future allocations.

4. The aggregate future allocations from either of the two succeeding years shall not exceed six hundred fifty million dollars for each such year.

§ 12. Year end allocation recapture. On or before September first of each year, each state agency shall report to the director and each local agency and each other issuer shall report to the commissioner the amount of bonds subject to allocation under this act that will be issued prior to the end of the then current calendar year, and the amount of the issuer's then total allocation that will remain unused. As of September fifteenth of each year, the unused portion of each local agency's and other issuer's then total allocation as reported and the unallocated portion of the set-aside for state agencies shall be recaptured and added to the statewide bond reserve and shall no longer be available to covered bond issuers except as otherwise provided herein. From September fifteenth through the end of the year, each local agency or other issuer having an allocation shall immediately report to the commissioner and each state agency having an allocation shall immediately report to the director any changes to the status of its allocation or the status of projects for which allocations have been made which should affect the timing or likelihood of the issuance of covered bonds therefor. If the commissioner determines that a local agency or other issuer has overestimated the amount of covered bonds subject to allocation that will be issued prior to the end of the calendar year, the commissioner may recapture the amount of the allocation to such local agency or other issuer represented by such overestimation by notice to the local agency or other issuer, and add such allocation to the statewide bond reserve. The director may likewise make such determination and recapture with respect to state agency allocations.

§ 13. Allocation carryforward. 1. No local agency or other issuer shall make a carryforward election utilizing any unused allocation (pursuant to section 146(f) of the code) without the prior approval of the commissioner. Likewise no state agency shall make or file such an election, or elect to issue or carryforward mortgage credit certificates, without the prior approval of the director.

2. On or before November fifteenth of each year, each state agency seeking unused statewide ceiling for use in future years shall make a request for an allocation for a carryforward to the director, whose approval shall be required before a carryforward election is filed by or on behalf of any state agency. A later request may also be considered by the director, who may file a carryforward election for any state agency with the consent of such agency.

3. On or before November fifteenth of each year, each local agency or other issuer seeking unused statewide ceiling for use in future years shall make a request for an allocation for a carryforward to the commissioner, whose approval shall be required before a carryforward election is filed by or on behalf of any local or other agency. A later request may also be considered by the commissioner.

4. On or before January fifteenth of each year, the director shall publish the total amount of unused statewide ceiling from the prior year on the division of budget's website.

§ 14. New York state bond allocation policy advisory panel. 1. There is hereby created a policy advisory panel and process to provide policy advice regarding the priorities for distribution of the statewide ceiling.

2. The panel shall consist of five members, one designee being appointed by each of the following: the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate and the minority leader of the assembly. The designee of the governor shall chair the panel. The panel shall monitor the allocation process through the year, and in that regard, the division of the budget and the department of economic development shall assist and cooperate with the panel as provided in this section. The advisory process shall operate through the issuance of advisory opinions by members of the panel as provided in subdivisions six and seven of this section. A meeting may be held at the call of the chair with the unanimous consent of the members.

3. (a) Upon receipt of a request for allocation or a request for approval of a carryforward election from the statewide reserve from a local agency or other issuer, the commissioner shall, within five working days, notify the panel of such request and provide the panel with copies of all application materials submitted by the applicant.

(b) Upon receipt of a request for allocation or a request for approval of carryforward election from the statewide reserve from a state agency, the director shall, within five working days, notify the panel of such request and provide the panel with copies of all application materials submitted by the applicant.

4. (a) Following receipt of a request for allocation from a local agency or other issuer, the commissioner shall notify the panel of a decision to approve or exclude from further consideration such request, and the commissioner shall state the reasons. Such notification shall be made with or after the transmittal of the information specified in subdivision three of this section and at least five working days before formal notification is made to the applicant.

(b) Following receipt of a request for allocation from a state agency, the director shall notify the panel of a decision to approve or exclude from further consideration such request, and shall state the reasons. Such notification shall be made with or after the transmission of the information specified in subdivision three of this section and at least five working days before formal notification is made to the state agency.

5. The requirements of subdivisions three and four of this section shall not apply to adjustments to allocations due to bond sizing changes.

6. In the event that any decision to approve or to exclude from further consideration a request for allocation is made within ten working days of the end of the calendar year and in the case of all requests for consent to a carryforward election, the commissioner or director, as is appropriate, shall provide the panel with the longest possible advance notification of the action, consistent with the requirements of the code, and shall, wherever possible, solicit the opinions of the members of the panel before formally notifying any applicant of the action. Such notification may be made by means of telephone communication to the members or by written notice delivered to the Albany office of the appointing authority of the respective members.

7. Upon notification by the director or the commissioner, any member of the panel may, within five working days, notify the commissioner or the director of any policy objection concerning the expected action. If three or more members of the panel shall submit policy objections in writing to the intended action, the commissioner or the director shall respond in writing to the objection prior to taking the intended action unless exigent circumstances make it necessary to respond after the action has been taken.

8. On or before the first day of July, in any year, the director shall report to the members of the New York state bond allocation policy advisory panel on the actual utilization of volume cap for the issuance of bonds during the prior calendar year and the amount of such cap allocated for carryforwards for future bond issuance. The report shall include, for each local agency or other issuer and each state agency the initial allocation, the amount of bonds issued subject to the allocation, the amount of the issuer's allocation that remained unused, the allocation of the statewide bond reserve, carryforward allocations and recapture of allocations. Further, the report shall include projections regarding private activity bond issuance for state and local issuers for the calendar year, as well as any recommendations for legislative action. The director shall publish the report on the division of budget's website concurrently with the release of the report to the panel.

§ 15. Severability. If any clause, sentence, paragraph, section, or item of this subpart 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, section, or item thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 16. Notwithstanding any provisions of this act to the contrary (1) provided that a local agency or other issuer certifies to the commissioner on or before October 1, 2020 that it has issued private activity bonds described in this act and the amount thereof which used statewide ceiling, a commitment or allocation of statewide ceiling to a local agency or other issuer made to or so used by such local agency or other

issuer pursuant to the federal tax reform act of 1986 on or after January 1, 2020 and prior to the effective date of this act, in an amount which exceeds the local agency set-aside established by section four of this act, shall be first chargeable to the statewide bond reserve established pursuant to section six of this act, and (2) a commitment or allocation of statewide ceiling to a state agency made to or used by such agency pursuant to the internal revenue code, as amended, on or after January 1, 2020 and prior to the effective date of this act, shall be first chargeable to the state agency set-aside established pursuant to section five of this act, and, thereafter, to the statewide bond reserve established by section six of this act.

§ 17. Nothing contained in this act shall be deemed to supersede, alter or impair any allocation used by or committed by the director or commissioner to a state or local agency or other issuer pursuant to the federal tax reform act of 1986 and prior to the effective date of this act.

§ 18. This act shall take effect immediately; provided, however, that sections three, four, five, six, seven, eight, nine, ten, twelve, thirteen and fourteen of this act shall expire July 1, 2022 when upon such date the provisions of such sections shall be deemed repealed; except that the provisions of subdivisions two and three of section thirteen of this act shall expire and be deemed repealed February 15, 2022.

ITEM D

Section 1. Section 3 of chapter 448 of the laws of 2017, amending the canal law relating to the upstate flood mitigation task force, is amended to read as follows:

§ 3. This act shall take effect immediately; provided, however, that section 139-d of the canal law, as added by section one of this act, shall take effect April 1, 2018; and provided, further, that this act shall expire and be deemed repealed March 31, [~~2020~~] 2021.

§ 2. This act shall take effect immediately.

ITEM E

Intentionally Omitted

ITEM F

Intentionally Omitted

ITEM G

Intentionally Omitted

ITEM H

Intentionally Omitted

ITEM I

Intentionally Omitted

ITEM J

Intentionally Omitted

ITEM K

Section 1. Section 3 of chapter 454 of the laws of 2010 amending the vehicle and traffic law relating to authorizing a pilot residential parking permit system in the city of Albany, as amended by chapter 243 of the laws of 2018, is amended to read as follows:

§ 3. This act shall take effect immediately and shall remain in full force and effect for a period of [~~eight~~] nine years after the implementation of the local law or ordinance adopted by the city of Albany pursuant to section 1640-m of the vehicle and traffic law as added by section two of this act at which time this act shall expire and be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM L

Section 1. Section 3 of chapter 465 of the laws of 1994, amending chapter 285 of the laws of 1891 relating to charging a fee for admission to the New York Botanical Garden, as amended by chapter 120 of the laws of 2014, is amended to read as follows:

§ 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 30, 1994; provided that:

(a) the amendment made by section one of this act shall expire and be deemed repealed on May 1, [~~2020~~] 2025; and

(b) section two of this act shall take effect on May 1, [~~2020~~] 2025.

§ 2. This act shall take effect immediately.

ITEM M

Section 1. Sections 5 and 6 of chapter 414 of the laws of 2018, creating the radon task force, as amended by chapter 225 of the laws of 2019, are amended to read as follows:

§ 5. A report of the findings and recommendations of the task force and any proposed legislation necessary to implement such findings shall be filed with the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, and the minority leader of the assembly on or before November first, two thousand [~~twenty~~] twenty-one.

§ 6. This act shall take effect immediately and shall expire and be deemed repealed December 31, [~~2020~~] 2021.

§ 2. This act shall take effect immediately.

ITEM N

Section 1. Section 3 of chapter 435 of the laws of 2014 amending the environmental conservation law relating to defining spearguns and allowing recreational spearfishing in New York's marine and coastal waters,

as amended by chapter 66 of the laws of 2017, is amended to read as follows:

§ 3. This act shall take effect on the ninetieth day after it shall have become a law and shall expire and be deemed repealed June 1, [~~2020~~] 2023.

§ 2. This act shall take effect immediately.

ITEM O

Section 1. Section 4 of chapter 330 of the laws of 2014, amending the environmental conservation law relating to aquatic invasive species, spread prevention, and penalties, as amended by chapter 81 of the laws of 2019, is amended to read as follows:

§ 4. This act shall take effect one year after it shall have become a law, and shall expire and be deemed repealed June 1, [~~2020~~] 2021. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the timely implementation of this act on its effective date is authorized to be made on or before such effective date.

§ 2. This act shall take effect immediately.

ITEM P

Section 1. Section 11 of part B of chapter 104 of the laws of 2005, enacting the September 11th worker protection task force act, as amended by chapter 45 of the laws of 2015, is amended to read as follows:

§ 11. This act shall take effect September 11, 2005, and shall expire and be deemed repealed on June 10, [~~2020~~] 2025.

§ 2. This act shall take effect immediately.

ITEM Q

Section 1. Section 4 of chapter 266 of the laws of 1981, amending the civil practice law and rules relating to time limitations, as amended by chapter 82 of the laws of 2018, is amended to read as follows:

§ 4. Every cause of action for an injury or death caused by contact with or exposure to phenoxy herbicides while serving as a member of the armed forces of the United States in Indo-China from February 28, 1961 through May 7, 1975, which is or would be barred prior to June 16, 1985, because the applicable period of limitation has expired is hereby revived and extended and any action thereon may be commenced and prosecuted provided such action is commenced not later than June 16, [~~2020~~] 2022.

§ 2. This act shall take effect immediately.

ITEM R

Section 1. Section 3 of chapter 455 of the laws of 1997, amending the New York city civil court act and the civil practice law and rules relating to authorizing New York city marshals to exercise the same functions, powers and duties as sheriffs with respect to the execution of money judgments, as amended by chapter 47 of the laws of 2019, is amended to read as follows:

§ 3. This act shall take effect immediately and shall remain in full force and effect only until June 30, [~~2020~~] 2021 when upon such date this act shall be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM S

Section 1. Section 2 of chapter 490 of the laws of 2017 amending the insurance law relating to limits on certain supplementary insurance 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 apply to new insurance policies and contracts issued on and after such effective date and shall expire and be deemed repealed June 30, [~~2020~~] **2023**.

§ 2. This act shall take effect immediately.

ITEM T

Section 1. Section 54.50 of the local finance law, as amended by chapter 74 of the laws of 2019, is amended to read as follows:

§ 54.50 Costs of sales; county of Erie. To facilitate the marketing of any issue of serial bonds or notes of the county of Erie issued on or before June thirtieth, two thousand [~~twenty~~] **twenty-one** such county may, notwithstanding any limitations on private sales of bonds provided by law, and subject to approval by the state comptroller of the terms and conditions of such sale:

a. arrange for the underwriting of its bonds or notes at private sale through negotiated agreement, compensation for such underwriting to be provided by negotiated fee or by sale of such bonds or notes to an underwriter at a price less than the sum of par value of, and the accrued interest on, such obligations; or

b. arrange for the private sale of its bonds or notes through negotiated agreement, compensation for such sales to be provided by negotiated fee, if required. The cost of such underwriting or private placement shall be deemed a preliminary cost for purposes of section 11.00 of this chapter.

§ 2. This act shall take effect immediately.

ITEM U

Section 1. Section 2 of chapter 846 of the laws of 1970, amending the county law relating to payment in lieu of taxes for property acquired for park or recreational purposes, as amended by chapter 41 of the laws of 2015, is amended to read as follows:

§ 2. This act shall take effect July 1, 1970 but shall be operative only to and including June 30, [~~2020~~] **2025**.

§ 2. This act shall take effect immediately.

ITEM V

Section 1. Section 3 of chapter 821 of the laws of 1970 amending the town law relating to payment in lieu of taxes for property acquired for park or recreational purposes by the town of Hempstead, as amended by chapter 38 of the laws of 2015, is amended to read as follows:

§ 3. This act shall take effect July 1, 1970 but shall be operative only to and including June 30, [~~2020~~] **2025**.

§ 2. This act shall take effect immediately.

ITEM W

Section 1. Section 2 of chapter 20 of the laws of 1998, amending the education law relating to the provision of physical therapy assistant services in public and private primary and secondary schools, as amended by chapter 27 of the laws of 2015, is amended to read as follows:

§ 2. This act shall take effect immediately and shall remain in effect until June 30, [~~2020~~] 2025 when upon such date the provisions of this act shall expire and be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM X

Section 1. Section 3 of chapter 549 of the laws of 1994, amending the public authorities law relating to the membership composition of the metropolitan transportation authority board, as amended by section 1 of part J of chapter 73 of the laws of 2016, is amended to read as follows:

§ 3. This act shall take effect January 1, 1995 and shall expire and be deemed repealed on June 30, [~~2020~~] 2024 and upon such date the provisions of law amended by this act shall revert to and be read as if the provisions of this act had not been enacted.

§ 2. This act shall take effect immediately.

ITEM Y

Section 1. Section 4 of part H1 of chapter 62 of the laws of 2003, amending the public service law relating to establishing the New York telecommunications relay service center, as amended by chapter 291 of the laws of 2017, is amended to read as follows:

§ 4. This act shall take effect on April 1, 2003, 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 April 1, 2003, provided, further, that section three of this act shall expire on June 30, [~~2020~~] 2024.

§ 2. This act shall take effect immediately.

ITEM Z

Section 1. Section 4 of part U of chapter 55 of the laws of 2014, amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by senior citizens, as amended by section 1 of part EE of chapter 54 of the laws of 2016, is amended to read as follows:

§ 4. This act shall take effect July 1, 2014, and sections one and two of this act shall expire and be deemed repealed June 30, [~~2020~~] 2022; provided that the amendment to section 467-b of the real property tax law made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.

§ 2. Section 4 of chapter 129 of the laws of 2014, amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by persons with disabilities, as amended by section 3 of part EE of chapter 54 of the laws of 2016, is amended to read as follows:

§ 4. This act shall take effect July 1, 2014 provided, however, that:

(a) the amendments to paragraph b of subdivision 3 of section 467-b of the real property tax law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 17 of chapter 576 of the laws of 1974, as amended, when upon

such date the provisions of section two of this act shall take effect; and

(b) nothing contained in this act shall be construed so as to extend the provisions of this act beyond June 30, [~~2020~~] **2022**, when upon such date this act shall expire and the provisions contained in this act shall be deemed repealed.

§ 3. This act shall take effect immediately.

ITEM AA

Section 1. Section 2 of chapter 427 of the laws of 2017 amending the state technology law relating to the creation of a state information technology innovation center, is amended to read as follows:

§ 2. This act shall take effect on the ninetieth day after it shall have become a law and shall expire and be deemed repealed June 30, [~~2020~~] **2024**.

§ 2. This act shall take effect immediately.

ITEM BB

Section 1. Section 2 of chapter 606 of the laws of 2006 amending the volunteer firefighters' benefit law relating to creating a presumption relating to certain lung disabilities incurred by volunteer firefighters, as amended by chapter 25 of the laws of 2015, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed June 30, [~~2020~~] **2025**.

§ 2. This act shall take effect immediately.

ITEM CC

Section 1. Section 4 of chapter 668 of the laws of 1977, amending the volunteer firefighters' benefit law relating to disability due to disease or malfunction of the heart or coronary arteries, as amended by chapter 26 of the laws of 2015, is amended to read as follows:

§ 4. The provisions of section two of this act shall remain in full force and effect to and including the thirtieth day of June, [~~2020~~] **2025**.

§ 2. This act shall take effect immediately.

ITEM DD

Section 1. Section 3 of chapter 217 of the laws of 2015, amending the education law relating to certified school psychologists and special education services and programs for preschool children with handicapping conditions, as amended by chapter 68 of the laws of 2018, is amended to read as follows:

§ 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2014, provided, however that the provisions of this act shall expire and be deemed repealed June 30, [~~2020~~] **2022**.

§ 2. This act shall take effect immediately.

ITEM EE

Section 1. Chapter 192 of the laws of 2011, relating to authorizing certain health care professionals licensed to practice in other jurisdictions to practice in this state in connection with an event sanctioned by New York Road Runners, as amended by chapter 80 of the laws of 2019, is amended to read as follows:

Section 1. Notwithstanding any inconsistent provision of law, any person who is licensed to practice as a physician, physician's assistant, massage therapist, physical therapist, chiropractor, dentist, optometrist, nurse, nurse practitioner, certified athletic trainer or podiatrist in another state or territory, who is in good standing in such state or territory and who has been appointed by the New York Road Runners to provide professional services at an event in this state sanctioned by the New York Road Runners, may provide such professional services to athletes and team personnel registered to train at a location in this state or registered to compete in an event conducted under the sanction of the New York Road Runners in the state without first being licensed pursuant to the provisions of title 8 of the education law. Such services shall be provided only four days before through one day after each of the following events:

a. the Staten Island half marathon scheduled to be held on [~~October 13, 2019~~] a date in 2020;

b. the New York city marathon scheduled to be held on [~~November 3, 2019~~] a date in 2020;

c. the Brooklyn half marathon scheduled to be held on [~~May 18, 2019 and May 16, 2020~~] a date in 2020 and on May 15, 2021;

d. the Bronx half marathon scheduled to be held on [~~September 29, 2019~~] a date in 2020;

e. the Queens 10k scheduled to be held on [~~June 15, 2019~~] a date in 2020; and

f. the New York city half marathon scheduled to be held on [~~March 17, 2019 and March 15, 2020~~] a date in 2020 and on March 14, 2021.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed June 30, [~~2020~~] 2021.

§ 2. This act shall take effect immediately and shall be deemed to have been in effect on and after January 1, 2020; provided that the amendments to section 1 of chapter 192 of the laws of 2011, made by section one of this act, shall not affect the expiration of such section and shall be deemed repealed therewith.

ITEM FF

Section 1. Section 11 of chapter 378 of the laws of 2010 amending the education law relating to paperwork reduction, as amended by chapter 49 of the laws of 2015, is amended to read as follows:

§ 11. This act shall take effect immediately; provided, however, that the commissioner of education shall promulgate any rules or regulations necessary to implement the provisions of this act on or before July 1, 2010; provided, further that if section ten of this act shall take effect after July 1, 2010 it shall be deemed to have been in full force and effect on and after July 1, 2010; and provided further that section ten of this act shall expire and be deemed repealed on June 30, [~~2020~~] 2025.

§ 2. This act shall take effect immediately.

ITEM GG

Section 1. Section 54.40 of the local finance law, as amended by chapter 71 of the laws of 2019, is amended to read as follows:

§ 54.40 Bonds and notes of the city of Yonkers. Subject to the provisions of the New York state financial emergency act of nineteen hundred eighty-four for the city of Yonkers, to facilitate the marketing of any issue of serial bonds or notes of the city of Yonkers issued on or before June thirtieth, two thousand [~~twenty~~] **twenty-one**, such city may, notwithstanding any limitations on private sales of bonds provided by law, and subject to approval by the state comptroller of the terms and conditions of such sale: (a) arrange for the underwriting of its bonds or notes at private sale through negotiated agreement, compensation for such underwriting to be provided by negotiated fee or by sale of such bonds or notes to an underwriter at a price of less than the sum of par value of, and the accrued interest on, such obligations; or (b) arrange for the private sale of its bonds or notes through negotiated agreement, compensation for such sales to be provided by negotiated fee, if required. The cost of such underwriting or private placement shall be deemed a preliminary cost for purposes of section 11.00 of this article.

§ 2. This act shall take effect immediately.

ITEM HH

Section 1. Section 54.30 of the local finance law, as amended by chapter 77 of the laws of 2019, is amended to read as follows:

§ 54.30 Costs of sales; bonds and notes of the city of Buffalo. Subject to the provisions of chapter one hundred twenty-two of the laws of two thousand three creating the Buffalo fiscal stability authority, to facilitate the marketing of any issue of serial bonds or notes of the city of Buffalo issued on or before June thirtieth, two thousand [~~twenty~~] **twenty-one**, such city may, notwithstanding any limitations on private sales of bonds provided by law, and subject to approval by the state comptroller of the terms and conditions of such sale: (a) arrange for the underwriting of its bonds or notes at private sale through negotiated agreement, compensation for such underwriting to be provided by negotiated fee or by sale of such bonds or notes to an underwriter at a price of less than the sum of par value of, and the accrued interest on, such obligations; or (b) arrange for the private sale of its bonds or notes through negotiated agreement, compensation for such sales to be provided by negotiated fee, if required. The cost of such underwriting or private placement shall be deemed a preliminary cost for purposes of section 11.00 of this article.

§ 2. This act shall take effect immediately.

ITEM II

Section 1. Subdivision 8 of section 9 of chapter 401 of the laws of 2002, amending the real property tax law and the Nassau county administrative code relating to assessment and review of assessments in the county of Nassau, as amended by chapter 84 of the laws of 2018, is amended to read as follows:

8. Notwithstanding the foregoing provisions of this act, on June 30, [~~2020~~] **2022**, the amendments of sections 6-2.1 and 6-13.0 of the Nassau county administrative code, made by sections two and four of this act, and section 6-24.1 of such code, as added by section seven of this act, shall be deemed repealed. On such date the addition of the words "the year following" to the first sentence of subdivision 8 of section 523-b

of the real property tax law, as amended by section one of this act, shall be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM JJ

Section 1. Section 2342 of the insurance law, as amended by chapter 69 of the laws of 2017, is amended to read as follows:

§ 2342. Expiration of certain provisions. The provisions of subsection (c) of section two thousand three hundred seven, section two thousand three hundred eight, subsection (a) of section two thousand three hundred ten, sections two thousand three hundred sixteen, two thousand three hundred twenty, two thousand three hundred twenty-three, two thousand three hundred twenty-six, and two thousand three hundred thirty-five, and subsection (b) of section two thousand three hundred thirty-six of this article shall cease to be of any force or effect during the period August third, two thousand one through the day before the effective date of the property/casualty insurance availability act, and after June thirtieth, two thousand [~~twenty~~] twenty-three.

§ 2. Subsection (f) of section 2305 of the insurance law, as amended by chapter 69 of the laws of 2017, is amended to read as follows:

(f) Subsection (a) of this section shall be of no force or effect during the period August third, two thousand one through the day before the effective date of the property/casualty insurance availability act, and after June thirtieth, two thousand [~~twenty~~] twenty-three. During the period August third, two thousand one through the day before the effective date of the property/casualty insurance availability act, and again commencing on July first, two thousand [~~twenty~~] twenty-three, all rates previously subject to subsection (a) of this section, other than rates that are not required to be filed pursuant to subsection (b) of section two thousand three hundred ten of this article or that have been suspended from the filing requirement pursuant to section two thousand three hundred eleven of this article, shall become subject to subsections (b), (c) and (d) of this section. All other provisions of this article applicable to kinds of insurance or insurance activities the rates for which are subject to prior approval under subsection (b) of this section shall apply to kinds of insurance the rates for which were previously subject to subsection (a) of this section or the rates for which are not required to be filed pursuant to subsection (b) of section two thousand three hundred ten of this article or the rates for which have been suspended from the filing requirement pursuant to section two thousand three hundred eleven of this article.

§ 3. Subsection (h) of section 2344 of the insurance law, as amended by chapter 69 of the laws of 2017, is amended to read as follows:

(h) This section shall cease to be of any force or effect during the period August third, two thousand one through the day before the effective date of the property/casualty insurance availability act, and after June thirtieth, two thousand [~~twenty~~] twenty-three, except that rates shall reflect the likely reductive cost effects reasonably attributable to the statutory provisions specified in paragraph one of subsection (g) of this section.

§ 4. Paragraphs 1 and 2 and the opening paragraph of paragraph 3 of subsection (m) of section 3425 of the insurance law, as amended by chapter 69 of the laws of 2017, are amended to read as follows:

(1) Paragraphs eight and nine of subsection (a), subsection (f) and subparagraphs (B) and (E) of paragraph one of subsection (j) of this

section shall not apply to any new covered policy of automobile insurance voluntarily written on or after August first, nineteen hundred eighty-five and prior to January first, nineteen hundred eighty-six, and on or after August second, two thousand one and prior to the effective date of the property/casualty insurance availability act, and on or after June thirtieth, two thousand [~~twenty~~] twenty-three, but the legal rights granted to insurers or policyholders under such provisions shall not be extinguished or impaired thereby.

(2) In lieu of such provisions, paragraph seven of subsection (a), subparagraph (A) of paragraph one of subsection (j) of this section and paragraph three of this subsection shall apply to such automobile insurance policies that are newly and voluntarily written to have an effective date on or after August first, nineteen hundred eighty-five and prior to January first, nineteen hundred eighty-six, and on or after August second, two thousand one and prior to the effective date of the property/casualty insurance availability act, and on or after June thirtieth, two thousand [~~twenty~~] twenty-three.

On and after August first, nineteen hundred eighty-five and prior to January first, nineteen hundred eighty-six, and on or after August second, two thousand one and prior to the effective date of the property/casualty insurance availability act, and on or after June thirtieth, two thousand [~~twenty~~] twenty-three, no notice of nonrenewal or conditional renewal of such covered automobile insurance policies referred to in this subsection shall be issued to become effective during the required policy period unless it is based upon a ground for which the policy could have been cancelled or unless it is based upon one or more of the following grounds that occurred during the thirty-six month period ending on the last day of the fourth month preceding the month of the effective date of such notice of nonrenewal or conditional renewal:

§ 5. Sections 2328 and 2329 of the insurance law, as amended by chapter 69 of the laws of 2017, are amended to read as follows:

§ 2328. Certain motor vehicle insurance rates; prior approval. For the periods February first, nineteen hundred seventy-four through August second, two thousand one, and the effective date of the property/casualty insurance availability act through June thirtieth, two thousand [~~twenty~~] twenty-three, no changes in rates, rating plans, rating rules and rate manuals applicable to motor vehicle insurance, including no-fault coverages under article fifty-one of this chapter, shall be made effective until approved by the superintendent, notwithstanding any inconsistent provisions of this article; provided, however, that changes in such rates, rating plans, rating rules and rate manuals may be made effective without such approval if the rates that result from such changes are no higher than the insurer's rates last approved by the superintendent. This section shall apply only to policies covering losses or liabilities arising out of ownership of a motor vehicle used principally for the transportation of persons for hire, including a bus or a school bus as defined in sections one hundred four and one hundred forty-two of the vehicle and traffic law.

§ 2329. Motor vehicle insurance rates; excess profits. In accordance with regulations prescribed by the superintendent, each insurer issuing policies that are subject to article fifty-one of this chapter, including policies of motor vehicle personal injury liability insurance or policies of motor vehicle property damage liability insurance or insurance for loss or damage to a motor vehicle, shall establish a fair, practicable, and nondiscriminatory plan for refunding or otherwise cred-

iting to those purchasing such policies their share of the insurer's excess profit, if any, on such policies. An excess profit shall be a profit beyond a percentage rate of return on net worth attributable to such policies, computed in accordance with the regulation required by section two thousand three hundred twenty-three of this article, and determined by the superintendent to be so far above a reasonable average profit as to amount to an excess profit, taking into consideration the fact that losses or profits below a reasonable average profit will not be recouped from such policyholders. Each plan shall apply to policy periods for the periods January first, nineteen hundred seventy-four through August second, two thousand one, and the effective date of the property/casualty insurance availability act through June thirtieth, two thousand [~~twenty~~] twenty-three. In prescribing such regulations the superintendent may limit the duration of such plans, waive any requirement for refund or credit that he or she determines to be de minimis or impracticable, adopt forms of returns that shall be made to him or her in order to establish the amount of any refund or credit due, establish periods and times for the determination and distribution of refunds and credits, and shall provide that insurers receive appropriate credit against any refunds or credits required by any such plan for policyholder dividends and for return premiums that may be due under rate credit or retrospective rating plans based on experience.

§ 6. Subsection (g) of section 5412 of the insurance law, as amended by chapter 69 of the laws of 2017, is amended to read as follows:

(g) The provisions of this section shall cease to be of any force or effect on or after June thirtieth, two thousand [~~twenty~~] twenty-three, except that policies issued or other obligations incurred by the association shall not be impaired by the expiration of this section and the association shall continue for the purpose of servicing such policies and performing such obligations.

§ 7. This act shall take effect immediately.

ITEM KK

Section 1. Section 2 of chapter 548 of the laws of 2004 amending the education law relating to certain tuition waivers for police officer students of the city university of New York, as amended by chapter 67 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed July 1, [~~2020~~] 2022.

§ 2. This act shall take effect immediately.

ITEM LL

Section 1. Section 2 of part U of chapter 56 of the laws of 2018, amending the education law relating to requiring regulations to permit tuition waivers for certain firefighters and fire officers for CUNY, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed July 1, [~~2020~~] 2022.

§ 2. This act shall take effect immediately.

ITEM MM

Section 1. Section 2 of chapter 274 of the laws of 2010 amending the environmental conservation law relating to repair of damaged pesticide

containers, as amended by chapter 94 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire July 1, [~~2020~~] 2022 when upon such date the provisions of this act shall be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM NN

Section 1. Section 33-0705 of the environmental conservation law, as amended by section 1 of part SS of chapter 58 of the laws of 2017, is amended to read as follows:

§ 33-0705. Fee for registration.

The applicant for registration shall pay a fee as follows:

a. On or before July 1, [~~2020~~] 2023, six hundred dollars for each pesticide proposed to be registered, provided that the applicant has submitted to the department proof in the form of a federal income tax return for the previous year showing gross annual sales, for federal income tax purposes, of three million five hundred thousand dollars or less;

b. On or before July 1, [~~2020~~] 2023, for all others, six hundred twenty dollars for each pesticide proposed to be registered;

c. After July 1, [~~2020~~] 2023, fifty dollars for each pesticide proposed to be registered.

§ 2. Section 9 of chapter 67 of the laws of 1992, amending the environmental conservation law relating to pesticide product registration timetables and fees, as amended by section 2 of part SS of chapter 58 of the laws of 2017, is amended to read as follows:

§ 9. This act shall take effect April 1, 1992 provided, however, that section three of this act shall take effect July 1, 1993 and shall expire and be deemed repealed on July 1, [~~2020~~] 2023.

§ 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.

ITEM OO

Section 1. Section 2 of chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, as amended by chapter 65 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect June 30, 1998 and shall expire and be deemed repealed on July 1, [~~2020~~] 2023, provided, however, that investments purchased prior to the expiration of this act pursuant to the provisions of paragraph a of subdivision 3 of section 11 of the general municipal law, as designated and amended by section one of this act, shall continue to be subject to the conditions contained in such subdivision to the same extent as they had been subject thereto prior to such expiration and repeal.

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

ITEM PP

Section 1. Section 4 of chapter 779 of the laws of 1986, amending the social services law relating to authorizing services for non-residents

in adult homes, residences for adults and enriched housing programs, as amended by chapter 49 of the laws of 2017, is amended to read as follows:

§ 4. This act shall take effect on the one hundred twentieth day after it shall have become a law and shall remain in full force and effect until July 1, [~~2020~~] **2023**, provided however, that effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of the foregoing sections of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

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

ITEM QQ

Section 1. The opening paragraph of paragraph (a) of section 54.10 of the local finance law, as amended by chapter 75 of the laws of 2019, is amended to read as follows:

To facilitate the marketing of any issue of bonds or notes of the city of New York issued on or before June thirtieth, two thousand [~~twenty~~] **twenty-one**, the mayor and comptroller of such city may, subject to the approval of the state comptroller and the limitations on private sales of bonds and notes, respectively, provided by law:

§ 2. The closing paragraph of paragraph a of section 54.90 of the local finance law, as amended by chapter 75 of the laws of 2019, is amended to read as follows:

Notwithstanding the foregoing, whenever in the judgment of the finance board of the city of New York the interest of such city would be served thereby, the city of New York may without further approval issue bonds or notes, on or before July fifteenth, two thousand [~~twenty~~] **twenty-one**, with interest rates that vary in accordance with a formula or procedure and are subject to a maximum rate of interest set forth or referred to in the bonds or notes and may provide the holders thereof with such rights to require the city or other persons to purchase such bonds or notes or renewals thereof from the proceeds of the resale thereof or otherwise from time to time prior to the final maturity of such bonds or notes as the finance board of the city of New York may determine and the city may resell, at any time prior to final maturity, any such bonds or notes acquired as a result of the exercise of such rights; provided, however, that at no time shall the total principal amount of bonds and notes issued by the city of New York pursuant to this paragraph (other than bonds and notes (1) bearing interest at rates and for periods of time that are specified without reference to future events or contingencies, or (2) described in section 136.00 of this article) exceed twenty-five percent of the limit prescribed by section 104.00 of this article.

§ 3. The opening paragraph of subdivision 1 of paragraph d of section 54.90 of the local finance law, as amended by chapter 75 of the laws of 2019, is amended to read as follows:

On or before July fifteenth, two thousand [~~twenty~~] **twenty-one** the mayor and comptroller of the city of New York may:

§ 4. The opening paragraph of paragraph a of section 57.00 of the local finance law, as amended by chapter 75 of the laws of 2019, is amended to read as follows:

Bonds shall be sold only at public sale and in accordance with the procedure set forth in this section and sections 58.00 and 59.00 of this

title, except as otherwise provided in this paragraph. Bonds may be sold at private sale to the United States government or any agency or instrumentality thereof, the state of New York municipal bond bank agency, to any sinking fund or pension fund of the municipality, school district or district corporation selling such bonds, or, in the case of sales by the city of New York prior to July first, two thousand [~~twenty~~] twenty-one, also to the municipal assistance corporation for the city of New York or to any other purchaser with the consent of the mayor and the comptroller of such city and approval of the state comptroller, or, in the case of sales by the county of Nassau prior to December thirty-first, two thousand seven, also to the Nassau county interim finance authority with the approval of the state comptroller, or, in the case of sales by the city of Buffalo prior to June thirtieth, two thousand thirty-seven, also to the Buffalo fiscal stability authority with the approval of the state comptroller, or, in the case of bonds or other obligations of a municipality issued for the construction of any sewage treatment works, sewage collecting system, storm water collecting system, water management facility, air pollution control facility or solid waste disposal facility, also to the New York state environmental facilities corporation, or, in the case of bonds or other obligations of a school district or a city acting on behalf of a city school district in a city having a population in excess of one hundred twenty-five thousand but less than one million inhabitants according to the latest federal census, issued to finance or refinance the cost of school district capital facilities or school district capital equipment, as defined in section sixteen hundred seventy-six of the public authorities law, also to the dormitory authority of the state of New York. Bonds of a river improvement or drainage district established by or under the supervision of the department of environmental conservation may be sold at private sale to the state of New York as investments for any funds of the state which by law may be invested, provided, however, that the rate of interest on any such bonds so sold shall be approved by the water power and control commission and the state comptroller. Bonds may also be sold at private sale as provided in section 63.00 of this title. No bonds shall be sold on option or on a deferred payment plan, except that options to purchase, effective for a period not exceeding one year, may be given:

§ 5. Subdivision 3 of paragraph g of section 90.00 of the local finance law, as amended by chapter 75 of the laws of 2019, is amended to read as follows:

3. Outstanding bonds may, pursuant to a power to recall and redeem or with the consent of the holders thereof, be exchanged for refunding bonds (i) if the refunding bonds are to bear interest at a rate equal to or lower than that borne by the bonds to be refunded or (ii) if, in the case of the city of New York prior to July first, two thousand [~~twenty~~] twenty-one, the annual payment required for principal and interest on the refunding bond is less than the annual payment required for principal and interest on the bond to be refunded, in each case such annual payments to be determined by dividing the total principal and interest payments due over the remaining life of the bond by the number of years to maturity of the bond or (iii) if the bonds to be refunded were issued by the city of New York after June thirtieth, nineteen hundred seventy-eight and prior to July first, two thousand [~~twenty~~] twenty-one and contain covenants referring to the existence of the New York state financial control board for the city of New York or any other covenants relating to matters other than the prompt payment of principal and

interest on the obligations when due and the refunding bond omits or modifies any such covenant.

§ 6. Subdivision 1 of section 10-a of section 2 of chapter 868 of the laws of 1975, constituting the New York state financial emergency act for the city of New York, as amended by chapter 75 of the laws of 2019, is amended to read as follows:

1. In the event that after the date on which the provisions of this act become operative, any notes or bonds are issued by the city prior to July 1, [~~2020~~] **2021**, or any bonds are issued by a state financing agency, the state of New York hereby authorizes the city and authorizes and requires such state financing agency to include a pledge and agreement of the state of New York in any agreement made by the city or such state financing agency with holders or guarantors of such notes or bonds that the state will not take any action which will (a) substantially impair the authority of the board during a control period, as defined in subdivision twelve of section two of this act as in effect on the date such notes or bonds are issued (i) to approve, disapprove, or modify any financial plan or financial plan modification, including the revenue projections (or any item thereof) contained therein, subject to the standards set forth in paragraphs a, c, d, e and f of subdivision one of section eight of this act as in effect on the date such notes or bonds are issued and paragraph b of such subdivision as in effect from time to time, (ii) to disapprove a contract of the city or a covered organization if the performance of such contract would be inconsistent with the financial plan or to approve or disapprove proposed short-term or long-term borrowing of the city or a covered organization or any agreement or other arrangement referred to in subdivision four of section seven of this act, or (iii) to establish and adopt procedures with respect to the deposit in and disbursement from the board fund of city revenues; (b) substantially impair the authority of the board to review financial plans, financial plan modifications, contracts of the city or the covered organizations and proposed short-term or long-term borrowings of the city and the covered organizations; (c) substantially impair the independent maintenance of a separate fund for the payment of debt service on bonds and notes of the city; (d) alter the composition of the board so that the majority of the voting members of the board are not officials of the state of New York elected in a state-wide election or appointees of the governor; (e) terminate the existence of the board prior to the time to be determined in accordance with section thirteen of this act as in effect on the date such notes or bonds are issued; (f) substantially modify the requirement that the city's financial statements be audited by a nationally recognized independent certified public accounting firm or consortium of firms and that a report on such audit be furnished to the board; or (g) alter the definition of a control period set forth in subdivision twelve of section two of this act, as in effect on the date such notes or bonds are issued, or substantially alter the authority of the board, as set forth in said subdivision to reimpose or terminate a control period; provided, however, that the foregoing pledge and agreement shall be of no further force and effect if at any time (i) there is on deposit in a separate trust account with a bank, trust company or other fiduciary sufficient moneys or direct obligations of the United States or obligations guaranteed by the United States, the principal of and/or interest on which will provide moneys to pay punctually when due at maturity or prior to maturity by redemption, in accordance with their terms, all principal of and interest on all outstanding notes and bonds of the city or such state financing agency

containing this pledge and agreement and irrevocable instructions from the city or such state financing agency to such bank, trust company or other fiduciary for such payment of such principal and interest with such moneys shall have been given, or (ii) such notes and bonds, together with interest thereon, have been paid in full at maturity or have otherwise been refunded, redeemed, defeased, or discharged; and provided further that the foregoing pledge and agreement shall be of full force and effect upon its inclusion in any agreement made by the city or state financing agency with holders or guarantors of such notes or bonds.

Upon payment for such obligations issued pursuant to this act by the original and all subsequent holders inclusion of the foregoing covenant shall be deemed conclusive evidence of valuable consideration received by the state and city for such covenant and of reliance upon such pledge and agreement by any such holder. The state hereby grants any such benefited holder the right to sue the state in a court of competent jurisdiction and enforce this covenant and agreement and waives all rights of defense based on sovereign immunity in such an action or suit.

§ 7. Section 5 of chapter 142 of the laws of 2004, amending the local finance law relating to interest rate exchange agreements of the city of New York and refunding bonds of such city, as amended by chapter 75 of the laws of 2019, is amended to read as follows:

§ 5. This act shall take effect immediately, provided, that section three of this act shall expire and be deemed repealed July 15, [~~2020~~] **2021**.

§ 8. Separability. If any clause, sentence, paragraph, 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, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 9. This act shall take effect immediately.

ITEM RR

Section 1. The opening paragraph of subdivision 2 of section 228 of the racing, pari-mutuel wagering and breeding law, as amended by chapter 122 of the laws of 2019, is amended to read as follows:

The New York state gaming commission shall, as a condition of racing, require any franchised corporation and every other corporation subject to its jurisdiction to withhold one percent of all purses, except that for the franchised corporation, starting on September first, two thousand seven and continuing through August thirty-first, two thousand [~~twenty~~] **twenty-one**, two percent of all purses shall be withheld, and, in the case of the franchised corporation, to pay such sum to the horsemen's organization or its successor that was first entitled to receive payments pursuant to this section in accordance with rules of the commission adopted effective November third, nineteen hundred eighty-three representing at least fifty-one percent of the owners and trainers utilizing the facilities of such franchised corporation, on the condition that such horsemen's organization shall expend as much as is necessary, but not to exceed one-half of one percent of such total sum, to acquire and maintain the equipment required to establish a program at a state college within this state with an approved equine science program to test for the presence of steroids in horses, provided further that the qualified organization shall also, in an amount to be determined by its board of directors, annually include in its expenditures

for benevolence programs, funds to support an organization providing services necessary to backstretch employees, and, in the case of every other corporation, to pay such one percent sum of purses to the horsemen's organization or its successor that was first entitled to receive payments pursuant to this section in accordance with rules of the commission adopted effective May twenty-third, nineteen hundred eighty-six representing at least fifty-one percent of the owners and trainers utilizing the facilities of such corporation.

§ 2. This act shall take effect immediately.

ITEM SS

Section 1. Section 11 of chapter 237 of the laws of 2015 amending the judiciary law, the civil practice law and rules and other laws relating to use of electronic means for the commencement and filing of papers in certain actions and proceedings, as amended by chapter 212 of the laws of 2019, is amended to read as follows:

§ 11. This act shall take effect immediately; provided that sections four, five, six and seven of this act shall each expire and be deemed repealed September 1, [~~2020~~] **2021**; and provided that paragraph 2-a of subdivision (b) of section 2111 of the civil practice law and rules, as added by section two of this act, shall expire and be deemed repealed September 1, [~~2020~~] **2021**.

§ 2. This act shall take effect immediately.

ITEM TT

Section 1. Section 2 of chapter 890 of the laws of 1982, relating to the establishment of certain water charges for hospitals and charities in New York city, as amended by chapter 155 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect immediately and shall remain in full force and effect only until September 1, [~~2020~~] **2022**.

§ 2. This act shall take effect immediately.

ITEM UU

Section 1. Section 4 of chapter 573 of the laws of 2011, amending the correction law relating to the boarding of out of state inmates at local correctional facilities, as amended by chapter 148 of the laws of 2017, is amended to read as follows:

§ 4. This act shall take effect immediately and shall expire September 1, [~~2020~~] **2023** when upon such date the provisions of this act shall be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM VV

Section 1. Section 8 of chapter 29 of the laws of 2011 amending the executive law and other laws relating to the adoption of the interstate compact for juveniles by the state of New York, as amended by chapter 195 of the laws of 2015, is amended to read as follows:

§ 8. This act shall take effect on the thirtieth day after it shall have become a law and shall expire September 1, [~~2020~~] **2025** when upon such date the provisions of this act shall be deemed repealed; provided, however, that notwithstanding the provisions of article 5 of the general

construction law, on September 1, [~~2020~~] 2025 the provisions of chapter 155 of the laws of 1955, as repealed by section one of this act, are hereby revived and shall continue in full force and effect as such provisions existed on June 1, 2010; provided, further, nothing herein shall disrupt services, supervision or return of juveniles, delinquents and status offenders agreed to under the repealed 1955 interstate compact on juveniles prior to such effective date, or preclude the state of New York from entering into appropriate agreements with non-compact member states for the proper supervision or return of juveniles, delinquents and status offenders who are on probation or parole and who have absconded, escaped or run away from supervision and control and in so doing have endangered their own safety and the safety of others.

§ 2. This act shall take effect immediately.

ITEM WW

Section 1. Section 2 of chapter 363 of the laws of 2010, amending the judiciary law relating to granting the chief administrator of the courts the authority to allow referees to determine applications for orders of protection during the hours family court is in session, as amended by chapter 161 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect immediately; provided that paragraph (n) of subdivision 2 of section 212 of the judiciary law, as added by section one of this act, shall expire and be deemed repealed September 1, [~~2020~~] 2021.

§ 2. This act shall take effect immediately.

ITEM XX

Section 1. Subdivision 5 of section 139 of the economic development law, as amended by chapter 372 of the laws of 2019, is amended to read as follows:

5. Reporting. The advisory panel shall issue a report no later than June thirtieth, two thousand [~~twenty~~] twenty-one outlining the findings and recommendations of the panel. The report shall be delivered to the governor, the speaker of the assembly, the temporary president of the senate, the minority leader of the assembly, the minority leader of the senate, the chair of the assembly committee on ways and means, the chair of the senate committee on finance, the chair of the assembly committee on economic development, the chair of the assembly committee on small business, the chair of the senate committee on commerce, economic development, and small business, the chair of the assembly committee on labor, and the chair of the senate committee on labor.

§ 2. Section 2 of chapter 435 of the laws of 2017 amending the economic development law, relating to establishing an advisory panel on employee-owned enterprises within the division of small business services, as amended by chapter 372 of the laws of 2019, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire October 1, [~~2020~~] 2021 when upon such date the provisions of this act shall be deemed repealed.

§ 3. This act shall take effect immediately; provided that the amendments to subdivision 5 of section 139 of the economic development law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

ITEM YY

Section 1. Section 4 of chapter 522 of the laws of 2000, amending the state finance law and the general business law relating to establishing the underground facilities safety training account, as amended by chapter 126 of the laws of 2015, is amended to read as follows:

§ 4. This act shall take effect thirty days after it shall have become a law and shall expire and be deemed repealed October 1, [~~2020~~] **2025**.

§ 2. This act shall take effect immediately.

ITEM ZZ

Section 1. Subdivision (c) of section 3 of chapter 141 of the laws of 2014 amending the environmental conservation law relating to authorizing the hunting of big game in the county of Albany with rifles, as amended by chapter 160 of the laws of 2018, is amended to read as follows:

(c) nothing contained in this act shall be construed so as to extend the provisions of this act beyond October 1, [~~2020~~] **2022**, when upon such date this act shall expire and the provisions contained herein shall be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM AAA

Section 1. Section 5 of chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, as amended by chapter 190 of the laws of 2019, is amended to read as follows:

§ 5. This act shall take effect on the sixtieth day after it shall have become a law, provided that paragraph (b) of subdivision 1 of section 97-a of the alcoholic beverage control law as added by section two of this act shall expire and be deemed repealed October 12, [~~2020~~] **2021**.

§ 2. This act shall take effect immediately.

ITEM BBB

Section 1. Section 2 of chapter 473 of the laws of 2010 amending the racing, pari-mutuel wagering and breeding law relating to the New York state thoroughbred breeding and development fund, as amended by chapter 343 of the laws of 2019, is amended to read as follows:

§ 2. This act shall take effect immediately, provided, however that this act shall expire and be deemed repealed [~~nine~~] **ten** years after the commencement of the operation of a video lottery facility at Aqueduct racetrack; provided that the chair of the New York state thoroughbred breeding and development fund shall notify the legislative bill drafting commission upon the occurrence of the commencement of the operation of a video lottery facility at Aqueduct racetrack in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law; provided further, that effective immediately the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such date.

§ 2. This act shall take effect immediately.

ITEM CCC

Section 1. Section 3 of chapter 451 of the laws of 2012, amending the labor law relating to permitted deductions from wages, as amended by chapter 368 of the laws of 2018, is amended to read as follows:

§ 3. This act shall take effect on the sixtieth day after it shall have become a law and shall expire and be deemed repealed [~~8~~] **10** years after such effective date.

§ 2. This act shall take effect immediately.

ITEM DDD

Section 1. The opening paragraph of section 3 and section 4 of chapter 456 of the laws of 2018 relating to establishing the digital currency task force, is amended to read as follows:

On or before December 15, [~~2020~~] **2021**, the task force shall submit to the governor, the temporary president of the senate and the speaker of the assembly a report containing, but not limited to, the following information based on available data:

§ 4. This act shall take effect immediately and shall expire December 15, [~~2020~~] **2021** when upon such date the provisions of this act shall be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM EEE

Section 1. Section 2 of chapter 548 of the laws of 2010, amending the New York city charter relating to authorizing the city of New York to sell to abutting property owners real property owned by such city, consisting of tax lots that cannot be independently developed due to the size, shape, configuration and topography of such lots and the zoning regulations applicable thereto, as amended by chapter 505 of the laws of 2015, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire December 31, [~~2020~~] **2025**, when upon such date the provisions of this act shall be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM FFF

Section 1. Section 2 of chapter 402 of the laws of 1994, amending the state administrative procedure act relating to requiring certain agencies to submit regulatory agendas for publication in the state register, as amended by chapter 418 of the laws of 2016, is amended to read as follows:

§ 2. 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 expire and be deemed repealed on December 31, [~~2020~~] **2024**, and upon such date the provisions of subdivisions 1 and 2 of section 202-d of the state administrative procedure act as amended by section one of this act shall revert to and be read as set out in law on the date immediately preceding such effective date.

§ 2. This act shall take effect immediately.

ITEM GGG

Section 1. Section 2 of chapter 378 of the laws of 2014, amending the environmental conservation law relating to the taking of sharks, as amended by chapter 427 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed December 31, [~~2020~~] **2022**.

§ 2. This act shall take effect immediately.

ITEM HHH

Section 1. Section 3 of chapter 306 of the laws of 2011, authorizing owners of residential real property in high risk brush fire areas in the borough of Staten Island to cut and remove reeds from their property, as amended by chapter 393 of the laws of 2019, is amended to read as follows:

§ 3. This act shall take effect immediately and shall expire and be deemed repealed December 31, [~~2020~~] **2021**.

§ 2. This act shall take effect immediately.

ITEM III

Section 1. Section 6 of chapter 110 of the laws of 2019, relating to creating a temporary state commission to study and investigate how to regulate artificial intelligence, robotics and automation, is amended to read as follows:

§ 6. This act shall take effect immediately and shall expire and be deemed repealed December 31, [~~2020~~] **2021**.

§ 2. This act shall take effect immediately.

ITEM JJJ

Section 1. Subdivision 1 of section 1803-a of the real property tax law is amended by adding a new paragraph (ii) to read as follows:

(ii) Notwithstanding the provisions of paragraph (c) of this subdivision to the contrary, in a special assessing unit which is a city and for current base proportions to be determined in such special assessing unit's fiscal year two thousand twenty-one, the percent increase of the current base proportion of any class over the adjusted base proportion or adjusted proportions, whichever is appropriate, of the immediately preceding year shall be determined by the local legislative body of such special assessing unit, provided that such percent increase shall be no more than five percent, and provided further, that the local legislative body shall make such determination by October first, two thousand twenty.

§ 2. In the event the special assessing unit which is a city has sent out real property tax bills for its fiscal year 2021 before this act shall have become a law, the city shall take such actions as are necessary, consistent with applicable state and local law, to effect the provisions of section one of this act, including, but not limited to, revising the current base proportions and adjusted base proportions, resetting the real property tax rates and sending amended real property tax bills. Provided, however, that nothing in this act shall be deemed to affect the obligation of any taxpayer with respect to the payment of any installment of real property tax for such fiscal year which was due

and payable prior to the date such amended real property tax bills are sent; for this purpose, such obligations shall be determined in accordance with the applicable provisions of law that were in effect immediately prior to the effective date of this act, and such city shall be authorized to determine the date on which amended bills are to be sent and the installments of real property tax which are to be reflected therein.

§ 3. This act shall take effect immediately.

ITEM KKK

Section 1. Subparagraph (xix) of paragraph (a) of subdivision 3 of section 1903 of the real property tax law, as amended by chapter 121 of the laws of 2019, is amended to read as follows:

(xix) Notwithstanding any other provision of law, in an approved assessing unit in the town of Orangetown, county of Rockland and for current base proportions to be determined by taxes based on such approved assessing unit's two thousand eighteen--two thousand nineteen [~~and~~], two thousand nineteen--two thousand twenty **and two thousand twenty--two thousand twenty-one** assessment rolls, the current base proportion of any class shall not exceed the adjusted base proportion or adjusted proportion, whichever is appropriate, of the immediately preceding year, by more than one percent, provided that such approved assessing unit has passed a local law, ordinance or resolution providing therefor. Where the computation of current base proportions would otherwise produce such result, the current base proportion of such class or classes shall be limited to such one percent increase and the legislative body of such approved assessing unit shall alter the current base proportion of either class so that the sum of the current base proportions equals one.

§ 2. This act shall take effect immediately.

ITEM LLL

Section 1. Subparagraph (xx) of paragraph (a) of subdivision 3 of section 1903 of the real property tax law, as amended by chapter 119 of the laws of 2019, is amended to read as follows:

(xx) Notwithstanding any other provision of law, in an approved assessing unit in the town of Clarkstown, county of Rockland and for current base proportions to be determined by taxes based on such approved assessing unit's two thousand seventeen--two thousand eighteen, two thousand eighteen--two thousand nineteen [~~assessment~~], [~~and~~] two thousand nineteen--two thousand twenty **and two thousand twenty--two thousand twenty-one assessment** rolls, the current base proportion of any class shall not exceed the adjusted base proportion or adjusted proportion, whichever is appropriate, of the immediately preceding year, by more than one percent, provided that such approved assessing unit has passed a local law, ordinance or resolution providing therefor. Where the computation of current base proportions would otherwise produce such result, the current base proportion of such class or classes shall be limited to such one percent increase and the legislative body of such approved assessing unit shall alter the current base proportion of either class so that the sum of the current base proportions equals one.

§ 2. This act shall take effect immediately.

ITEM MMM

Section 1. Subdivision 1 of section 1803-a of the real property tax law is amended by adding a new paragraph (hh) to read as follows:

(hh) Notwithstanding the provisions of paragraph (c) of this subdivision to the contrary, in a special assessing unit that is not a city and for current base proportions to be determined by taxes based on such special assessing unit's two thousand twenty assessment roll, the current base proportion of any class shall not exceed the adjusted base proportion or adjusted proportion, whichever is appropriate, of the immediately preceding year by more than one percent. Where the computation performed pursuant to paragraph (b) of this subdivision would otherwise produce such result, the current base proportion of such class or classes shall be limited to such one percent increase and the legislative body of such special assessing unit shall alter the current base proportion of any or all remaining classes so that the sum of the current base proportions equals one.

§ 2. Subparagraph (iv) of paragraph (a) of subdivision 3 of section 1903 of the real property tax law, as amended by chapter 12 of the laws of 2019, is amended to read as follows:

(iv) Notwithstanding any other provision of law, in an approved assessing unit in the county of Suffolk and for current base proportions to be determined by taxes based on such approved assessing unit's two thousand three - two thousand four, two thousand four - two thousand five and two thousand five - two thousand six assessment rolls, the current base proportion of any class shall not exceed the adjusted base proportion or adjusted proportion, whichever is appropriate, of the immediately preceding year by more than two percent, or in the case of the two thousand five--two thousand six, two thousand six--two thousand seven, two thousand seven--two thousand eight, two thousand eight--two thousand nine, two thousand twelve--two thousand thirteen, two thousand thirteen--two thousand fourteen, 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**, and two thousand twenty--two thousand twenty-one** assessment rolls, one percent. Where the computation of current base proportions would otherwise produce such result, the current base proportion of such class or classes shall be limited to such two percent or one percent increase whichever is applicable, and the legislative body of such approved assessing unit shall alter the current base proportion of either class so that the sum of the current base proportions equals one.

§ 3. Paragraph (a) of subdivision 3 of section 1903 of the real property tax law is amended by adding a new subparagraph (xxii) to read as follows:

(xxii) Notwithstanding any other provision of law, in an approved assessing unit in the county of Nassau and for current base proportions to be determined by taxes based on such approved assessing unit's two thousand twenty assessment roll, the current base proportion of any class shall not exceed the adjusted base proportion or adjusted proportion, whichever is appropriate, of the immediately preceding year, by more than one percent, provided that such approved assessing unit has passed a local law, ordinance or resolution providing therefor. Where the computation of current base proportions would otherwise produce such result, the current base proportion of such class or classes shall be limited to such one percent increase and the legislative body of such

approved assessing unit shall alter the current base proportion of either class so that the sum of the current base proportions equals one.

§ 4. This act shall take effect immediately; provided, however, that section one of this act shall apply to the levy of taxes based on the 2020 assessment roll in a special assessing unit that is not a city and that section three of this act shall apply to the levy of taxes based on the 2020 assessment roll in approved assessing units in the county of Nassau that pass a local law, ordinance or resolution to adopt these provisions.

ITEM NNN

Section 1. Subdivision c of section 208-f of the general municipal law, as amended by chapter 382 of the laws of 2019, is amended to read as follows:

c. Commencing July first, two thousand [~~nineteen~~] twenty the special accidental death benefit paid to a widow or widower or the deceased member's children under the age of eighteen or, if a student, under the age of twenty-three, if the widow or widower has died, shall be escalated by adding thereto an additional percentage of the salary of the deceased member (as increased pursuant to subdivision b of this section) in accordance with the following schedule:

calendar year of death of the deceased member	per centum
1977 or prior	[~~246.1%~~] 256.5%
1978	[~~236%~~] 246.1%
1979	[~~226.2%~~] 236%
1980	[~~216.7%~~] 226.2%
1981	[~~207.5%~~] 216.7%
1982	[~~198.5%~~] 207.5%
1983	[~~189.8%~~] 198.5%
1984	[~~181.4%~~] 189.8%
1985	[~~173.2%~~] 181.4%
1986	[~~165.2%~~] 173.2%
1987	[~~157.5%~~] 165.2%
1988	[~~150.0%~~] 157.5%
1989	[~~142.7%~~] 150.0%
1990	[~~135.7%~~] 142.7%
1991	[~~128.8%~~] 135.7%
1992	[~~122.1%~~] 128.8%
1993	[~~115.7%~~] 122.1%
1994	[~~109.4%~~] 115.7%
1995	[~~103.3%~~] 109.4%
1996	[~~97.4%~~] 103.3%
1997	[~~91.6%~~] 97.4%
1998	[~~86.0%~~] 91.6%
1999	[~~80.6%~~] 86.0%
2000	[~~75.4%~~] 80.6%
2001	[~~70.2%~~] 75.4%
2002	[~~65.3%~~] 70.2%
2003	[~~60.5%~~] 65.3%
2004	[~~55.8%~~] 60.5%
2005	[~~51.3%~~] 55.8%
2006	[~~46.9%~~] 51.3%
2007	[~~42.6%~~] 46.9%
2008	[~~38.4%~~] 42.6%

2009	[~~34.4%~~] 38.4%
2010	[~~30.5%~~] 34.4%
2011	[~~26.7%~~] 30.5%
2012	[~~23.0%~~] 26.7%
2013	[~~19.4%~~] 23.0%
2014	[~~15.9%~~] 19.4%
2015	[~~12.6%~~] 15.9%
2016	[~~9.3%~~] 12.6%
2017	[~~6.1%~~] 9.3%
2018	[~~3.0%~~] 6.1%
2019	[~~0.0%~~] 3.0%
2020	0.0%

§ 2. Subdivision c of section 361-a of the retirement and social security law, as amended by chapter 382 of the laws of 2019, is amended to read as follows:

c. Commencing July first, two thousand [~~nineteen~~] twenty the special accidental death benefit paid to a widow or widower or the deceased member's children under the age of eighteen or, if a student, under the age of twenty-three, if the widow or widower has died, shall be escalated by adding thereto an additional percentage of the salary of the deceased member, as increased pursuant to subdivision b of this section, in accordance with the following schedule:

calendar year of death of the deceased member	per centum
1977 or prior	[~~246.1%~~] 256.5%
1978	[~~236%~~] 246.1%
1979	[~~226.2%~~] 236%
1980	[~~216.7%~~] 226.2%
1981	[~~207.5%~~] 216.7%
1982	[~~198.5%~~] 207.5%
1983	[~~189.8%~~] 198.5%
1984	[~~181.4%~~] 189.8%
1985	[~~173.2%~~] 181.4%
1986	[~~165.2%~~] 173.2%
1987	[~~157.5%~~] 165.2%
1988	[~~150.0%~~] 157.5%
1989	[~~142.7%~~] 150.0%
1990	[~~135.7%~~] 142.7%
1991	[~~128.8%~~] 135.7%
1992	[~~122.1%~~] 128.8%
1993	[~~115.7%~~] 122.1%
1994	[~~109.4%~~] 115.7%
1995	[~~103.3%~~] 109.4%
1996	[~~97.4%~~] 103.3%
1997	[~~91.6%~~] 97.4%
1998	[~~86.0%~~] 91.6%
1999	[~~80.6%~~] 86.0%
2000	[~~75.4%~~] 80.6%
2001	[~~70.2%~~] 75.4%
2002	[~~65.3%~~] 70.2%
2003	[~~60.5%~~] 65.3%
2004	[~~55.8%~~] 60.5%
2005	[~~51.3%~~] 55.8%
2006	[~~46.9%~~] 51.3%
2007	[~~42.6%~~] 46.9%
2008	[~~38.4%~~] 42.6%

2009	[~~34.4%~~] **38.4%**
2010	[~~30.5%~~] **34.4%**
2011	[~~26.7%~~] **30.5%**
2012	[~~23.0%~~] **26.7%**
2013	[~~19.4%~~] **23.0%**
2014	[~~15.9%~~] **19.4%**
2015	[~~12.6%~~] **15.9%**
2016	[~~9.3%~~] **12.6%**
2017	[~~6.1%~~] **9.3%**
2018	[~~3.0%~~] **6.1%**
2019	[~~0.0%~~] **3.0%**
2020	**0.0%**

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

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would amend both the General Municipal Law and the Retirement and Social Security Law to increase the salary used in the computation of the special accidental death benefit by 3% in cases where the date of death was before 2020.

Insofar as this bill would amend the Retirement and Social Security Law, it is estimated that there would be an additional annual cost of approximately $606,000 above the approximately $13.6 million current annual cost of this benefit. This cost would be shared by the State of New York and all participating employers of the New York State and Local Police and Fire Retirement System.

Summary of relevant resources:

The membership data used in measuring the impact of the proposed change was the same as that used in the March 31, 2019 actuarial valuation. Distributions and other statistics can be found in the 2019 Report of the Actuary and the 2019 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2015, 2016, 2017, 2018, and 2019 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Adult and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2019 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 24, 2020, and intended for use only during the 2020 Legislative Session, is Fiscal Note No. 2020-57, prepared by the Actuary for the New York State and Local Retirement System.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY OF BILL: This proposed legislation would amend General Municipal Law (GML) Section 208-f(c) to increase certain Special Accidental Death Benefits (SADB) for surviving spouses, dependent children, and certain other individuals (Eligible Beneficiaries) of former uniformed employees of the City of New York and the New York City Health and Hospitals Corporation, and for certain former employees of the Triborough Bridge and Tunnel Authority, who were members of certain New York City Pension Funds or Retirement Systems (NYCRS) and died as a natural

and proximate result of an accident sustained in the performance of duty.

Effective Date: July 1, 2020.

BACKGROUND: Under the GML, the basic SADB is defined as:

The salary of the deceased member at date of death (or, in certain instances, a greater salary based on a higher rank or other status) (Final Salary), less the following payments to an Eligible Beneficiary:

* Any NYCRS death benefit as adjusted by any Supplementation or Cost-of-Living Adjustment (COLA),
* Any Social Security death benefit, and
* Any Workers' Compensation benefit.

The SADB is paid to the deceased member's surviving spouse, if alive. If the spouse is no longer alive, the SADB is paid to the deceased member's children until age eighteen or until age twenty-three if a student. If neither a spouse nor a dependent child is alive, the SADB may be paid to certain other individuals, if eligible, in accordance with certain laws related to the World Trade Center attack.

The GML also provides that the SADB is subject to escalation based on the calendar year in which the former member died. The SADB has traditionally been increased by a cumulative, incremental percentage of Final Salary based on the calendar year of the member's death.

IMPACT ON BENEFITS: With respect to the NYCRS, the proposed legislation would impact the SADB payable to certain survivors of members of the:

* New York City Employees' Retirement System (NYCERS),
* New York City Police Pension Fund (POLICE), or
* New York City Fire Pension Fund (FIRE),

and who were employed by one of the following employers in certain positions:

* New York City Police Department - Uniformed Position,
* New York City Fire Department - Uniformed Position,
* New York City Department of Sanitation - Uniformed Position,
* New York City Housing Authority - Uniformed Position,
* New York City Transit Authority - Uniformed Position,
* New York City Department of Correction - Uniformed Position,
* New York City - Uniformed Position as Emergency Medical Technician (EMT),
* New York City Health and Hospitals Corporation - Uniformed Position as EMT, or
* Triborough Bridge and Tunnel Authority - Bridge and Tunnel Position.

Under the proposed legislation, effective July 1, 2020, an additional 3.0% of Final Salary would be applied to the SADB paid due to deaths occurring in each calendar year on and after 1977. The SADB for deaths occurring prior to 1977 would receive the same escalation as deaths occurring in 1977.

FINANCIAL IMPACT - PRESENT VALUES: Based on the Eligible Beneficiaries of deceased NYCRS members who would be impacted by this proposed legislation and the actuarial assumptions and methods described herein, the enactment of this proposed legislation would increase the Present Value of Future Benefits (PVFB) by approximately $52.0 million.

FINANCIAL IMPACT - ANNUAL EMPLOYER CONTRIBUTIONS: As a result of the past four decades' practice of providing 3.0% COLAs on the SADB each year, and the likelihood that COLAs will continue to be granted in the future, the Actuary assumes that the SADB benefit will continue to increase 3.0% per year in the future in determining NYCRS employer contributions. Therefore, the costs of this proposed legislation have

already been accounted for and will not result in a further increase in employer contributions. There will, however, be a decrease in employer contributions if the proposed legislation is not enacted.

In accordance with Section 13-638.2(k-2) of the Administrative Code of the City of New York (ACCNY), new Unfunded Accrued Liability to benefit changes are to be amortized as determined by the Actuary, but are generally amortized over the remaining working lifetime of those impacted by the benefit changes. However, since changes in the SADB COLA paid are not known in advance, the decrease in expected pension payments due to this legislation not passing would be treated as an actuarial gain. These actuarial gains would be amortized over a 15-year period (14 payments under the One-Year Lag Methodology (OYLM)) using level dollar payments. This would result in a decrease in NYCRS annual employer contributions of approximately $6.2 million each year.

CONTRIBUTION TIMING: For the purposes of this Fiscal Note, it is assumed that the changes in the PVFB and annual employer contributions if this proposed legislation fails to pass, would be reflected for the first time in the Final June 30, 2021 actuarial valuations of NYCERS, POLICE, and FIRE. In accordance with the OYLM used to determine employer contributions, the decrease in employer contributions would first be reflected in Fiscal Year 2023.

CENSUS DATA: The estimates presented herein are based upon the census data for such Eligible Beneficiaries provided by NYCRS.

Retirement System	Number of Deceased Members with Eligible Survivors	Annual Accidental Death Benefit Prior to Proposed July 1, 2019 Increase ($ Millions)
NYCERS	40	$ 3.7
POLICE	426	48.6
FIRE	**643**	**77.3**
Total	1,109	$129.6

ACTUARIAL ASSUMPTIONS AND METHODS: The changes in the PVFB and annual employer contributions presented herein have been calculated based on the actuarial assumptions and methods in effect for the June 30, 2019 (Lag) actuarial valuations used to determine the Preliminary Fiscal Year 2021 employer contributions of NYCERS, POLICE, and FIRE.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the realization of the actuarial assumptions used, as well as certain demographic characteristics of NYCERS, POLICE and FIRE and other exogenous factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Costs are also dependent on the actuarial methods used, and therefore different actuarial methods could produce different results. Quantifying these risks is beyond the scope of this Fiscal Note.

Not measured in this Fiscal Note are the following:

* The initial, additional administrative costs of NYCERS, POLICE, and FIRE and other New York City agencies to implement the proposed legislation.

STATEMENT OF ACTUARIAL OPINION: I, Sherry S. Chan, am the Chief Actuary for, and independent of, the New York City Retirement Systems and Pension Funds. I am a Fellow of the Society of Actuaries, an Enrolled

Actuary under the Employee Retirement Income and Security Act of 1974, a Member of the American Academy of Actuaries, and a Fellow of the Conference of Consulting Actuaries. I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of my knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2020-16 dated March 18, 2020 was prepared by the Chief Actuary for the New York City Employees' Retirement System, the New York City Police Pension Fund, and New York City Fire Pension Fund. This estimate is intended for use only during the 2020 Legislative Session.

ITEM OOO

Section 1. Section 2 of chapter 633 of the laws of 2006, amending the public health law relating to the home based primary care for the elderly demonstration project, as amended by chapter 124 of the laws of 2015, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed January 1, [~~2021~~] **2026**.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after January 1, 2021.

ITEM PPP

Section 1. Section 3 of chapter 329 of the laws of 2015, amending the vehicle and traffic law relating to the residential parking system in the village of Dobbs Ferry in the county of Westchester, as amended by chapter 240 of the laws of 2017, is amended to read as follows:

§ 3. This act shall take effect on the sixtieth day after it shall have become a law and shall expire on January 1, [~~2021~~] **2025** when upon such date the provisions of this act shall be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM QQQ

Section 1. Section 3 of chapter 383 of the laws of 1991, relating to the incorporation of the New York Zoological Society, as amended by chapter 39 of the laws of 2015, is amended to read as follows:

§ 3. This act shall take effect immediately, provided, however, that section two of this act shall take effect [~~July 1~~] **December 31**, [~~2020~~] **2025**.

§ 2. This act shall take effect immediately.

ITEM RRR

Section 1. The opening paragraph of paragraph (a) of subdivision 1 of section 489 of the real property tax law, as amended by chapter 72 of the laws of 2019, is amended to read as follows:

Any city to which the multiple dwelling law is applicable, acting through its local legislative body or other governing agency, is hereby authorized and empowered, to and including January first, two thousand [~~twenty~~] **twenty-one**, to adopt and amend local laws or ordinances providing that any increase in assessed valuation of real property shall be

exempt from taxation for local purposes, as provided herein, to the extent such increase results from:

§ 2. The closing paragraph of subparagraph 6 of paragraph (a) of subdivision 1 of section 489 of the real property tax law, as amended by chapter 72 of the laws of 2019, is amended to read as follows:

Such conversion, alterations or improvements shall be completed within thirty months after the date on which same shall be started except that such thirty month limitation shall not apply to conversions of residential units which are registered with the loft board in accordance with article seven-C of the multiple dwelling law pursuant to subparagraph one of this paragraph. Notwithstanding the foregoing, a sixty month period for completion shall be available for alterations or improvements undertaken by a housing development fund company organized pursuant to article eleven of the private housing finance law, which are carried out with the substantial assistance of grants, loans or subsidies from any federal, state or local governmental agency or instrumentality or which are carried out in a property transferred from such city if alterations and improvements are completed within seven years after the date of transfer. In addition, the local housing agency is hereby empowered to grant an extension of the period of completion for any project carried out with the substantial assistance of grants, loans or subsidies from any federal, state or local governmental agency or instrumentality, if such alterations or improvements are completed within sixty months from commencement of construction. Provided, further, that such conversion, alterations or improvements shall in any event be completed prior to June thirtieth, two thousand [~~twenty~~] twenty-one. Exemption for conversions, alterations or improvements pursuant to subparagraph one, two, three or four of this paragraph shall continue for a period not to exceed fourteen years and begin no sooner than the first quarterly tax bill immediately following the completion of such conversion, alterations or improvements. Exemption for alterations or improvements pursuant to this subparagraph or subparagraph five of this paragraph shall continue for a period not to exceed thirty-four years and shall begin no sooner than the first quarterly tax bill immediately following the completion of such alterations or improvements. Such exemption shall be equal to the increase in the valuation which is subject to exemption in full or proportionally under this subdivision for ten or thirty years, whichever is applicable. After such period of time, the amount of such exempted assessed valuation of such improvements shall be reduced by twenty percent in each succeeding year until the assessed value of the improvements are fully taxable. Provided, however, exemption for any conversion, alterations or improvements which are aided by a loan or grant under article eight, eight-A, eleven, twelve, fifteen or twenty-two of the private housing finance law, section six hundred ninety-six-a or section ninety-nine-h of the general municipal law, or section three hundred twelve of the housing act of nineteen hundred sixty-four (42 U.S.C.A. 1452b), or the Cranston-Gonzalez national affordable housing act (42 U.S.C.A. 12701 et. seq.), or started after July first, nineteen hundred eighty-three by a housing development fund company organized pursuant to article eleven of the private housing finance law which are carried out with the substantial assistance of grants, loans or subsidies from any federal, state or local governmental agency or instrumentality or which are carried out in a property transferred from any city and where alterations and improvements are completed within seven years after the date of transfer may commence at the beginning of any tax quarter subsequent to the start of such conversion, alterations or

improvements and prior to the completion of such conversion, alterations or improvements.

§ 3. This act shall take effect immediately.

ITEM SSS

Section 1. Section 3 of chapter 831 of the laws of 1981, amending the labor law relating to fees and expenses in unemployment insurance proceedings, as amended by chapter 257 of the laws of 2018, is amended to read as follows:

§ 3. This act shall take effect January 1, 1982, provided, however, that paragraphs (a) and (c) of subdivision 3 of section 538 of the labor law as added by section one of this act shall remain in full force and effect until December 31, [~~2020~~] **2022**.

§ 2. This act shall take effect immediately.

ITEM TTT

Section 1. Paragraph 3 of subsection (c) of section 6302 of the insurance law, as amended by chapter 438 of the laws of 2018, is amended to read as follows:

(3) until [~~December thirty-first~~] **June thirtieth**, two thousand [~~twenty~~] **twenty-three**, a domestic property/casualty insurance company that maintains at all times a surplus to policyholders of at least twice the minimum surplus to policyholders required to be maintained for the kinds of insurance that it is authorized to write in this state, or an insurer licensed pursuant to article sixty-one of this chapter as a reciprocal insurer that maintains at all times a surplus to policyholders of at least the minimum surplus to policyholders required to be maintained for the kinds of insurance that it is authorized to write in this state, provided that the domestic property/casualty insurance company or reciprocal insurer: (A) has total direct premiums comprised of at least ninety percent medical malpractice insurance; (B) assumes reinsurance premiums in an amount that is less than five percent of total direct premiums written; and (C) writes ninety percent of its total direct premiums in this state.

§ 2. This act shall take effect immediately.

ITEM UUU

Section 1. The opening paragraph of subparagraph (B) of paragraph 2 of subdivision (b) of section 1402 of the tax law, as amended by chapter 272 of the laws of 2017, is amended to read as follows:

For purposes of this subdivision, the phrase "real estate investment trust transfer" shall mean any conveyance of real property or an interest therein to a REIT, or to a partnership or corporation in which a REIT owns a controlling interest immediately following the conveyance, which conveyance (I) occurs in connection with the initial formation of the REIT, provided that the conditions set forth in clauses (i) and (ii) of this subparagraph are satisfied, or (II) in the case of any real estate investment trust transfer occurring on or after July thirteenth, nineteen hundred ninety-six and before September first, two thousand [~~twenty~~] **twenty-three**, is described in the last sentence of this subparagraph.

§ 2. Subparagraph 2 of paragraph (xi) of subdivision (b) of section 1201 of the tax law, as amended by chapter 272 of the laws of 2017, is amended to read as follows:

(2) any issuance or transfer of an interest in a REIT, or in a partnership or corporation in which a REIT owns a controlling interest immediately following the issuance or transfer, in connection with a transaction described in subparagraph one of this paragraph. Notwithstanding the foregoing, a transaction described in the preceding sentence shall not constitute a real estate investment trust transfer unless (A) it occurs in connection with the initial formation of the REIT and the conditions described in subparagraphs three and four of this paragraph are satisfied, or (B) in the case of any real estate investment trust transfer occurring on or after July thirteenth, nineteen hundred ninety-six and before September first, two thousand [~~twenty~~] twenty-three, the transaction is described in subparagraph five of this paragraph in which case the provisions of such subparagraph shall apply.

§ 3. Subparagraph (B) of paragraph 2 of subdivision e of section 11-2102 of the administrative code of the city of New York, as amended by chapter 272 of the laws of 2017, is amended to read as follows:

(B) any issuance or transfer of an interest in a REIT, or in a partnership or corporation in which a REIT owns a controlling interest immediately following the issuance or transfer in connection with a transaction described in subparagraph (A) of this paragraph. Notwithstanding the foregoing, a transaction described in the preceding sentence shall not constitute a real estate investment trust transfer unless (i) it occurs in connection with the initial formation of the REIT and the conditions described in subparagraphs (C) and (D) of this paragraph are satisfied, or (ii) in the case of any real estate investment trust transfer occurring on or after July thirteenth, nineteen hundred ninety-six and before September first, two thousand [~~twenty~~] twenty-three, the transaction is described in subparagraph (E) of this paragraph in which case the provision of such subparagraph shall apply.

§ 4. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, or item of this subpart 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 item thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

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

SUBPART C

Section 1. This Subpart enacts into law legislation providing for the imposition of sales and compensating use taxes by certain municipalities. Each component is wholly contained within an Item identified as Items A through EEE. The effective date for each particular provision contained within an Item is set forth in the last section of such Item. Any provision of any section contained within an Item, including the effective date of the Item, which makes reference to a section "of this act", when used in connection with that particular component, shall be

deemed to mean and refer to the corresponding section of the Item in which it is found. Section three of this Subpart sets forth the general effective date of this Subpart.

ITEM A

Section 1. Clause 10 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart A of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(10) the county of Albany is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Notwithstanding any inconsistent provision of law, if the county of Albany imposes the additional one percent rate of sales and compensating use taxes authorized by section one of this act for any portion of the period during which the county is so authorized to impose such additional one percent rate of such taxes, then such county of Albany shall allocate and distribute quarterly to the cities and the area in the county outside the cities the same proportion of net collections attributable to such additional one percent rate of such taxes as such county is allocating and distributing the net collections from the county's three percent rate of such taxes as of the date this act shall have become a law, and such portion of net collections attributable to such additional one percent rate of such taxes shall be allocated and distributed to the towns and villages in such county in the same manner as the net collections attributable to such county's three percent rate of such taxes are allocated and distributed to such towns and villages as of the date this act shall have become a law. In the event that any city in the county of Albany exercises its prior right to impose tax pursuant to section 1224 of the tax law, then the county of Albany shall not be required to allocate and distribute net collections in accordance with the previous sentence for any period of time during which any such city tax is in effect.

§ 3. This act shall take effect immediately.

ITEM B

Section 1. Clause 8 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart B of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(8) the county of Allegany is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is: (i) one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred eighty-six and ending November thirtieth, two thousand four; and (ii) one and one-half percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand four and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM C

Section 1. Clause 18 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart C of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(18) the county of Broome is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, nineteen hundred ninety-four, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM D

Section 1. Clause 5 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart D of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(5) the county of Cattaraugus is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, nineteen hundred eighty-six and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM E

Section 1. Clause 9 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart E of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(9) the county of Cayuga is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM F

Section 1. Clause 38 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart F of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(38) the county of Chautauqua is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is: (i) one and one-quarter percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, two thousand five and ending August thirty-first, two thousand six; (ii) one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, two thousand six and ending November thirtieth, two thousand seven; (iii) three-quarters of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand seven and ending November thirtieth, two thousand ten; (iv) one-half of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning Decem-

ber first, two thousand ten and ending November thirtieth, two thousand fifteen; and (v) one percent additional to the three percent rate authorized above in this clause for such county for the period beginning December first, two thousand fifteen and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Section 1262-o of the tax law, as amended by section 2 of subpart F of part A of chapter 61 of the laws of 2017, is amended to read as follows:

§ 1262-o. Disposition of net collections from the additional rate of sales and compensating use taxes in the county of Chautauqua. Notwithstanding any contrary provision of law, if the county of Chautauqua imposes the additional one and one-quarter percent rate of sales and compensating use taxes authorized by section twelve hundred ten of this article for all or any portion of the period beginning March first, two thousand five and ending August thirty-first, two thousand six, the additional one percent rate authorized by such section for all or any of the period beginning September first, two thousand six and ending November thirtieth, two thousand seven, the additional three-quarters of one percent rate authorized by such section for all or any of the period beginning December first, two thousand seven and ending November thirtieth, two thousand ten, the county shall allocate one-fifth of the net collections from the additional three-quarters of one percent to the cities, towns and villages in the county on the basis of their respective populations, determined in accordance with the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law completed and published prior to the end of the quarter for which the allocation is made, and allocate the remainder of the net collections from the additional three-quarters of one percent as follows: (1) to pay the county's expenses for Medicaid and other expenses required by law; (2) to pay for local road and bridge projects; (3) for the purposes of capital projects and repaying any debts incurred for such capital projects in the county of Chautauqua that are not otherwise paid for by revenue received from the mortgage recording tax; and (4) for deposit into a reserve fund for bonded indebtedness established pursuant to the general municipal law. Notwithstanding any contrary provision of law, if the county of Chautauqua imposes the additional one-half percent rate of sales and compensating use taxes authorized by such section twelve hundred ten for all or any of the period beginning December first, two thousand ten and ending November thirtieth, two thousand fifteen, the county shall allocate three-tenths of the net collections from the additional one-half of one percent to the cities, towns and villages in the county on the basis of their respective populations, determined in accordance with the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law completed and published prior to the end of the quarter for which the allocation is made, and allocate the remainder of the net collections from the additional one-half of one percent as follows: (1) to pay the county's expenses for Medicaid and other expenses required by law; (2) to pay for local road and bridge projects; (3) for the purposes of capital projects and repaying any debts incurred for such capital projects in the county of Chautauqua that are not otherwise paid for by revenue received from the mortgage recording tax; and (4) for deposit into a reserve fund for bonded indebtedness established pursuant to the general municipal law. Notwithstanding any contrary provision of law, if the county of Chautauqua imposes the additional one percent rate of sales and compensating

use taxes authorized by such section twelve hundred ten for all or any of the period beginning December first, two thousand fifteen and ending November thirtieth, two thousand [~~twenty~~] twenty-three, the county shall allocate three-twentieths of the net collections from the additional one percent to the cities, towns and villages in the county on the basis of their respective populations, determined in accordance with the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law completed and published prior to the end of the quarter for which the allocation is made, and allocate the remainder of the net collections from the additional one percent as follows: (1) to pay the county's expenses for Medicaid and other expenses required by law; (2) to pay for local road and bridge projects; (3) for the purposes of capital projects and repaying any debts incurred for such capital projects in the county of Chautauqua that are not otherwise paid for by revenue received from the mortgage recording tax; and (4) for deposit into a reserve fund for bonded indebtedness established pursuant to the general municipal law. The net collections from the additional rates imposed pursuant to this section shall be deposited in a special fund to be created by such county separate and apart from any other funds and accounts of the county to be used for purposes above described.

§ 3. This act shall take effect immediately.

ITEM G

Section 1. Clause 27 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart G of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(27) the county of Chemung is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand two, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM H

Section 1. Clause 24 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart H of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(24) the county of Chenango is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, two thousand two, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM I

Section 1. Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart I of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(36) the county of Clinton is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such

taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand seven, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Subdivision (cc) of section 1224 of the tax law, as amended by section 2 of subpart I of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(cc) The county of Clinton shall have the sole right to impose the additional one percent rate of tax which such county is authorized to impose pursuant to the authority of section twelve hundred ten of this article. Such additional rate of tax shall be in addition to any other tax which such county may impose or may be imposing pursuant to this article or any other law and such additional rate of tax shall not be subject to preemption. The maximum three percent rate referred to in this section shall be calculated without reference to the additional one percent rate of tax which the county of Clinton is authorized and empowered to adopt pursuant to section twelve hundred ten of this article. Net collections from any additional rate of sales and compensating use taxes which the county may impose during the period commencing December first, two thousand eleven, and ending November thirtieth, two thousand [~~twenty~~] twenty-three, pursuant to the authority of section twelve hundred ten of this article shall be used by the county solely for county purposes and shall not be subject to any revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section twelve hundred sixty-two of this article.

§ 3. This act shall take effect immediately.

ITEM J

Section 1. Clause 21 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart J of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(21) the county of Columbia is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, nineteen hundred ninety-five, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM K

Section 1. Clause 12 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart K of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(12) the county of Cortland is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM L

Section 1. Clause 41 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart L of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(41) the county of Delaware is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, two thousand two, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM M

Section 1. Clause 29 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart M of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(29) the county of Dutchess is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is three-quarters of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, two thousand three, and ending November thirtieth, two thousand [~~twenty~~] twenty-three,

§ 2. This act shall take effect immediately.

ITEM N

Section 1. Clause 4 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart N of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(4) the county of Erie is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes (i) at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning January tenth, nineteen hundred eighty-eight and ending November thirtieth, two thousand [~~twenty~~] twenty-three; and (ii) at a rate which is three-quarters of one percent additional to the three percent rate authorized above in this paragraph, and which is also additional to the one percent rate also authorized above in this clause for such county, for the period beginning December first, two thousand eleven, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Subdivision 2 of section 1262-q of the tax law, as amended by section 2 of subpart N of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(2) Net collections from the additional three-quarters of one percent rate of sales and compensating use taxes which the county may impose during the period commencing December first, two thousand eleven, and ending November thirtieth, two thousand [~~twenty~~] twenty-three, pursuant to the authority of item (ii) of clause (4) of subparagraph (i) of the opening paragraph of section twelve hundred ten of this article shall be used by the county solely for county purposes and shall not be subject to any revenue distribution agreement the county entered into pursuant to the authority of subdivision (c) of section twelve hundred sixty-two of this part.

§ 3. This act shall take effect immediately.

ITEM O

Section 1. Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart O of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(36) the county of Essex is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand thirteen, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM P

Section 1. Clause 40 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart P of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(40) the county of Franklin is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, two thousand six and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM Q

Section 1. Clause 39 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart Q of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(39) the county of Fulton is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, two thousand five, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM R

Section 1. Clause 20 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart R of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(20) the county of Genesee is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-four, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Notwithstanding any other provision of law to the contrary, the one percent increase in sales and compensating use taxes authorized for the county of Genesee until November 30, 2023 pursuant to clause 20 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section one of this act, shall be divided in the same manner and proportion as the existing three percent sales and compensating use taxes in such county are divided.

§ 3. This act shall take effect immediately.

ITEM S

Section 1. Clause 15 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart S of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(15) the county of Greene is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, nineteen hundred ninety-three, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM T

Section 1. Clause 41 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as added by section 1 of subpart T of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(41) The county of Hamilton is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand thirteen and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM U

Section 1. Clause 19 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart U of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(19) the county of Herkimer is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-four, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Section 1210-E of the tax law, as amended by section 2 of subpart U of part A of chapter 61 of the laws of 2017, is amended to read as follows:

§ 1210-E. Sales and compensating use taxes within Herkimer county. In addition to the taxes imposed by section twelve hundred ten of this subpart or any other provision of law, the county of Herkimer is hereby authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing within the territorial limits of such county additional sales and compensating use taxes at the rate of one-quarter of one percent for the period beginning December first, two thousand seven and ending November thirtieth, two thousand [~~twenty~~] twenty-three, which taxes shall be identical to the taxes imposed by such county pursuant to the authority of section twelve hundred ten of this subpart. Except as hereinafter provided, all provisions of this article, including the definition and exemption provisions and the provisions relating to the administration, collection and distribution by the commissioner, shall apply for purposes of the taxes authorized by this section in the same manner and with the same force and effect as if the language of this article had been incorporated in full in this section and had expressly

referred to the taxes authorized by this section; provided, however, that any provision relating to a maximum rate shall be calculated without reference to the rate of additional sales and compensating use taxes herein authorized. For purposes of part IV of this article, relating to the disposition of revenues resulting from taxes collected and administered by the commissioner, the additional sales and compensating use taxes authorized by this section imposed under the authority of section twelve hundred ten of this subpart and all provisions relating to the deposit, administration and disposition of taxes, penalties and interest relating to taxes imposed by a county under the authority of section twelve hundred ten of this subpart shall, except as otherwise provided in this section, apply to the additional sales and compensating use taxes authorized by this section.

§ 3. Section 1262-s of the tax law, as amended by section 3 of subpart U of part A of chapter 61 of the laws of 2017, is amended to read as follows:

§ 1262-s. Disposition of net collections from the additional one-quarter of one percent rate of sales and compensating use taxes in the county of Herkimer. Notwithstanding any contrary provision of law, if the county of Herkimer imposes the additional one-quarter of one percent rate of sales and compensating use taxes authorized by section twelve hundred ten-E of this article for all or any portion of the period beginning December first, two thousand seven and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**, the county shall use all net collections from such additional one-quarter of one percent rate to pay the county's expenses for the construction of additional correctional facilities. The net collections from the additional rate imposed pursuant to section twelve hundred ten-E **of this article** shall be deposited in a special fund to be created by such county separate and apart from any other funds and accounts of the county. Any and all remaining net collections from such additional tax, after the expenses of such construction are paid, shall be deposited by the county of Herkimer in the general fund of such county for any county purpose.

§ 4. This act shall take effect immediately.

ITEM V

Section 1. Clause 37 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart V of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(37) the county of Jefferson is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand fifteen, and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. This act shall take effect immediately.

ITEM W

Section 1. Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart W of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(36) the county of Lewis is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is one percent additional to the three percent rate

authorized above in this paragraph for such county for the period beginning June first, two thousand four, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM X

Section 1. Clause 32 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart X of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(32) the county of Livingston is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, two thousand three, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Section 1262-p of the tax law, as amended by section 2 of subpart X of part A of chapter 61 of the laws of 2017, is amended to read as follows:

§ 1262-p. Disposition of net collections from the additional one percent rate of sales and compensating use taxes in the county of Livingston. Notwithstanding any contrary provision of law, if the county of Livingston imposes the additional one percent rate of sales and compensating use taxes authorized by section twelve hundred ten of this article for all or any portion of the period beginning June first, two thousand three and ending November thirtieth, two thousand [~~twenty~~] twenty-three, the county shall use all net collections from such additional one percent rate to pay the county's expenses for Medicaid. The net collections from the additional one percent rate imposed pursuant to this section shall be deposited in a special fund to be created by such county separate and apart from any other funds and accounts of the county. Any and all remaining net collections from such additional one percent tax, after the Medicaid expenses are paid, shall be deposited by the county of Livingston in the general fund of such county for any county purpose.

§ 3. This act shall take effect immediately.

ITEM Y

Section 1. Clause 35 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart Y of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(35) the county of Madison is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, two thousand four, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM Z

Section 1. Clause 25 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart Z of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(25) the county of Monroe is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for the period beginning December first, nineteen hundred ninety-three and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Notwithstanding the provisions of subdivisions (b) and (c) of section 1262 and section 1262-g of the tax law, net collections, as such term is defined in section 1262 of the tax law, derived from the imposition of sales and compensating use taxes by the county of Monroe at the additional rate of one percent as authorized pursuant to clause (25) of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section one of this act, which are in addition to the current net collections derived from the imposition of such taxes at the three percent rate authorized by the opening paragraph of section 1210 of the tax law, shall be distributed and allocated as follows: for the period of December 1, 2020 through November 30, 2023 in cash, five percent to the school districts in the area of the county outside the city of Rochester, three percent to the towns located within the county, one and one-quarter percent to the villages located within the county, and ninety and three-quarters percent to the city of Rochester and county of Monroe. The amount of the ninety and three-quarters percent to be distributed and allocated to the city of Rochester and county of Monroe shall be distributed and allocated to each so that the combined total distribution and allocation to each from the sales tax revenues pursuant to sections 1262 and 1262-g of the tax law and this section shall result in the same total amount being distributed and allocated to the city of Rochester and county of Monroe. The amount so distributed and allocated to the county shall be used for county purposes. The foregoing cash payments to the school districts shall be allocated on the basis of the enrolled public school pupils, thereof, as such term is used in subdivision (b) of section 1262 of the tax law, residing in the county of Monroe. The cash payments to the towns located within the county of Monroe shall be allocated on the basis of the ratio which the population of each town, exclusive of the population of any village or portion thereof located within a town, bears to the total population of the towns, exclusive of the population of the villages located within such towns. The cash payments to the villages located within the county shall be allocated on the basis of the ratio which the population of each village bears to the total population of the villages located within the county. The term population as used in this section shall have the same meaning as used in subdivision (b) of section 1262 of the tax law.

§ 3. The net collections resulting from the additional sales and compensating use taxes, as authorized by this act, shall not be included in determining a sales tax increase or decrease as defined in paragraphs (c) and (d) of subdivision 1 of section 1262-g of the tax law.

§ 4. Severability. If any clause, sentence, paragraph, or item of this subpart 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, section or item thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 5. This act shall take effect immediately.

Section 1. Clause 31 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart AA of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(31) the county of Montgomery is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, two thousand three, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM BB

Section 1. Clause 2 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart BB of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(2) the county of Nassau is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is three-quarters percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning January first, nineteen hundred eighty-six and ending November thirtieth, two thousand [~~twenty~~] twenty-three, subject to the limitation set forth in section twelve hundred sixty-two-e of this article, and also at a rate which is one-half percent additional to the three percent rate authorized above in this paragraph, and which is also additional to the three-quarters percent rate also authorized above in this clause for such county, for the period beginning September first, nineteen hundred ninety-one and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Section 1262-e of the tax law, as amended by section 2 of subpart BB of part A of chapter 61 of the laws of 2017, is amended to read as follows:

§ 1262-e. Establishment of local government assistance programs in Nassau county. 1. Towns and cities. Notwithstanding any other provision of law to the contrary, for the calendar year beginning on January first, nineteen hundred ninety-eight and continuing through the calendar year beginning on January first, two thousand [~~twenty~~] twenty-three, the county of Nassau shall enact and establish a local government assistance program for the towns and cities within such county to assist such towns and cities to minimize real property taxes; defray the cost and expense of the treatment, collection, management, disposal, and transportation of municipal solid waste, and to comply with the provisions of chapter two hundred ninety-nine of the laws of nineteen hundred eighty-three; and defray the cost of maintaining conservation and environmental control programs. Such special assistance program for the towns and cities within such county and the funding for such program shall equal one-third of the revenues received by such county from the imposition of the three-quarters percent sales and use tax during calendar years two thousand one, two thousand two, two thousand three, two thousand four, two thousand five, two thousand six, two thousand seven, two thousand eight, two thousand nine, two thousand ten, two thousand eleven, two thousand twelve, two thousand thirteen, two thousand fourteen, two thousand fifteen, two thousand sixteen,[~~,~~] two thousand seventeen, two thousand eighteen, two thousand nineteen [~~and~~], two thousand twenty, two thousand twenty-one, two thousand twenty-two and two thousand twenty-three additional to the regular three percent rate authorized for such

county in section twelve hundred ten of this article. The monies for such special local assistance shall be paid and distributed to the towns and cities on a per capita basis using the population figures in the latest decennial federal census. Provided further, that notwithstanding any other law to the contrary, the establishment of such special assistance program shall preclude any city or town within such county from preempting or claiming under any other section of this chapter the revenues derived from the additional tax authorized by section twelve hundred ten of this article. Provided further, that any such town or towns may, by resolution of the town board, apportion all or a part of monies received in such special assistance program to an improvement district or special district account within such town or towns in order to accomplish the purposes of this special assistance program.

2. Villages. Notwithstanding any other provision of law to the contrary, for the calendar year beginning on January first, nineteen hundred ninety-eight and continuing through the calendar year beginning on January first, two thousand [~~twenty~~] twenty-three, the county of Nassau, by local law, is hereby empowered to enact and establish a local government assistance program for the villages within such county to assist such villages to minimize real property taxes; defray the cost and expense of the treatment, collection, management, disposal, and transportation of municipal solid waste; and defray the cost of maintaining conservation and environmental control programs. The funding of such local assistance program for the villages within such county may be provided by Nassau county during any calendar year in which such village local assistance program is in effect and shall not exceed one-sixth of the revenues received from the imposition of the three-quarters percent sales and use tax that are remaining after the towns and cities have received their funding pursuant to the provisions of subdivision one of this section. The funding for such village local assistance program shall be paid and distributed to the villages on a per capita basis using the population figures in the latest decennial federal census. Provided further, that the establishment of such village local assistance program shall preclude any village within such county from preempting or claiming under any other section of this chapter the revenues derived from the additional tax authorized by section twelve hundred ten of this article.

§ 3. This act shall take effect immediately.

ITEM CC

Section 1. Clause 29 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart CC of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(29) the county of Niagara is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, two thousand three, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Section 1262-n of the tax law, as amended section 2 of subpart CC of part A of chapter 61 of the laws of 2017, is amended to read as follows:

§ 1262-n. Disposition of net collections from the additional one percent rate of sales and compensating use taxes in the county of Niagara. Notwithstanding any contrary provision of law, if the county of Niagara imposes the additional one percent rate of sales and compen-

sating use taxes authorized by section twelve hundred ten of this article for all or any portion of the period beginning March first, two thousand three and ending November thirtieth, two thousand [~~twenty~~] twenty-three, the county shall use all net collections from such additional one percent rate to pay the county's expenses for Medicaid. The net collections from the additional one percent rate imposed pursuant to this section shall be deposited in a special fund to be created by such county separate and apart from any other funds and accounts of the county. Any and all remaining net collections from such additional one percent tax, after the Medicaid expenses are paid, shall be deposited by the county of Niagara in the general fund of such county for any county purpose.

§ 3. This act shall take effect immediately.

ITEM DD

Section 1. Clause 13 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart DD of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(13) the county of Oneida is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is: (i) one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending November thirtieth, two thousand [~~twenty~~] twenty-three; and also (ii) at a rate which is three-quarters of one percent or one-half of one percent additional to the three percent rate authorized above in this paragraph, and which is also additional to the one percent rate also authorized above in this clause for such county, for the period beginning December first, two thousand eight and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Section 1262-g of the tax law, as amended by section 2 of subpart DD of part A of chapter 61 of the laws of 2017, is amended to read as follows:

§ 1262-g. Oneida county allocation and distribution of net collections from the additional one percent rate of sales and compensating use taxes. Notwithstanding any contrary provision of law, if the county of Oneida imposes sales and compensating use taxes at a rate which is one percent additional to the three percent rate authorized by section twelve hundred ten of this article, as authorized by such section, (a) where a city in such county imposes tax pursuant to the authority of subdivision (a) of such section twelve hundred ten, such county shall allocate, distribute and pay in cash quarterly to such city one-half of the net collections attributable to such additional one percent rate of the county's taxes collected in such city's boundaries; (b) where a city in such county does not impose tax pursuant to the authority of such subdivision (a) of such section twelve hundred ten, such county shall allocate, distribute and pay in cash quarterly to such city not so imposing tax a portion of the net collections attributable to one-half of the county's additional one percent rate of tax calculated on the basis of the ratio which such city's population bears to the county's total population, such populations as determined in accordance with the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of the county;

and (c) provided, however, that such county shall dedicate the first one million five hundred thousand dollars of net collections attributable to such additional one percent rate of tax received by such county after the county receives in the aggregate eighteen million five hundred thousand dollars of net collections from such additional one percent rate of tax imposed for any of the periods: September first, two thousand twelve through August thirty-first, two thousand thirteen; September first, two thousand thirteen through August thirty-first, two thousand fourteen; and September first, two thousand fourteen through August thirty-first, two thousand fifteen; September first, two thousand fifteen through August thirty-first, two thousand sixteen; and September first, two thousand sixteen through August thirty-first, two thousand seventeen; September first, two thousand seventeen through August thirty-first, two thousand eighteen; [~~and~~] September first, two thousand eighteen through August thirty-first, two thousand twenty**; and September first, two thousand twenty through August thirty-first, two thousand twenty-three**, to an allocation on a per capita basis, utilizing figures from the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law, completed and published prior to the end of the year for which such allocation is made, which special census must include the entire area of such county, to be allocated and distributed among the towns of Oneida county by appropriation of its board of legislators; provided, further, that nothing herein shall require such board of legislators to make any such appropriation until it has been notified by any town by appropriate resolution and, in any case where there is a village wholly or partly located within a town, a resolution of every such village, embodying the agreement of such town and village or villages upon the amount of such appropriation to be distributed to such village or villages out of the allocation to the town or towns in which it is located.

§ 3. This act shall take effect immediately.

ITEM EE

Section 1. Clause 37 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart EE of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(37) the county of Onondaga is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, two thousand four, and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. Notwithstanding any contrary provision of law, net collections from the additional one percent rate of sales and compensating use taxes which may be imposed by the county of Onondaga during the period commencing December 1, 2020 and ending November 30, 2021, pursuant to the authority of section 1210 of the tax law, shall not be subject to any revenue distribution agreement entered into under subdivision (c) of section 1262 of the tax law, but shall be allocated and distributed or paid, at least quarterly, as follows: (i) 1.58% to the county of Onondaga for any county purpose; (ii) 97.79% to the city of Syracuse; and (iii) .63% to the school districts in accordance with subdivision (a) of section 1262 of the tax law.

§ 3. Notwithstanding any contrary provision of law, net collections from the additional one percent rate of sales and compensating use taxes

which may be imposed by the county of Onondaga during the period commencing December 1, 2021 and ending November 30, 2022, pursuant to the authority of section 1210 of the tax law, shall not be subject to any revenue distribution agreement entered into under subdivision (c) of section 1262 of the tax law, but shall be allocated and distributed or paid, at least quarterly, as follows: (i) 1.58% to the county of Onondaga for any county purpose; (ii) 97.79% to the city of Syracuse; and (iii) .63% to the school districts in accordance with subdivision (a) of section 1262 of the tax law.

§ 4. Notwithstanding any contrary provision of law, net collections from the additional one percent rate of sales and compensating use taxes which may be imposed by the county of Onondaga during the period commencing December 1, 2022 and ending November 30, 2023, pursuant to the authority of section 1210 of the tax law, shall not be subject to any revenue distribution agreement entered into under subdivision (c) of section 1262 of the tax law, but shall be allocated and distributed or paid, at least quarterly, as follows: (i) 1.58% to the county of Onondaga for any county purpose; (ii) 97.79% to the city of Syracuse; and (iii) .63% to the school districts in accordance with subdivision (a) of section 1262 of the tax law.

§ 5. This act shall take effect immediately.

ITEM FF

Section 1. Clause 40 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart FF of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(40) the county of Ontario is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is: (A) one-eighth of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, two thousand six and ending November thirtieth, two thousand [~~twenty~~] twenty-three; and also (B) at a rate that is three-eighths of one percent additional to the three percent rate authorized above in this paragraph, and that is also additional to the one-eighth of one percent rate authorized in this clause for such county, for the period beginning September first, two thousand nine and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM GG

Section 1. Clause 35 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart GG of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(35) the county of Orange is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is three-quarters of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, two thousand four, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Notwithstanding subdivision (c) of section 1262 of the tax law, net collections from any additional rate of sales and compensating use taxes which may be imposed by the county of Orange during the period commencing December 1, 2020, and ending November 30, 2023, pursuant to the authority of section 1210 of the tax law, shall be paid to the coun-

ty of Orange and shall be used by such county solely for county purposes and shall not be subject to any revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section 1262 of the tax law.

§ 3. This act shall take effect immediately.

ITEM HH

Section 1. Clause 16 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart HH of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(16) the county of Orleans is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, nineteen hundred ninety-three, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM II

Section 1. Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart II of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(36) the county of Oswego is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, two thousand four, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM JJ

Section 1. Clause 34 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart JJ of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(34) the county of Otsego is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand three, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM KK

Section 1. Clause 39 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart KK of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(39) the county of Putnam is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is: (i) one-half of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, two thousand five and ending August thirty-first, two thousand seven; and (ii) one percent additional

to the three percent rate authorized above in this paragraph for such county for the period beginning September first, two thousand seven and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM LL

Section 1. Clause 3 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart LL of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(3) the county of Rensselaer is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-four and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM MM

Section 1. Clause 23 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart MM of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(23) the county of Rockland is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is: (i) five-eighths of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, two thousand two, and ending November thirtieth, two thousand [~~twenty~~] twenty-three; and also (ii) at a rate which is three-eighths of one percent additional to the three percent rate authorized above in this paragraph, and which is also additional to the five-eighths of one percent rate also authorized above in this clause for such county, for the period beginning March first, two thousand seven and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Section 1262-l of the tax law, as amended by section 2 of subpart MM of part A of chapter 61 of the laws of 2017, is amended to read as follows:

§ 1262-1. Allocation and distribution of net collections from the additional rate of sales and compensating use tax in Rockland county. 1. Notwithstanding any provision of law to the contrary, if the county of Rockland imposes the additional five-eighths of one percent rate of tax authorized by section twelve hundred ten of this article during the period beginning March first, two thousand two, and ending November thirtieth, two thousand [~~twenty~~] twenty-three, such county shall allocate and distribute twenty percent of the net collections from such additional rate to the towns and villages in the county in accordance with subdivision (c) of section twelve hundred sixty-two of this part on the basis of the ratio which the population of each such town or village bears to such county's total population; and

2. Notwithstanding any provision of law to the contrary, if the county of Rockland imposes the additional three-eighths of one percent rate of tax authorized by section twelve hundred ten of this article during the period beginning March first, two thousand seven, and ending November thirtieth, two thousand [~~twenty~~] twenty-three, such county shall allocate and distribute sixteen and two-thirds percent of the net

collections from such additional rate to the general funds of towns and villages within the county of Rockland with existing town and village police departments from March first, two thousand seven through December thirty-first, two thousand seven and thirty-three and one-third percent of the net collections from such additional rate from January first, two thousand eight through November thirtieth, two thousand [~~twenty~~] twenty-three. The monies allocated and distributed pursuant to this subdivision shall be allocated and distributed to towns and villages with police departments on the basis of the number of full-time equivalent police officers employed by each police department and shall not be used for salaries heretofore or hereafter negotiated.

§ 3. This act shall take effect immediately.

ITEM NN

Section 1. Clause 41 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart NN of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(41) The county of St. Lawrence is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand thirteen and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM OO

Section 1. Clause 31 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart OO of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(31) the county of Schenectady is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one-half of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, two thousand three, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM PP

Section 1. Clause 35 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart PP of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(35) the county of Schoharie is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, two thousand four, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM QQ

Section 1. Clause 22 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart QQ of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(22) the county of Schuyler is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-nine, and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM RR

Section 1. Clause 28 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart RR of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(28) the county of Seneca is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand two and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. This act shall take effect immediately.

ITEM SS

Section 1. Clause 26 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart SS of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(26) the county of Steuben is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred ninety-two and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Section 1262-h of the tax law, as amended by section 2 of subpart SS of part A of chapter 61 of the laws of 2017, is amended to read as follows:

§ 1262-h. Allocation and distribution of net collections from the additional one percent rate of sales and compensating use taxes in Steuben county. Notwithstanding any provision of law to the contrary, of the net collections received by the county of Steuben as a result of the imposition of the additional one percent rate of tax authorized by section twelve hundred ten of this article (a) during the period beginning December first, nineteen hundred ninety-three and ending November thirtieth, nineteen hundred ninety-four, the county of Steuben shall pay or cause to be paid to the city of Hornell the sum of two hundred thousand dollars, to the city of Corning the sum of three hundred thousand dollars, and the sum of five hundred thousand dollars to the towns and villages of the county of Steuben, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area. Of the net collections received by the county of Steuben as a result of the imposition of said additional one percent rate of tax authorized by section twelve hundred ten of this article during the period beginning December first, nineteen hundred ninety-four

and ending November thirtieth, nineteen hundred ninety-five, the county of Steuben shall pay or cause to be paid to the city of Hornell the sum of three hundred thousand dollars, to the city of Corning the sum of four hundred fifty thousand dollars, and the sum of seven hundred fifty thousand dollars to the towns and villages of the county of Steuben, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area; and (b) during the period beginning December first, nineteen hundred ninety-five and ending November thirtieth, two thousand seven, the county of Steuben shall annually pay or cause to be paid to the city of Hornell the sum of five hundred fifty thousand dollars, to the city of Corning the sum of six hundred thousand dollars, and the sum of seven hundred fifty thousand dollars to the towns and villages of the county of Steuben, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area; and during the period beginning December first, two thousand seven and ending November thirtieth, two thousand nine, the county of Steuben shall annually pay or cause to be paid to the city of Hornell the sum of six hundred ten thousand dollars, to the city of Corning the sum of six hundred fifty thousand dollars, and the sum of seven hundred fifty thousand dollars to the towns and villages of the county of Steuben, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area; and during the period beginning December first, two thousand nine and ending November thirtieth, two thousand eleven, the county of Steuben shall annually pay or cause to be paid to the city of Hornell the sum of seven hundred ten thousand dollars, to the city of Corning the sum of seven hundred ten thousand dollars, and the sum of seven hundred fifty thousand dollars to the towns and villages of the county of Steuben, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area; and during the period beginning December first, two thousand eleven and ending November thirtieth, two thousand thirteen, the county of Steuben shall annually pay or cause to be paid to the city of Hornell the sum of seven hundred forty thousand dollars, to the city of Corning the sum of seven hundred forty thousand dollars, and the sum of seven hundred fifty thousand dollars to the towns and villages of the county of Steuben, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area; and during the period beginning December first, two thousand thirteen and ending November thirtieth, two thousand fifteen, the county of Steuben shall annually pay or cause to be paid to the city of Hornell the sum of seven hundred sixty-five thousand dollars, to the city of Corning the sum of seven hundred sixty-five thousand dollars, and the sum of seven hundred fifty thousand dollars to the towns and villages of the county of Steuben, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area; and during the period beginning December first, two thousand fifteen and ending November thirtieth, two thousand seventeen, the county of Steuben shall annually pay or cause to be paid to the city of Hornell the sum of seven hundred sixty-five thousand dollars, to the city of Corning the sum of seven

hundred sixty-five thousand dollars, and the sum of seven hundred fifty thousand dollars to the towns and villages of the county of Steuben, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area; and during the period beginning December first, two thousand seventeen and ending November thirtieth, two thousand twenty, the county of Steuben shall annually pay or cause to be paid to the city of Hornell the sum of seven hundred eighty thousand dollars, to the city of Corning the sum of seven hundred eighty thousand dollars, and the sum of seven hundred fifty thousand dollars to the towns and villages of the county of Steuben, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area**; and during the period beginning December first, two thousand twenty and ending November thirtieth, two thousand twenty-three, the county of Steuben shall annually pay or cause to be paid to the city of Hornell the sum of seven hundred eighty thousand dollars, to the city of Corning the sum of seven hundred eighty thousand dollars, and the sum of seven hundred fifty thousand dollars to the towns and villages of the county of Steuben, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area**.

§ 3. This act shall take effect immediately.

ITEM TT

Section 1. Clause 14 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart TT of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(14) the county of Suffolk is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, two thousand one and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. Subdivision (c) of section 1262-j of the tax law, as amended by section 2 of subpart TT of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(c) Notwithstanding any provision of law to the contrary, of the net collections received by the county of Suffolk as a result of the increase of one percent to the tax authorized by section twelve hundred ten of this article for the period beginning June first, two thousand one and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**, imposed by local laws or resolutions (by simple majority) by the county legislature, and signed by the county executive, the county of Suffolk shall allocate such net collections as follows: no less than one-eighth and no more than three-eighths of such net collections received shall be dedicated for public safety purposes and the balance shall be deposited in the general fund of the county of Suffolk.

§ 3. This act shall take effect immediately.

ITEM UU

Section 1. Clause 33 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart UU of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(33) the county of Sullivan is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is: (i) one-half of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, two thousand three, and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**; and (ii) an additional one-half of one percent in addition to the other rates authorized above in this paragraph for such county for the period beginning June first, two thousand seven and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. This act shall take effect immediately.

ITEM VV

Section 1. Clause 17 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart VV of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(17) the county of Tioga is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is: (i) one-half of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-three, and ending November thirtieth, two thousand three; and (ii) one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand five, and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. This act shall take effect immediately.

ITEM WW

Section 1. Clause 11 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart WW of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(11) the county of Tompkins is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one-half or one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred ninety-two and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. This act shall take effect immediately.

ITEM XX

Section 1. Clause 7 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart XX of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(7) the county of Ulster is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, two thousand two and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. Section 3 of chapter 200 of the laws of 2002 amending the tax law relating to certain tax rates imposed by the county of Ulster, as amended by section 2 of subpart XX of part A of chapter 61 of the laws of 2017, is amended to read as follows:

§ 3. If, pursuant to the authority of this act, the county of Ulster imposes sales and compensating use taxes at a rate greater than three percent for all or any portion of the period commencing September 1, 2002, and ending November 30, [~~2020~~] **2023**, net collections from such additional rate of tax imposed during such period shall be deemed to be, and shall be included in, net collections subject to such county's existing agreement with the city of Kingston entered into pursuant to subdivision (c) of section 1262 of the tax law and such net collections shall be allocated in accordance with such agreement.

§ 3. This act shall take effect immediately.

ITEM YY

Section 1. Clause 34 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart YY of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(34) the county of Wayne is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand five, and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. This act shall take effect immediately.

ITEM ZZ

Section 1. Clause 6 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart ZZ of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(6) the county of Wyoming is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. This act shall take effect immediately.

ITEM AAA

Section 1. Clause 30 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart AAA of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(30) the county of Yates is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, two thousand three, and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. This act shall take effect immediately.

ITEM BBB

Section 1. Clause 6 of subparagraph (ii) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart BBB of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(6) the city of Oswego is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such city for the period beginning September first, two thousand four, and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. This act shall take effect immediately.

ITEM CCC

Section 1. Clause 1 of subparagraph (ii) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart CCC of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(1) the city of Yonkers is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is: (a) one percent additional to the three percent rate authorized above in this paragraph for such city; and (b) one-half of one percent in addition to the other rates authorized in this paragraph for such city for the period beginning September first, two thousand fifteen and ending November thirtieth, two thousand [~~twenty~~] **twenty-three**;

§ 2. Section 7 of chapter 67 of the laws of 2015, amending the tax law relating to authorizing the city of Yonkers to impose additional sales tax, as amended by section 2 of subpart CCC of part A of chapter 61 of the laws of 2017, is amended to read as follows:

§ 7. This act shall take effect immediately and shall expire and be deemed repealed November 30, [~~2020~~] **2023**.

§ 3. This act shall take effect immediately; provided, however, that the amendments to clause 1 of subparagraph (ii) of the opening paragraph of section 1210 of the tax law made by section one of this act shall not affect the expiration and reversion of such clause and shall be deemed expired therewith.

ITEM DDD

Section 1. Clause 4 of subparagraph (ii) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart DDD of part A of chapter 61 of the laws of 2017, is amended to read as follows:

(4) the city of New Rochelle is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such city for the period beginning September first, nineteen hundred ninety-three and ending December thirty-first, two thousand [~~twenty~~] **twenty-three**;

§ 2. This act shall take effect immediately.

ITEM EEE

Section 1. Clause 42 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by chapter 43 of the laws of 2019, is amended to read as follows:

(42) the county of Westchester is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions

imposing such taxes at a rate that is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning August first, two thousand nineteen and ending November thirtieth, two thousand [~~twenty~~] twenty-three;

§ 2. Subdivision e of section 4 and section 5, 7 and 16 of chapter 272 of the laws of 1991, amending the tax law relating to the method of disposition of sales and compensating use tax revenue in Westchester county and enacting the Westchester county spending limitation act, as amended by chapter 43 of the laws of 2019, are amended to read as follows:

e. "Spending limitation" means the maximum amount of county spending established in county fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019 [~~and~~], 2020, 2021, 2022 and 2023.

§ 5. Establishment of annual spending limitation. a. For county fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019 [~~and~~], 2020, 2021, 2022 and 2023 there shall be in effect an annual spending limitation. The spending limitation shall be derived from a fixed percentage reflecting the ratio of base year spending to county personal income. County personal income for such calculation shall be for the period January 1, 1986 through December 31, 1986. Such percentage shall be applied to county personal income for the period January 1, 1989 through December 31, 1989, to determine the spending limitation for county fiscal year 1992; to determine the spending limitation for county fiscal year 1993, such percentage shall be applied to county personal income for the period January 1, 1990 through December 31, 1990; to determine the spending limitation for county fiscal year 1994, such percentage shall be applied to county personal income for the period January 1, 1991 through December 31, 1991; to determine the spending limitation for county fiscal year 1995, such percentage shall be applied to county personal income for the period January 1, 1992 through December 31, 1992; to determine the spending limitation for county fiscal year 1996, such percentage shall be applied to county personal income for the period January 1, 1993 through December 31, 1993; to determine the spending limitation for county fiscal year 1997, such percentage shall be applied to county personal income for the period January 1, 1994 through December 31, 1994; to determine the spending limitation for county fiscal year 1998, such percentage shall be applied to county personal income for the period January 1, 1995 through December 31, 1995; to determine the spending limitation for county fiscal year 1999, such percentage shall be applied to county personal income for the period January 1, 1996 through December 31, 1996; to determine the spending limitation for county fiscal year 2000, such percentage shall be applied to county personal income for the period January 1, 1997 through December 31, 1997; to determine the spending limitation for county fiscal year 2001, such percentage shall be applied to county personal income for the period January 1, 1998 through December 31, 1998; to determine the spending limitation for county fiscal year 2002, such percentage shall be applied to county personal income for the period January 1, 1999 through December 31, 1999; to determine the spending limitation for county fiscal year 2003, such percentage shall be applied to county personal income for the period January 1, 2000 through December 31, 2000; to determine the spending limitation for county fiscal year 2004, such percentage shall be applied to county

personal income for the period January 1, 2001 through December 31, 2001; to determine the spending limitation for county fiscal year 2005, such percentage shall be applied to county personal income for the period January 1, 2002 through December 31, 2002; to determine the spending limitation for county fiscal year 2006, such percentage shall be applied to county personal income for the period January 1, 2003 through December 31, 2003; to determine the spending limitation for the county fiscal year 2007, such percentage shall be applied to county personal income for the period January 1, 2004 through December 31, 2004; to determine the spending limitation for the county fiscal year 2008, such percentage shall be applied to county personal income for the period January 1, 2005 through December 31, 2005; to determine the spending limitation for the county fiscal year 2009, such percentage shall be applied to county personal income for the period January 1, 2006 through December 31, 2006; to determine the spending limitation for the county fiscal year 2010, such percentage shall be applied to county personal income for the period January 1, 2007 through December 31, 2007; to determine the spending limitation for the county fiscal year 2011, such percentage shall be applied to county personal income for the period January 1, 2008 through December 31, 2008; to determine the spending limitation for the county fiscal year 2012, such percentage shall be applied to county personal income for the period January 1, 2009 through December 31, 2009; to determine the spending limitation for the county fiscal year 2013, such percentage shall be applied to county personal income for the period January 1, 2010 through December 31, 2010; to determine the spending limitation for the county fiscal year 2014, such percentage shall be applied to county personal income for the period January 1, 2011 through December 31, 2011; to determine the spending limitation for the county fiscal year 2015, such percentage shall be applied to county personal income for the period January 1, 2012 through December 31, 2012; to determine the spending limitation for county fiscal year 2016, such percentage shall be applied to the county personal income for the period January 1, 2013 through December 31, 2013; to determine the spending limitation for the county fiscal year 2017, such percentage shall be applied to county personal income for the period January 1, 2014 through December 31, 2014; and to determine the spending limitation for county fiscal year 2018, such percentage shall be applied to the county personal income for the period January 1, 2015 through December 31, 2015; to determine the spending limitation for the county fiscal year 2019, such percentage shall be applied to county personal income for the period January 1, 2016 through December 31, 2016; and to determine the spending limitation for county fiscal year 2020, such percentage shall be applied to the county personal income for the period January 1, 2017 through December 31, 2017**; and to determine the spending limitation for the county fiscal year 2021, such percentage shall be applied to county personal income for the period January 1, 2018 through December 31, 2018; and to determine the spending limitation for the county fiscal year 2022, such percentage shall be applied to county personal income for the period January 1, 2019 through December 31, 2019; and to determine the spending limitation for the county fiscal year 2023, such percentage shall be applied to county personal income for the period January 1, 2020 through December 31, 2020**.

b. The spending limitation shall serve as a statutory cap on county spending to be reflected in the tentative budget as well as the enacted budget for county fiscal years beginning in 1992.

§ 7. Mandatory tax reduction. In the event that the county spending subject to the spending limitation exceeds such limitation in the adoptive county budget for county fiscal year 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019 [~~or~~], 2020~~,~~ **, 2021, 2022 or 2023** then section 1262-b of the tax law shall be repealed.

§ 16. This act shall take effect immediately, provided, however, that sections one through seven of this act shall be in full force and effect until November 30, [~~2020~~] **2023**.

§ 3. Section 6-a of chapter 44 of the laws of 2019, amending the tax law relating to authorizing the county of Westchester to impose an additional rate of sales and compensating use tax, as added by chapter 43 of the laws of 2019, is amended to read as follows:

§ 6-a. Notwithstanding any other provision of any state or local law to the contrary, any local law, ordinance or resolution enacted, adopted or amended to impose the sales and compensating use taxes at the one percent additional rate of tax authorized by this act for the period beginning August 1, 2019, and ending November 30, [~~2020~~] **2023**, shall take effect on that date in accordance with the provisions of subdivision (d) of section 1210 of the tax law, except that such additional rate may take effect on August 1, 2019, and the minimum notice requirements shall be deemed complied with if such county mails, by certified or registered mail, a certified copy of such local law, ordinance or resolution to the commissioner of taxation and finance at his or her office in Albany no later than July 1, [~~2019~~] **2020**.

§ 4. This act shall take effect immediately; provided that the amendments made to section 4, 5 and 7 of chapter 272 of the laws of 1991 made by section two of this act shall not affect the expiration of such sections and shall be deemed repealed therewith.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, or item of this subpart 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 item thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this part 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 Items A through EEE of this Subpart shall be as specifically set forth in the last section of such Items.

SUBPART D

Section 1. This Subpart enacts into law legislation providing for the imposition of hotel and motel taxes by certain counties. Each component is wholly contained within an Item identified as Items A through D. The effective date for each particular provision contained within an Item is set forth in the last section of such Item. Any provision of any section contained within an Item, including the effective date of the Item, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Item in which it is found. Section three of this Subpart sets forth the general effective date of this Subpart.

ITEM A

Section 1. Subdivision 7 of section 1202-q of the tax law, as amended by section 1 of subpart A of part B of chapter 61 of the laws of 2017, is amended to read as follows:

(7) Such local law shall provide for the imposition of a hotel or motel tax for a period to expire on December thirty-first, two thousand [~~twenty~~] twenty-three.

§ 2. Section 6 of chapter 179 of the laws of 2000, amending the tax law, relating to hotel and motel taxes in Nassau county and a surcharge on tickets to places of entertainment in such county, as amended by section 2 of subpart A of part B of chapter 61 of the laws of 2017, is amended to read as follows:

§ 6. This act shall take effect immediately, except that section five of this act shall take effect on the same date as a chapter of the laws of 2000 amending the public authorities law and the tax law relating to creating the Nassau county interim finance authority takes effect; provided, further, that sections two, three and four of this act shall expire and be deemed repealed December 31, [~~2020~~] 2023.

§ 3. This act shall take effect immediately.

ITEM B

Section 1. Section 2 of chapter 405 of the laws of 2007, amending the tax law relating to increasing hotel/motel taxes in Chautauqua county, as amended by section 1 of subpart B of part B of chapter 61 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect December 1, 2007 and shall expire and be deemed repealed November 30, [~~2020~~] 2023.

§ 2. This act shall take effect immediately.

ITEM C

Section 1. Subdivision 7 of section 1202-o of the tax law, as amended by section 1 of subpart C of part B of chapter 61 of the laws of 2017, is amended to read as follows:

(7) Such local law shall provide for the imposition of a hotel or motel tax until December thirty-first, two thousand [~~twenty~~] twenty-three.

§ 2. This act shall take effect immediately.

ITEM D

Section 1. Section 3 of chapter 105 of the laws of 2009, amending chapter 693 of the laws of 1980 enabling the county of Albany to impose and collect taxes on occupancy of hotel or motel rooms in Albany county relating to revenues received from the collection of hotel or motel occupancy taxes, as amended by chapter 134 of the laws of 2018, is amended to read as follows:

§ 3. This act shall take effect upon the adoption by the county of Albany of a local law imposing in such county the additional occupancy tax authorized by this act and shall expire and be deemed repealed December 31, [~~2020~~] 2023; provided that Albany county shall notify the legislative bill drafting commission upon the occurrence of the enactment of such local law in order that the commission may maintain an accurate and timely effective data base of the official text of the laws

of the state of New York in furtherance of effecting the provisions of section 44 of the legislative law and section 70-b of the public officers law.

§ 2. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, or item of this subpart 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 item thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this subpart 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 Items A through D of this Subpart shall be as specifically set forth in the last section of such Items.

SUBPART E

Section 1. This Subpart enacts into law legislation providing for the imposition of a county recording tax on obligation secured by a mortgage on real property. Each component is wholly contained within an Item identified as Items A through N. The effective date for each particular provision contained within an Item is set forth in the last section of such Item. Any provision of any section contained within a Item, including the effective date of the Item, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Item in which it is found. Section three of this Subpart sets forth the general effective date of this Subpart.

ITEM A

Section 1. Section 2 of chapter 333 of the laws of 2006 amending the tax law relating to authorizing the county of Schoharie to impose a county recording tax on obligation secured by a mortgage on real property, as amended by section 1 of subpart A of part C of chapter 61 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed on and after December 1, [~~2020~~] 2023.

§ 2. This act shall take effect immediately.

ITEM B

Section 1. Section 2 of chapter 326 of the laws of 2006, amending the tax law relating to authorizing the county of Hamilton to impose a county recording tax on obligations secured by mortgages on real property, as amended by section 1 of subpart B of part C of chapter 61 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed December 1, [~~2020~~] 2023.

§ 2. This act shall take effect immediately.

ITEM C

Section 1. Section 2 of chapter 489 of the laws of 2004, amending the tax law relating to the mortgage recording tax in the county of Fulton, as amended by section 1 of subpart C of part C of chapter 61 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire November 30, [~~2020~~] **2023** when upon such date the provisions of this act shall be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM D

Section 1. Subdivision 1 of section 253-d of the tax law, as amended by section 1 of subpart D of part C of chapter 61 of the laws of 2017, is amended to read as follows:

1. The city of Yonkers, acting through its local legislative body, is hereby authorized and empowered to adopt and amend local laws imposing in any such city during the period beginning September first, nineteen hundred ninety-three and ending August thirty-first, two thousand [~~twen-ty~~] **twenty-three**, a tax of fifty cents for each one hundred dollars and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such city and recorded on or after the date upon which such tax takes effect and a tax of fifty cents on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars.

§ 2. This act shall take effect immediately.

ITEM E

Section 1. Section 2 of chapter 443 of the laws of 2007 amending the tax law relating to authorizing the county of Cortland to impose an additional mortgage recording tax, as amended by section 1 of subpart E of part C of chapter 61 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect on the sixtieth day after it shall have become a law and shall expire and be deemed repealed December 1, [~~2020~~] **2023**.

§ 2. This act shall take effect immediately.

ITEM F

Section 1. Section 2 of chapter 579 of the laws of 2004, amending the tax law relating to authorizing the county of Genesee to impose a county recording tax on obligation secured by a mortgage on real property, as amended by section 1 of subpart F of part C of chapter 61 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect on the thirtieth day after it shall have become a law; and shall expire on November 1, [~~2020~~] **2023**, when upon such date the provisions of this act shall be deemed repealed.

§ 2. This act shall take effect immediately.

ITEM G

Section 1. Section 2 of chapter 366 of the laws of 2005, amending the tax law relating to authorizing the county of Yates to impose a county

recording tax on obligations secured by a mortgage on real property, as amended by section 1 of subpart G of part C of chapter 61 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect on the thirtieth day after it shall have become a law and shall expire and be deemed repealed on December 1, [~~2020~~] **2023**.

§ 2. This act shall take effect immediately.

ITEM H

Section 1. Section 3 of chapter 365 of the laws of 2005, amending the tax law relating to the mortgage recording tax in the county of Steuben, as amended by section 1 of subpart H of part C of chapter 61 of the laws of 2017, is amended to read as follows:

§ 3. This act shall take effect immediately except that section two of this act shall take effect on the thirtieth day after it shall have become a law and shall expire and be deemed repealed on December 1, [~~2020~~] **2023**.

§ 2. This act shall take effect immediately.

ITEM I

Section 1. Section 2 of chapter 405 of the laws of 2005 amending the tax law relating to authorizing the county of Albany to impose a county recording tax on obligations secured by a mortgage on real property, as amended by chapter 346 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect on the thirtieth day after it shall have become a law and shall expire and be deemed repealed on the first of December, [~~2020~~] **2023**.

§ 2. This act shall take effect immediately.

ITEM J

Intentionally Omitted

ITEM K

Intentionally Omitted

ITEM L

Section 1. Section 2 of chapter 218 of the laws of 2009 amending the tax law relating to authorizing the county of Greene to impose an additional mortgage recording tax, as amended by chapter 13 of the laws of 2019, is amended to read as follows:

§ 2. This act shall take effect on the sixtieth day after it shall have become a law and shall expire and be deemed repealed December 1, [~~2020~~] **2023**.

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

ITEM M

Section 1. Section 2 of chapter 368 of the laws of 2008, amending the tax law relating to authorizing the county of Warren to impose an addi-

tional mortgage recording tax, as amended by chapter 15 of the laws of 2019, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed December 1, [~~2020~~] **2023**.

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

ITEM N

Section 1. Section 2 of chapter 549 of the laws of 2005 amending the tax law relating to authorizing the county of Herkimer to impose a county recording tax on obligation secured by a mortgage on real property, as amended by chapter 141 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed on December 1, [~~2020~~] **2023**.

§ 2. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, or item of this subpart 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 item thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this part 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 Items A through N of this Subpart shall be as specifically set forth in the last section of such Items.

SUBPART F

Section 1. Section 2 of chapter 556 of the laws of 2007 amending the tax law relating to imposing an additional real estate transfer tax within the county of Columbia, as amended by section 1 of part D of chapter 61 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed on December 31, [~~2020~~] **2023**.

§ 2. This act shall take effect immediately.

SUBPART G

Section 1. Paragraph 3 of subdivision (a) of section 1212-a of the tax law, as amended by section 1 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

(3) a tax, at the same uniform rate, but at a rate not to exceed four and one-half per centum, in multiples of one-half of one per centum, on the receipts from every sale of any or all of the following services in whole or in part: credit rating, credit reporting, credit adjustment and collection services, including, but not limited to, those services provided by mercantile and consumer credit rating or reporting bureaus or agencies and credit adjustment or collection bureaus or agencies, whether rendered in written or oral form or in any other manner, except to the extent otherwise taxable under article twenty-eight of this chapter; notwithstanding the foregoing, collection services shall not include those services performed by a law office or a law and collection office, the maintenance or conduct of which constitutes the practice of

law, if the services are performed by an attorney at law who has been duly licensed and admitted to practice law in this state. The local law imposing the taxes authorized by this paragraph may provide for exclusions and exemptions in addition to those provided for in such paragraph. Provided, however, that the tax hereby authorized shall not be imposed after November thirtieth, two thousand [~~twenty~~] twenty-three.

§ 2. Subsection (a) of section 1301 of the tax law, as amended by section 2 of part F of chapter 61 of the laws of 2017, paragraph 1 as amended by section 1 of part QQ of chapter 59 of the laws of 2018, is amended to read as follows:

(a) Notwithstanding any other provision of law to the contrary, any city in this state having a population of one million or more inhabitants, acting through its local legislative body, is hereby authorized and empowered to adopt and amend local laws imposing in any such city, for taxable years beginning after nineteen hundred seventy-five:

(1) a tax on the personal income of residents of such city, at the rates provided for under subsection (a) of section thirteen hundred four of this article for taxable years beginning before two thousand [~~twenty-one~~] twenty-four, and at the rates provided for under subsection (b) of section thirteen hundred four of this article for taxable years beginning after two thousand [~~twenty~~] twenty-three, provided, however, that if, for any taxable year beginning after two thousand [~~twenty~~] twenty-three, the rates set forth in such subsection (b) are rendered inapplicable and the rates set forth in such subsection (a) are rendered applicable, then the tax for such taxable year shall be at the rates provided under subparagraphs (A) of paragraphs one, two and three of such subsection (a),

(2) for taxable years beginning after nineteen hundred seventy-six, a separate tax on the ordinary income portion of lump sum distributions of such residents, at the rates provided for herein, such taxes to be administered, collected and distributed by the commissioner as provided for in this article.

§ 3. Subsection (b) of section 1304 of the tax law, as amended by section 3 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

(b) A tax other than the city separate tax on the ordinary income portion of lump sum distributions imposed pursuant to the authority of section thirteen hundred one of this article shall be determined as follows:

(1) Resident married individuals filing joint returns and resident surviving spouses. The tax under this section for each taxable year on the city taxable income of every city resident married individual who makes a single return jointly with his or her spouse under subsection (b) of section thirteen hundred six of this article and on the city taxable income of every city resident surviving spouse shall be determined in accordance with the following table:

For taxable years beginning after two thousand [~~twenty~~] twenty-three:

If the city taxable income is:	The tax is:
Not over $21,600	1.18% of the city taxable income
Over $21,600 but not over $45,000	$255 plus 1.435% of excess over $21,600
Over $45,000 but not over $90,000	$591 plus 1.455% of excess over $45,000
Over $90,000	$1,245 plus 1.48% of excess

	over $90,000

(2) Resident heads of households. The tax under this section for each taxable year on the city taxable income of every city resident head of a household shall be determined in accordance with the following table:

For taxable years beginning after two thousand [~~twenty~~] twenty-three:

If the city taxable income is:	The tax is:
Not over $14,400	1.18% of the city taxable income
Over $14,400 but not over $30,000	$170 plus 1.435% of excess over $14,400
Over $30,000 but not over $60,000	$394 plus 1.455% of excess over $30,000
Over $60,000	$830 plus 1.48% of excess over $60,000

(3) Resident unmarried individuals, resident married individuals filing separate returns and resident estates and trusts. The tax under this section for each taxable year on the city taxable income of every city resident individual who is not a city resident married individual who makes a single return jointly with his or her spouse under subsection (b) of section thirteen hundred six of this article or a city resident head of household or a city resident surviving spouse, and on the city taxable income of every city resident estate and trust shall be determined in accordance with the following table:

For taxable years beginning after two thousand [~~twenty~~] twenty-three:

If the city taxable income is:	The tax is:
Not over $12,000	1.18% of the city taxable income
Over $12,000 but not over $25,000	$142 plus 1.435% of excess over $12,000
Over $25,000 but not over $50,000	$328 plus 1.455% of excess over $25,000
Over $50,000	$692 plus 1.48% of excess over $50,000

§ 4. Subsection (a) of section 1304-B of the tax law, as amended by section 4 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

(a) (1) In addition to any other taxes authorized by this article, any city imposing such taxes is hereby authorized and empowered to adopt and amend local laws imposing in any such city for each taxable year beginning after nineteen hundred ninety but before two thousand [~~twenty-one~~] twenty-four, an additional tax on the city taxable income of every city resident individual, estate and trust, to be calculated for each taxable year as follows: (i) for each taxable year beginning after nineteen hundred ninety but before nineteen hundred ninety-nine, at the rate of fourteen percent of the sum of the taxes for each such taxable year determined pursuant to section thirteen hundred four and section thirteen hundred four-A of this article; and (ii) for each taxable year beginning after nineteen hundred ninety-eight, at the rate of fourteen percent of the tax for such taxable year determined pursuant to such section thirteen hundred four.

(2) Notwithstanding paragraph one of this subsection, for each taxable year beginning after nineteen hundred ninety-nine but before two thou-

sand [~~twenty-one~~] twenty-four, any city imposing such additional tax may by local law impose such tax at a rate that is less than fourteen percent and may impose such tax at more than one rate depending upon the filing status and city taxable income of such city resident individual, estate or trust.

(3) A local law enacted pursuant to paragraph two of this subsection shall be applicable with respect to any taxable year only if it has been enacted on or before July thirty-first of such year. A certified copy of such local law shall be mailed by registered mail to the department at its office in Albany within fifteen days of its enactment. However, the department may allow additional time for such certified copy to be mailed if it deems such action to be consistent with its duties under this article.

§ 5. Paragraph E of subdivision 1 of section 11-604 of the administrative code of the city of New York, as amended by section 5 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

E. For taxable years beginning on or after January first, nineteen hundred seventy-eight but before January first, two thousand [~~twenty-one~~] twenty-four, the tax imposed by subdivision one of section 11-603 of this subchapter shall be, in the case of each taxpayer:

(a) whichever of the following amounts is the greatest:

(1) an amount computed, for taxable years beginning before nineteen hundred eighty-seven, at the rate of nine per centum, and for taxable years beginning after nineteen hundred eighty-six, at the rate of eight and eighty-five one-hundredths per centum, of its entire net income or the portion of such entire net income allocated within the city as hereinafter provided, subject to any modification required by paragraphs (d) and (e) of subdivision three of this section,

(2) an amount computed at one and one-half mills for each dollar of its total business and investment capital, or the portion thereof allocated within the city, as hereinafter provided, except that in the case of a cooperative housing corporation as defined in the internal revenue code, the applicable rate shall be four-tenths of one mill,

(3) an amount computed, for taxable years beginning before nineteen hundred eighty-seven, at the rate of nine per centum, and for taxable years beginning after nineteen hundred eighty-six, at the rate of eight and eighty-five one-hundredths per centum, on thirty per centum of the taxpayer's entire net income plus salaries and other compensation paid to the taxpayer's elected or appointed officers and to every stockholder owning in excess of five per centum of its issued capital stock minus fifteen thousand dollars (subject to proration as hereinafter provided) and any net loss for the reported year, or on the portion of any such sum allocated within the city as hereinafter provided for the allocation of entire net income, subject to any modification required by paragraphs (d) and (e) of subdivision three of this section, provided, however, that for taxable years beginning on or after July first, nineteen hundred ninety-six, the provisions of paragraph H of this subdivision shall apply for purposes of the computation under this clause, or

(4) for taxable years ending on or before June thirtieth, nineteen hundred eighty-nine, one hundred twenty-five dollars, for taxable years ending after June thirtieth, nineteen hundred eighty-nine and beginning before two thousand nine, three hundred dollars, and for taxable years beginning after two thousand eight:

If New York city receipts are:	Fixed dollar minimum tax is:
Not more than $100,000	$25
More than $100,000 but not over $250,000	$75

More than $250,000 but not over $500,000	$175
More than $500,000 but not over $1,000,000	$500
More than $1,000,000 but not over $5,000,000	$1,500
More than $5,000,000 but not over $25,000,000	$3,500
Over $25,000,000	$5,000

For purposes of this clause, New York city receipts are the receipts computed in accordance with subparagraph two of paragraph (a) of subdivision three of this section for the taxable year. For taxable years beginning after two thousand eight, if the taxable year is less than twelve months, the amount prescribed by this clause shall be reduced by twenty-five percent if the period for which the taxpayer is subject to tax is more than six months but not more than nine months and by fifty percent if the period for which the taxpayer is subject to tax is not more than six months. If the taxable year is less than twelve months, the amount of New York city receipts for purposes of this clause is determined by dividing the amount of the receipts for the taxable year by the number of months in the taxable year and multiplying the result by twelve, plus;

(b) an amount computed at the rate of three-quarters of a mill for each dollar of the portion of its subsidiary capital allocated within the city as hereinafter provided.

In the case of a taxpayer which is not subject to tax for an entire year, the exemption allowed in clause three of subparagraph (a) of this paragraph shall be prorated according to the period such taxpayer was subject to tax. Provided, however, that this paragraph shall not apply to taxable years beginning after December thirty-first, two thousand [~~twenty~~] twenty-three. For the taxable years specified in the preceding sentence, the tax imposed by subdivision one of section 11-603 of this subchapter shall be, in the case of each taxpayer, determined as specified in paragraph A of this subdivision, provided, however, that the provisions of paragraphs G and H of this subdivision shall apply for purposes of the computation under clause three of subparagraph (a) of such paragraph A.

§ 6. The opening paragraph of section 11-1701 of the administrative code of the city of New York, as amended by section 6 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

A tax is hereby imposed on the city taxable income of every city resident individual, estate and trust determined in accordance with the rates set forth in subdivision (a) of this section for taxable years beginning before two thousand [~~twenty-one~~] twenty-four, and in accordance with the rates set forth in subdivision (b) of this section for taxable years beginning after two thousand [~~twenty~~] twenty-three. Provided, however, that if, for any taxable year beginning after two thousand [~~twenty~~] twenty-three, the rates set forth in such subdivision (b) are rendered inapplicable and the rates set forth in such subdivision (a) are rendered applicable, then the tax for such taxable year shall be at the rates provided under subparagraph (A) of paragraphs one, two and three of such subdivision (a).

§ 7. Subdivision (b) of section 11-1701 of the administrative code of the city of New York, as amended by section 7 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

(b) Rate of tax. A tax imposed pursuant to this section shall be determined as follows:

(1) Resident married individuals filing joint returns and resident surviving spouses. The tax under this section for each taxable year on the city taxable income of every city resident married individual who

makes a single return jointly with his or her spouse under subdivision (b) of section 11-1751 of this title and on the city taxable income of every city resident surviving spouse shall be determined in accordance with the following table:

For taxable years beginning after two thousand [~~twenty~~] twenty-three:

If the city taxable income is:	The tax is:
Not over $21,600	1.18% of the city taxable income
Over $21,600 but not over $45,000	$255 plus 1.435% of excess over $21,600
Over $45,000 but not over $90,000	$591 plus 1.455% of excess over $45,000
Over $90,000	$1,245 plus 1.48% of excess over $90,000

(2) Resident heads of households. The tax under this section for each taxable year on the city taxable income of every city resident head of a household shall be determined in accordance with the following table:

For taxable years beginning after two thousand [~~twenty~~] twenty-three:

If the city taxable income is:	The tax is:
Not over $14,400	1.18% of the city taxable income
Over $14,400 but not over $30,000	$170 plus 1.435% of excess over $14,400
Over $30,000 but not over $60,000	$394 plus 1.455% of excess over $30,000
Over $60,000	$830 plus 1.48% of excess over $60,000

(3) Resident unmarried individuals, resident married individuals filing separate returns and resident estates and trusts. The tax under this section for each taxable year on the city taxable income of every city resident individual who is not a married individual who makes a single return jointly with his or her spouse under subdivision (b) of section 11-1751 of this title or a city resident head of a household or a city resident surviving spouse, and on the city taxable income of every city resident estate and trust shall be determined in accordance with the following table:

For taxable years beginning after two thousand [~~twenty~~] twenty-three:

If the city taxable income is:	The tax is:
Not over $12,000	1.18% of the city taxable income
Over $12,000 but not over $25,000	$142 plus 1.435% of excess over $12,000
Over $25,000 but not over $50,000	$328 plus 1.455% of excess over $25,000
Over $50,000	$692 plus 1.48% of excess over $50,000

§ 8. Paragraph 1 of subdivision (a) of section 11-1704.1 of the administrative code of the city of New York, as amended by section 8 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

(1) In addition to any other taxes imposed by this chapter, there is hereby imposed for each taxable year beginning after nineteen hundred ninety but before two thousand [~~twenty-one~~] twenty-four, an additional tax on the city taxable income of every city resident individual, estate and trust, to be calculated for each taxable year as follows: (i) for

each taxable year beginning after nineteen hundred ninety but before nineteen hundred ninety-nine, at the rate of fourteen percent of the sum of the taxes for each such taxable year determined pursuant to section 11-1701 and section 11-1704 of this subchapter; and (ii) for each taxable year beginning after nineteen hundred ninety-eight, at the rate of fourteen percent of the tax for such taxable year determined pursuant to such section 11-1701.

§ 9. Subdivision (a) of section 11-2002 of the administrative code of the city of New York, as amended by section 9 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

(a) There are hereby imposed and there shall be paid sales taxes at the rate of four and one-half percent on receipts from every sale of the services of beauty, barbering, hair restoring, manicuring, pedicuring, electrolysis, massage services and similar services, and every sale of services by weight control salons, health salons, gymnasiums, turkish and sauna bath and similar establishments and every charge for the use of such facilities, whether or not any tangible personal property is transferred in conjunction therewith; but excluding services rendered by a physician, osteopath, dentist, nurse, physiotherapist, chiropractor, podiatrist, optometrist, ophthalmic dispenser or a person performing similar services licensed under title eight of the education law, as amended, and excluding such services when performed on pets and other animals, as authorized by subdivision (a) of section twelve hundred twelve-A of the tax law. Provided, however, that the tax hereby imposed shall not be imposed after November thirtieth, two thousand [~~twenty~~] **twenty-three**.

§ 10. The opening paragraph of subdivision (a) of section 11-2040 of the administrative code of the city of New York, as amended by section 10 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

There is hereby imposed within the city and there shall be paid a tax at the rate of four and one-half percent upon the receipts from every sale, except for resale, of the following services, provided, however, that the tax hereby imposed shall not be imposed after November thirtieth, two thousand [~~twenty~~] **twenty-three**, on receipts from sales of the services specified in paragraph one of this subdivision:

§ 11. Section 4 of chapter 877 of the laws of 1975, relating to the imposition of certain taxes in the city of New York, as amended by section 11 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

§ 4. This act shall expire on December 31, [~~2020~~] **2023**, provided, however, that it is hereby declared to be the express intention of the legislature that the provisions of sections two and three of this act, except with respect to the enforcement and collection of any tax arising thereunder, shall remain in full force and effect only until the date of such expiration, at which time the provisions of law amended by this act shall be continued in full force and effect as they existed prior to the enactment of this act.

§ 12. Section 6 of chapter 884 of the laws of 1975, relating to the imposition of certain taxes in the city of New York, as amended by section 12 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

§ 6. This act shall expire on December 31, [~~2020~~] **2023**, provided, however, that it is hereby declared to be the express intention of the legislature that the provisions of sections two, three and four of this act, except with respect to the enforcement and collection of any tax

arising thereunder, shall remain in full force and effect only until the date of such expiration, at which time the provisions of law amended by this act shall be continued in full force and effect as they existed prior to the enactment of this act.

§ 13. Section 2 of chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, as amended by section 13 of part F of chapter 61 of the laws of 2017, is amended to read as follows:

§ 2. This act shall expire on December 31, [~~2020~~] **2023**, provided, however, that it is hereby declared to be the express intention of the legislature that the provisions of section one of this act, except with respect to the enforcement and collection of any tax arising thereunder, shall remain in full force and effect only until the date of such expiration, at which time the provisions of law amended by this act shall be continued in full force and effect as they existed prior to the enactment of this act.

§ 14. This act shall take effect immediately.

SUBPART H

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

ITEM A

Section 1. Subparagraph (A) of paragraph 7 of subdivision (ee) of section 1115 of the tax law, as amended by section 1 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(A) "Tenant" means a person who, as lessee, enters into a space lease with a landlord for a term of ten years or more commencing on or after September first, two thousand five, but not later than, in the case of a space lease with respect to leased premises located in eligible areas as defined in clause (i) of subparagraph (D) of this paragraph, September first, two thousand [~~twenty~~] **twenty-three** and, in the case of a space lease with respect to leased premises located in eligible areas as defined in clause (ii) of subparagraph (D) of this paragraph not later than September first, two thousand [~~twenty-two~~] **twenty-five**, of premises for use as commercial office space in buildings located or to be located in the eligible areas. A person who currently occupies premises for use as commercial office space under an existing lease in a building in the eligible areas shall not be eligible for exemption under this subdivision unless such existing lease, in the case of a space lease with respect to leased premises located in eligible areas as defined in clause (i) of subparagraph (D) of this paragraph expires according to its terms before September first, two thousand [~~twenty~~] **twenty-three** or such existing lease, in the case of a space lease with respect to leased premises located in eligible areas as defined in clause (ii) of subpara-

graph (D) of this paragraph and such person enters into a space lease, for a term of ten years or more commencing on or after September first, two thousand five, of premises for use as commercial office space in a building located or to be located in the eligible areas, provided that such space lease with respect to leased premises located in eligible areas as defined in clause (i) of subparagraph (D) of this paragraph commences no later than September first, two thousand [~~twenty~~] twenty-three, and provided that such space lease with respect to leased premises located in eligible areas as defined in clause (ii) of subparagraph (D) of this paragraph commences no later than September first, two thousand [~~twenty-two~~] twenty-five and provided, further, that such space lease shall expire no earlier than ten years after the expiration of the original lease.

§ 2. Section 2 of part C of chapter 2 of the laws of 2005 amending the tax law relating to exemptions from sales and use taxes, as amended by section 2 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

§ 2. This act shall take effect September 1, 2005 and shall expire and be deemed repealed on December 1, [~~2023~~] 2026, and shall apply to sales made, uses occurring and services rendered on or after such effective date, in accordance with the applicable transitional provisions of sections 1106 and 1217 of the tax law; except that clause (i) of subparagraph (D) of paragraph seven of subdivision (ee) of section 1115 of the tax law, as added by section one of this act, shall expire and be deemed repealed December 1, [~~2021~~] 2024.

§ 3. Paragraph 1 of subdivision (b) of section 25-s of the general city law, as amended by section 7 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(1) non-residential premises that are wholly contained in property that is eligible to obtain benefits under title two-D or two-F of article four of the real property tax law, or would be eligible to receive benefits under such article except that such property is exempt from real property taxation and the requirements of paragraph (b) of subdivision seven of section four hundred eighty-nine-dddd of such title two-D, or the requirements of subparagraph (ii) of paragraph (b) of subdivision five of section four hundred eighty-nine-cccccc of such title two-F, whichever is applicable, have not been satisfied, provided that application for such benefits was made after May third, nineteen hundred eighty-five and prior to July first, two thousand [~~twenty~~] twenty-three, that construction or renovation of such premises was described in such application, that such premises have been substantially improved by such construction or renovation so described, that the minimum required expenditure as defined in such title two-D or two-F, whichever is applicable, has been made, and that such real property is located in an eligible area; or

§ 4. Paragraph 3 of subdivision (b) of section 25-s of the general city law, as amended by section 8 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(3) non-residential premises that are wholly contained in real property that has obtained approval after October thirty-first, two thousand and prior to July first, two thousand [~~twenty~~] twenty-three for financing by an industrial development agency established pursuant to article eighteen-A of the general municipal law, provided that such financing has been used in whole or in part to substantially improve such premises (by construction or renovation), and that expenditures have been made for improvements to such real property in excess of ten per centum of

the value at which such real property was assessed for tax purposes for the tax year in which such improvements commenced, that such expenditures have been made within thirty-six months after the earlier of (i) the issuance by such agency of bonds for such financing, or (ii) the conveyance of title to such property to such agency, and that such real property is located in an eligible area; or

§ 5. Paragraph 5 of subdivision (b) of section 25-s of the general city law, as amended by section 9 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(5) non-residential premises that are wholly contained in real property owned by such city or the New York state urban development corporation, or a subsidiary thereof, a lease for which was approved in accordance with the applicable provisions of the charter of such city or by the board of directors of such corporation, and such approval was obtained after October thirty-first, two thousand and prior to July first, two thousand [~~twenty~~] twenty-three, provided, however, that such premises were constructed or renovated subsequent to such approval, that expenditures have been made subsequent to such approval for improvements to such real property (by construction or renovation) in excess of ten per centum of the value at which such real property was assessed for tax purposes for the tax year in which such improvements commenced, that such expenditures have been made within thirty-six months after the effective date of such lease, and that such real property is located in an eligible area; or

§ 6. Paragraph 2 of subdivision (c) of section 25-t of the general city law, as amended by section 10 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(2) No eligible energy user, qualified eligible energy user, on-site cogenerator, or clean on-site cogenerator shall receive a rebate pursuant to this article until it has obtained a certification from the appropriate city agency in accordance with a local law enacted pursuant to this section. No such certification for a qualified eligible energy user shall be issued on or after November first, two thousand. No such certification of any other eligible energy user, on-site cogenerator, or clean on-site cogenerator shall be issued on or after July first, two thousand [~~twenty~~] twenty-three.

§ 7. Paragraph 1 of subdivision (a) of section 25-aa of the general city law, as amended by section 11 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(1) is eligible to obtain benefits under title two-D or two-F of article four of the real property tax law, or would be eligible to receive benefits under such title except that such property is exempt from real property taxation and the requirements of paragraph (b) of subdivision seven of section four hundred eighty-nine-dddd of such title two-D, or the requirements of subparagraph (ii) of paragraph (b) of subdivision five of section four hundred eighty-nine-cccccc of such title two-F, whichever is applicable, of the real property tax law have not been satisfied, provided that application for such benefits was made after the thirtieth day of June, nineteen hundred ninety-five and before the first day of July, two thousand [~~twenty~~] twenty-three, that construction or renovation of such building or structure was described in such application, that such building or structure has been substantially improved by such construction or renovation, and (i) that the minimum required expenditure as defined in such title has been made, or (ii) where there is no applicable minimum required expenditure, the building was constructed within such period or periods of time established by title

two-D or two-F, whichever is applicable, of article four of the real property tax law for construction of a new building or structure; or

§ 8. Paragraphs 2 and 3 of subdivision (a) of section 25-aa of the general city law, as amended by section 12 of part E of chapter 61 of the laws of 2017, are amended to read as follows:

(2) has obtained approval after the thirtieth day of June, nineteen hundred ninety-five and before the first day of July, two thousand [~~twenty~~] twenty-three, for financing by an industrial development agency established pursuant to article eighteen-A of the general municipal law, provided that such financing has been used in whole or in part to substantially improve such building or structure by construction or renovation, that expenditures have been made for improvements to such real property in excess of twenty per centum of the value at which such real property was assessed for tax purposes for the tax year in which such improvements commenced, and that such expenditures have been made within thirty-six months after the earlier of (i) the issuance by such agency of bonds for such financing, or (ii) the conveyance of title to such building or structure to such agency; or

(3) is owned by the city of New York or the New York state urban development corporation, or a subsidiary corporation thereof, a lease for which was approved in accordance with the applicable provisions of the charter of such city or by the board of directors of such corporation, as the case may be, and such approval was obtained after the thirtieth day of June, nineteen hundred ninety-five and before the first day of July, two thousand [~~twenty~~] twenty-three, provided that expenditures have been made for improvements to such real property in excess of twenty per centum of the value at which such real property was assessed for tax purposes for the tax year in which such improvements commenced, and that such expenditures have been made within thirty-six months after the effective date of such lease; or

§ 9. Subdivision (f) of section 25-bb of the general city law, as amended by section 13 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(f) Application and certification. An owner or lessee of a building or structure located in an eligible revitalization area, or an agent of such owner or lessee, may apply to such department of small business services for certification that such building or structure is an eligible building or targeted eligible building meeting the criteria of subdivision (a) or (q) of section twenty-five-aa of this article. Application for such certification must be filed after the thirtieth day of June, nineteen hundred ninety-five and before a building permit is issued for the construction or renovation required by such subdivisions and before the first day of July, two thousand [~~twenty~~] twenty-three, provided that no certification for a targeted eligible building shall be issued after October thirty-first, two thousand. Such application shall identify expenditures to be made that will affect eligibility under such subdivision (a) or (q). Upon completion of such expenditures, an applicant shall supplement such application to provide information (i) establishing that the criteria of such subdivision (a) or (q) have been met; (ii) establishing a basis for determining the amount of special rebates, including a basis for an allocation of the special rebate among eligible revitalization area energy users purchasing or otherwise receiving energy services from an eligible redistributor of energy or a qualified eligible redistributor of energy; and (iii) supporting an allocation of charges for energy services between eligible charges and other charges. Such department shall certify a building or structure as an eligible

building or targeted eligible building after receipt and review of such information and upon a determination that such information establishes that the building or structure qualifies as an eligible building or targeted eligible building. Such department shall mail such certification or notice thereof to the applicant upon issuance. Such certification shall remain in effect provided the eligible redistributor of energy or qualified eligible redistributor of energy reports any changes that materially affect the amount of the special rebates to which it is entitled or the amount of reduction required by subdivision (c) of this section in an energy services bill of an eligible revitalization area energy user and otherwise complies with the requirements of this article. Such department shall notify the private utility or public utility service required to make a special rebate to such redistributor of the amount of such special rebate established at the time of certification and any changes in such amount and any suspension or termination by such department of certification under this subdivision. Such department may require some or all of the information required as part of an application or other report be provided by a licensed engineer.

§ 10. Paragraph 1 of subdivision (i) of section 22-601 of the administrative code of the city of New York, as amended by section 14 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(1) Non-residential premises that are wholly contained in property that is eligible to obtain benefits under part four or part five of subchapter two of chapter two of title eleven of this code, or would be eligible to receive benefits under such chapter except that such property is exempt from real property taxation and the requirements of paragraph two of subdivision g of section 11-259 of this code, or the requirements of subparagraph (b) of paragraph two of subdivision e of section 11-270 of this code, whichever is applicable, have not been satisfied, provided that application for such benefits was made after May third, nineteen hundred eighty-five and prior to July first, two thousand [~~twenty~~] **twenty-three**, that construction or renovation of such premises was described in such application, that such premises have been substantially improved by such construction or renovation so described, that the minimum required expenditure as defined in such part four or part five, whichever is applicable, has been made, and that such real property is located in an eligible area; or

§ 11. Paragraph 3 of subdivision (i) of section 22-601 of the administrative code of the city of New York, as amended by section 15 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(3) non-residential premises that are wholly contained in real property that has obtained approval after October thirty-first, two thousand and prior to July first, two thousand [~~twenty~~] **twenty-three** for financing by an industrial development agency established pursuant to article eighteen-A of the general municipal law, provided that such financing has been used in whole or in part to substantially improve such premises (by construction or renovation), and that expenditures have been made for improvements to such real property in excess of ten per centum of the value at which such real property was assessed for tax purposes for the tax year in which such improvements commenced, that such expenditures have been made within thirty-six months after the earlier of (i) the issuance by such agency of bonds for such financing, or (ii) the conveyance of title to such property to such agency, and that such real property is located in an eligible area; or

§ 12. Paragraph 5 of subdivision (i) of section 22-601 of the administrative code of the city of New York, as amended by section 16 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(5) non-residential premises that are wholly contained in real property owned by such city or the New York state urban development corporation, or a subsidiary thereof, a lease for which was approved in accordance with the applicable provisions of the charter of such city or by the board of directors of such corporation, and such approval was obtained after October thirty-first, two thousand and prior to July first, two thousand [~~twenty~~] twenty-three, provided, however, that such premises were constructed or renovated subsequent to such approval, that expenditures have been made subsequent to such approval for improvements to such real property (by construction or renovation) in excess of ten per centum of the value at which such real property was assessed for tax purposes for the tax year in which such improvements commenced, that such expenditures have been made within thirty-six months after the effective date of such lease, and that such real property is located in an eligible area; or

§ 13. Paragraph 1 of subdivision (c) of section 22-602 of the administrative code of the city of New York, as amended by section 17 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(1) No eligible energy user, qualified eligible energy user, on-site cogenerator, clean on-site cogenerator or special eligible energy user shall receive a rebate pursuant to this chapter until it has obtained a certification as an eligible energy user, qualified eligible energy user, on-site cogenerator, clean on-site cogenerator or special eligible energy user, respectively, from the commissioner of small business services. No such certification for a qualified eligible energy user shall be issued on or after July first, two thousand three. No such certification of any other eligible energy user, on-site cogenerator or clean on-site cogenerator shall be issued on or after July first, two thousand [~~twenty~~] twenty-three. The commissioner of small business services, after notice and hearing, may revoke a certification issued pursuant to this subdivision where it is found that eligibility criteria have not been met or that compliance with conditions for continued eligibility has not been maintained. The corporation counsel may maintain a civil action to recover an amount equal to any benefits improperly obtained.

§ 14. Subparagraph (b-2) of paragraph 2 of subdivision i of section 11-704 of the administrative code of the city of New York, as amended by section 18 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(b-2) The amount of the special reduction allowed by this subdivision with respect to a lease other than a sublease commencing between July first, two thousand five and June thirtieth, two thousand [~~twenty~~] twenty-three with an initial or renewal lease term of at least five years shall be determined as follows:

(i) For the base year the amount of such special reduction shall be equal to the base rent for the base year.

(ii) For the first, second, third and fourth twelve-month periods following the base year the amount of such special reduction shall be equal to the lesser of (A) the base rent for each such twelve-month period or (B) the base rent for the base year.

§ 15. Subdivision 9 of section 499-aa of the real property tax law, as amended by section 19 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

9. "Eligibility period." The period commencing April first, nineteen hundred ninety-five and terminating March thirty-first, two thousand one, provided, however, that with respect to eligible premises defined in subparagraph (i) of paragraph (b) of subdivision ten of this section, the period commencing July first, two thousand and terminating June thirtieth, two thousand [~~twenty-one~~] twenty-four, and provided, further, however, that with respect to eligible premises defined in subparagraph (ii) of paragraph (b) or paragraph (c) of subdivision ten of this section, the period commencing July first, two thousand five and terminating June thirtieth, two thousand [~~twenty-one~~] twenty-four.

§ 16. Subparagraph (iii) of paragraph (a) of subdivision 3 of section 499-cc of the real property tax law, as amended by section 20 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(iii) With respect to the eligible premises defined in subparagraph (ii) of paragraph (b) or paragraph (c) of subdivision ten of section four hundred ninety-nine-aa of this title and for purposes of determining whether the amount of expenditures required by subdivision one of this section have been satisfied, expenditures on improvements to the common areas of an eligible building shall be included only if work on such improvements commenced and the expenditures are made on or after July first, two thousand five and on or before December thirty-first, two thousand [~~twenty-one~~] twenty-four; provided, however, that expenditures on improvements to the common areas of an eligible building made prior to three years before the lease commencement date shall not be included.

§ 17. Subdivisions 5 and 9 of section 499-a of the real property tax law, as amended by section 21 of part E of chapter 61 of the laws of 2017, are amended to read as follows:

5. "Benefit period." The period commencing with the first day of the month immediately following the rent commencement date and terminating no later than sixty months thereafter, provided, however, that with respect to a lease commencing on or after April first, nineteen hundred ninety-seven with an initial lease term of less than five years, but not less than three years, the period commencing with the first day of the month immediately following the rent commencement date and terminating no later than thirty-six months thereafter. Notwithstanding the foregoing sentence, a benefit period shall expire no later than March thirty-first, two thousand [~~twenty-seven~~] thirty.

9. "Eligibility period." The period commencing April first, nineteen hundred ninety-five and terminating March thirty-first, two thousand [~~twenty-one~~] twenty-four.

§ 18. Paragraph (a) of subdivision 3 of section 499-c of the real property tax law, as amended by section 22 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(a) For purposes of determining whether the amount of expenditures required by subdivision one of this section have been satisfied, expenditures on improvements to the common areas of an eligible building shall be included only if work on such improvements commenced and the expenditures are made on or after April first, nineteen hundred ninety-five and on or before September thirtieth, two thousand [~~twenty-one~~] twenty-four; provided, however, that expenditures on improvements to the common areas of an eligible building made prior to three years before the lease commencement date shall not be included.

§ 19. Subdivision 8 of section 499-d of the real property tax law, as amended by section 23 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

8. Leases commencing on or after April first, nineteen hundred nine-ty-seven shall be subject to the provisions of this title as amended by chapter six hundred twenty-nine of the laws of nineteen hundred ninety-seven, chapter one hundred eighteen of the laws of two thousand one, chapter four hundred forty of the laws of two thousand three, chapter sixty of the laws of two thousand seven, chapter twenty-two of the laws of two thousand ten, chapter fifty-nine of the laws of two thousand fourteen, chapter twenty of the laws of two thousand fifteen [~~and the~~], chapter of the laws of two thousand seventeen **and the chapter of the laws of two thousand twenty** that [~~added~~] **amended** this phrase. Notwithstanding any other provision of law to the contrary, with respect to leases commencing on or after April first, nineteen hundred ninety-seven, an application for a certificate of abatement shall be considered timely filed if filed within one hundred eighty days following the lease commencement date or within sixty days following the date chapter six hundred twenty-nine of the laws of nineteen hundred ninety-seven became a law, whichever is later.

§ 20. Subparagraph (a) of paragraph 2 of subdivision i of section 11-704 of the administrative code of the city of New York, as amended by section 24 of part E of chapter 61 of the laws of 2017, is amended to read as follows:

(a) An eligible tenant of eligible taxable premises shall be allowed a special reduction in determining the taxable base rent for such eligible taxable premises. Such special reduction shall be allowed with respect to the rent for such eligible taxable premises for a period not exceeding sixty months or, with respect to a lease commencing on or after April first, nineteen hundred ninety-seven with an initial lease term of less than five years, but not less than three years, for a period not exceeding thirty-six months, commencing on the rent commencement date applicable to such eligible taxable premises, provided, however, that in no event shall any special reduction be allowed for any period beginning after March thirty-first, two thousand [~~twenty-seven~~] **thirty**. For purposes of applying such special reduction, the base rent for the base year shall, where necessary to determine the amount of the special reduction allowable with respect to any number of months falling within a tax period, be prorated by dividing the base rent for the base year by twelve and multiplying the result by such number of months.

§ 21. This act shall take effect immediately, except that if this act shall become a law after June 30, 2020, this act shall be deemed to have been in full force and effect on and after June 30, 2020; provided, further, that the amendments to subparagraph (A) of paragraph 7 of subdivision (ee) of section 1115 of the tax law made by section one of this act shall not affect the repeal of such subdivision and shall be repealed therewith.

ITEM B

Section 1. Paragraphs (d) and (e) of subdivision 1 of section 499-bbbb of the real property tax law, paragraph (d) as separately amended by chapters 327 and 412 of the laws of 2018 and paragraph (e) as added by chapter 412 of the laws of 2018, are amended to read as follows:

(d) if the solar electric generating system is placed in service on or after January first, two thousand fourteen, and before January first, two thousand [~~twenty-one~~] **twenty-four**, for each year of the compliance period such tax abatement shall be the lesser of (i) five percent of

eligible solar electric generating system expenditures, (ii) the amount of taxes payable in such tax year, or (iii) sixty-two thousand five hundred dollars; or

(e) if electric energy storage equipment is placed in service on or after January first, two thousand nineteen, and before January first, two thousand [~~twenty-one~~] twenty-four, for each year of the compliance period such tax abatement shall be the lesser of (i) ten percent of eligible electric energy storage equipment expenditures, (ii) the amount of taxes payable in such tax year, or (iii) sixty-two thousand five hundred dollars.

§ 2. Subdivision 1 of section 499-cccc of the real property tax law, as separately amended by chapters 327 and 412 of the laws of 2018, is amended to read as follows:

1. To obtain a tax abatement pursuant to this title, an applicant must file an application for tax abatement, which may be filed on or after January first, two thousand nine, and on or before March fifteenth, two thousand [~~twenty-one~~] twenty-four.

§ 3. This act shall take effect immediately.

ITEM C

Section 1. Section 2 of part II of chapter 54 of the laws of 2016, amending part C of chapter 58 of the laws of 2005 relating to authorizing reimbursements for expenditures made by or on behalf of social services districts for medical assistance for needy persons and administration thereof, as amended by section 3 of part T of chapter 57 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed March 31, [~~2020~~] 2022.

§ 2. This act shall take effect immediately.

ITEM D

Section 1. Section 13 of part D of chapter 58 of the laws of 2016, relating to repealing certain provisions of the state finance law relating to the motorcycle safety fund, is amended to read as follows:

§ 13. This act shall take effect immediately; provided, however, that section seven of this act shall take effect April 1, [~~2020~~] 2024; provided further, however, that the amendments to section 399-1 of the vehicle and traffic law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith; and provided further, however, that the amendments to paragraph (a) of subdivision 3 of section 89-b of the state finance law made by section eleven of this act shall be subject to the expiration and reversion of such paragraph pursuant to section 13 of part U1 of chapter 62 of the laws of 2003, as amended, when upon such date the provisions of section twelve of this act shall take effect.

§ 2. This act shall take effect immediately.

ITEM E

Section 1. Section 5 of chapter 589 of the laws of 2015, amending the insurance law relating to catastrophic or reinsurance coverage issued to certain small groups, as amended by chapter 202 of the laws of 2019, is amended to read as follows:

§ 5. This act shall take effect on the same date and in the same manner as [~~a~~] chapter [~~of the laws of 2015 amending the insurance law relating to catastrophic or reinsurance coverage issued to certain small groups, as proposed in legislative bills numbers S.5928-A and A.8134-A~~] **588 of the laws of 2015**, takes effect and shall be deemed repealed [~~six~~] **seven** years thereafter.

§ 2. Section 5 of chapter 588 of the laws of 2015, amending the insurance law relating to catastrophic or reinsurance coverage issued to certain small groups, as amended by chapter 202 of the laws of 2019, is amended to read as follows:

§ 5. This act shall take effect immediately; and shall be deemed repealed [~~6~~] **7** years after it shall have become a law.

§ 3. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, or item of this subpart 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 item thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

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

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, item, subpart 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, item, subpart or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

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

PART YYY

Section 1. Subdivision 12 of section 201 of the vehicle and traffic law, as added by chapter 37 of the laws of 2019, is amended to read as follows:

12. (a) Except as required for the commissioner to issue or renew a driver's license or learner's permit that meets federal standards for identification, **as necessary for an individual seeking acceptance into a trusted traveler program, or to facilitate vehicle imports and/or exports,** the commissioner, and any agent or employee of the commissioner, shall not disclose or make accessible in any manner records or information that he or she maintains, to any agency that primarily enforces immigration law or to any employee or agent of such agency, unless the commissioner is presented with a lawful court order or judicial warrant signed by a judge appointed pursuant to article III of the United States constitution. Upon receiving a request for such records or information from an agency that primarily enforces immigration law, the

commissioner shall, no later than three days after such request, notify the individual about whom such information was requested, informing such individual of the request and the identity of the agency that made such request.

(b) The commissioner shall require any person or entity that receives or has access to records or information from the department to certify to the commissioner, before such receipt or access, that such person or entity shall not (i) use such records or information for civil immigration purposes or (ii) disclose such records or information to any agency that primarily enforces immigration law or to any employee or agent of any such agency unless such disclosure is pursuant to a cooperative arrangement between city, state and federal agencies which arrangement does not enforce immigration law and which disclosure is limited to the specific records or information being sought pursuant to such arrangement. **Violation of such certification shall be a class E felony.** In addition to any records required to be kept pursuant to subdivision (c) of section 2721 of title 18 of the United States code, any person or entity certifying pursuant to this paragraph shall keep for a period of five years records of all uses and identifying each person or entity that primarily enforces immigration law that received department records or information from such certifying person or entity. Such records shall be maintained in a manner and form prescribed by the commissioner and shall be available for inspection by the commissioner or his or her designee upon his or her request.

(c) For purposes of this subdivision, the term "agency that primarily enforces immigration law" shall include, but not be limited to, United States immigration and customs enforcement and United States customs and border protection, and any successor agencies having similar duties. **Failure to maintain records as required by this subdivision shall be a class E felony.**

§ 2. This act shall take effect immediately.

PART ZZZ

Section 1. The article heading of article 14 of the election law is amended to read as follows:

CAMPAIGN RECEIPTS AND EXPENDITURES**;**
PUBLIC FINANCING

§ 2. Sections 14-100 through 14-132 of the election law are designated title I and a new title heading is added to read as follows:

CAMPAIGN RECEIPTS AND EXPENDITURES

§ 3. Subdivision 1 of section 14-114 of the election law, as amended by chapter 79 of the laws of 1992 and paragraphs a and b as amended by chapter 659 of the laws of 1994, is amended to read as follows:

1. The following limitations apply to all contributions to candidates for election to any public office or for nomination for any such office, or for election to any party positions, and to all contributions to political committees working directly or indirectly with any candidate to aid or participate in such candidate's nomination or election, other than any contributions to any party committee or constituted committee:

a. In any election for a public office to be voted on by the voters of the entire state, or for nomination to any such office, no contributor may make a contribution to any candidate or political committee, **participating in the state's public campaign financing system pursuant to title two of this article** and no **such** candidate or political committee may accept any contribution from any contributor, which is in the aggre-

gate amount greater than[~~: (i) in the case of any nomination to public office, the product of the total number of enrolled voters in the candidate's party in the state, excluding voters in inactive status, multiplied by $.005, but such amount shall be not less than four thousand dollars nor more than twelve~~] **eighteen** thousand dollars [~~as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision, and (ii) in the case of any election to a public office, twenty-five thousand dollars as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision~~] **divided equally among the primary and general election in an election cycle**; provided however, that the maximum amount which may be so contributed or accepted, in the aggregate, from any candidate's child, parent, grandparent, brother and sister, and the spouse of any such persons, shall not exceed in the case of any nomination to public office an amount equivalent to the product of the number of enrolled voters in the candidate's party in the state, excluding voters in inactive status, multiplied by $.025, and in the case of any election for a public office, an amount equivalent to the product of the number of registered voters in the state excluding voters in inactive status, multiplied by $.025.

b. In any other election for party position or for election to a public office or for nomination for any such office, no contributor may make a contribution to any candidate or political committee **participating in the state's public campaign financing system pursuant to title two of this article** and no **such** candidate or political committee may accept any contribution from any contributor, which is in the aggregate amount greater than election for party position, or for nomination to public office, the product of the total number of enrolled voters in the candidate's party in the district in which he is a candidate, excluding voters in inactive status, multiplied by $.05, and (ii) in the case of any election for a public office, the product of the total number of registered voters in the district, excluding voters in inactive status, multiplied by $.05, however in the case of a nomination within the city of New York for the office of mayor, public advocate or comptroller, such amount shall be not less than four thousand dollars nor more than twelve thousand dollars as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision; in the case of an election within the city of New York for the office of mayor, public advocate or comptroller, twenty-five thousand dollars as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision; in the case of a nomination **or election** for state senator, [~~four~~] **ten** thousand dollars [~~as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision; in the case of an election for state senator, six thousand two hundred fifty dollars as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision~~]**, divided equally among the primary and general election in an election cycle**; in the case of an election or nomination for a member of the assembly, [~~twenty-five hundred~~] **six thousand** dollars [~~as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision; but in no event shall any such maximum exceed fifty thousand dollars or be less than one thousand dollars~~]**, divided equally among the primary and general election in an election cycle**; provided however, that the maximum amount which may be so contributed or accepted, in the aggregate, from any candidate's child, parent, grandparent, brother and sister, and the spouse of any such persons, shall not exceed in the case of any election

for party position or nomination for public office an amount equivalent to the number of enrolled voters in the candidate's party in the district in which he is a candidate, excluding voters in inactive status, multiplied by $.25 and in the case of any election to public office, an amount equivalent to the number of registered voters in the district, excluding voters in inactive status, multiplied by $.25; or twelve hundred fifty dollars, whichever is greater, or in the case of a nomination or election of a state senator, twenty thousand dollars, whichever is greater, or in the case of a nomination or election of a member of the assembly twelve thousand five hundred dollars, whichever is greater, but in no event shall any such maximum exceed one hundred thousand dollars.

c. **In any election for a public office to be voted on by the voters of the entire state, or for nomination to any such office, no contributor may make a contribution to any candidate or political committee in connection with a candidate who is not a participating candidate as defined in subdivision fourteen of section 14-200-a of this article, and no such candidate or political committee may accept any contribution from any contributor, which is in the aggregate amount greater than eighteen thousand dollars, divided equally among the primary and general election in an election cycle; provided however, that the maximum amount which may be so contributed or accepted, in the aggregate, from any candidate's child, parent, grandparent, brother and sister, and the spouse of any such persons, shall not exceed in the case of any nomination to public office an amount equivalent to the product of the number of enrolled voters in the candidate's party in the state, excluding voters in inactive status, multiplied by $.025, and in the case of any election for a public office, an amount equivalent to the product of the number of registered voters in the state, excluding voters in inactive status, multiplied by $.025.**

d. In any nomination or election of a candidate who is not a participating candidate for state senator, ten thousand dollars, divided equally among the primary and general election in an election cycle; in the case of an election or nomination for a member of the assembly, six thousand dollars, divided equally among the primary and general election in an election cycle.

e.(1) At the beginning of each fourth calendar year, commencing in nineteen hundred ninety-five, the state board shall determine the percentage of the difference between the most recent available monthly consumer price index for all urban consumers published by the United States bureau of labor statistics and such consumer price index published for the same month four years previously. The amount of each contribution limit fixed in this subdivision shall be adjusted by the amount of such percentage difference to the closest one hundred dollars by the state board which, not later than the first day of February in each such year, shall issue a regulation publishing the amount of each such contribution limit. Each contribution limit as so adjusted shall be the contribution limit in effect for any election held before the next such adjustment.

(2) Provided, however, that such adjustments shall not occur for candidates seeking statewide office, or the position of state senator or member of the assembly, whether such candidate does or does not participate in the public finance program established pursuant to title two of this article.

f. Notwithstanding any other contribution limit in this section, participating candidates as defined in subdivision fourteen of section

14-200-a of this article may contribute, out of their own money, three times the applicable contribution limit to their own authorized committee.

§ 4. Article 14 of the election law is amended by adding a new title II to read as follows:

TITLE II

PUBLIC FINANCING

Section 14-200. Legislative findings and intent.
14-200-a. Definitions.
14-201. Political committee registration.
14-202. Proof of compliance.
14-203. Eligibility.
14-204. Limits on public financing.
14-205. Payment of public matching funds.
14-206. Use of public matching funds; qualified campaign expenditures.
14-207. Composition, powers, and duties of the public campaign finance board.
14-208. Audits and repayments.
14-209. Enforcement and penalties for violations and other proceedings.
14-210. Reports.
14-211. Debates for candidates for statewide office.
14-212. Severability.

§ 14-200. Legislative findings and intent. The legislature finds that reform of New York state's campaign finance system is crucial to improving public confidence in the state's democratic processes and continuing to ensure a government that is accountable to all of the voters of the state regardless of wealth or position. The legislature finds that New York's current system of campaign finance, with its large contributions to candidates for office and party committees, has created the potential for and the appearance of corruption. The legislature further finds that, whether or not this system creates actual corruption, the appearance of such corruption can give rise to a distrust in government and citizen apathy that undermines the democratic operation of the political process.

The legislature also finds that the high cost of running for office in New York discourages qualified candidates from running for office and creates an electoral system that encourages candidates to spend too much time raising money rather than attending to the duties of their office, representing the needs of their constituents, and communicating with voters.

The legislature amends this article creating a new title to this article to reduce the possibility and appearance that special interests exercise undue influence over state officials; to increase the actual and apparent responsiveness of elected officials to all voters; to encourage qualified candidates to run for office; and to reduce the pressure on candidates to spend large amounts of time raising large contributions for their campaigns.

The legislature also finds that the system of voluntary public financing furthers the government's interest in encouraging qualified candidates to run for office. The legislature finds that the voluntary public funding program will enlarge the public debate and increase participation in the democratic process. In addition, the legislature finds that the voluntary expenditure limitations and matching fund program

reduce the burden on candidates and officeholders to spend time raising money for their campaigns.

Therefore, the legislature declares that these amendments further the important and valid government interests of reducing voter apathy, building confidence in government, reducing the reality and appearance of corruption, and encouraging qualified candidates to run for office, while reducing candidates' and officeholders' fundraising burdens.

§ 14-200-a. Definitions. For the purposes of this title, the following terms shall have the following meanings:

1. "authorized committee" means the single political committee designated by a candidate pursuant to these recommendations to receive contributions and make expenditures in support of the candidate's campaign for such election.

2. "PCFB" means the public campaign finance board established in this title, unless otherwise specified.

3. "contribution" shall have the same meaning as appears in subdivision nine of section 14-100 of this article.

4. "contributor" means any person or entity that makes a contribution.

5. "covered election" means any primary, general, or special election for nomination for election, or election, to the office of governor, lieutenant governor, attorney general, state comptroller, state senator, or member of the assembly.

6. "election cycle" means the two-year period starting the day after the last general election for candidates for the state legislature and shall mean the four-year period starting after the day after the last general election for candidates for statewide office.

7. "expenditure" means any gift, subscription, advance, payment, or deposit of money, or anything of value, or a contract to make any gift, subscription, payment, or deposit of money, or anything of value, made in connection with the nomination for election, or election, of any candidate. Expenditures made by contract are deemed made when such funds are obligated.

8. "fund" means the New York state campaign finance fund established pursuant to section ninety-two-t of the state finance law.

9. "immediate family" means a spouse, domestic partner, child, sibling, or parent.

10. "item with significant intrinsic and enduring value" means any item, including tickets to an event, that are valued at twenty-five dollars or more.

11. (a) "matchable contribution" means a contribution not less than five dollars and not more than two hundred fifty dollars, for a candidate for public office to be voted on by the voters of the entire state or for nomination to any such office, a contribution for any covered elections held in the same election cycle, made by a natural person who is a resident in the state of New York to a participating candidate, and for a candidate for election to the state assembly or state senate or for nomination to any such office, a contribution for any covered elections held in the same election cycle, made by a natural person who is also a resident of such state assembly or state senate district from which such candidate is seeking nomination or election, that has been reported in full to the PCFB in accordance with sections 14-102 and 14-104 of this article by the candidate's authorized committee and has been contributed on or before the day of the applicable primary, general, runoff, or special election. Any contribution, contributions, or a portion of a contribution determined to be invalid for matching funds by the PCFB may not be treated as a matchable contribution for any purpose.

(b) The following contributions are not matchable:
(i) loans;
(ii) in-kind contributions of property, goods, or services;
(iii) contributions in the form of the purchase price paid for an item with significant intrinsic and enduring value;
(iv) transfers from a party or constituted committee;
(v) anonymous contributions;
(vi) contributions whose source is not itemized as required by these recommendations;
(vii) contributions gathered during a previous election cycle;
(viii) illegal contributions;
(ix) contributions from minors;
(x) contributions from vendors for campaigns hired by the candidate for such election cycle;
(xi) contributions from lobbyists registered pursuant to subdivision
(a) of section one-c of the legislative law; and
(xii) any portion of a contribution when the aggregate contributions are in excess of two hundred fifty dollars from any one contributor to such participating candidate for nomination or election.

13. "nonparticipating candidate" means a candidate for a covered election who fails to file a written certification in the form of an affidavit pursuant to these recommendation by the applicable deadline.

14. "participating candidate" means any candidate for nomination for election, or election, to the office of governor, lieutenant governor, attorney general, state comptroller, state senator, or member of the assembly, who files a written certification in the form determined by the PCFB.

15. "post-election period" means the period following an election when a candidate is subject to an audit.

16. "qualified campaign expenditure" means an expenditure for which public matching funds may be used.

17. "threshold for eligibility" means the amount of matchable contributions that a candidate's authorized committee must receive in total in order for such candidate to qualify for voluntary public financing under this title.

18. "transfer" means any exchange of funds between a party or constituted committee and a candidate or any of his or her authorized committees.

19. "surplus" means those funds where the total sum of contributions received and public matchable funds received by a participating candidate and his or her authorized committee exceeds the total campaign expenditures of such candidate and authorized committee for all covered elections held in the same calendar year or for a special election to fill a vacancy.

§ 14-201. Political committee registration. 1. Political committees, as defined pursuant to subdivision one of section 14-100 of this article, shall register with the state board of elections before making any contribution or expenditure. The state board of elections shall publish a cumulative list of political committees that have registered, including on its webpage, and regularly update it.

2. Only one authorized committee per candidate per elective office sought. Before receiving any contribution or making any expenditure for a covered election, each candidate shall notify the PCFB as to the existence of his or her authorized committee that has been approved by such candidate. Each candidate shall have one and only one authorized

committee per elective office sought. Each authorized committee shall have a treasurer.

3. (a) In addition to each authorized and political committee reporting to the PCFB every contribution and loan received and every expenditure made in the time and manner prescribed by sections 14-102, 14-104, and 14-108 of this article, each authorized and political committee for participating candidates shall also submit disclosure reports on March fifteenth of each election year reporting to the PCFB every contribution and loan received and every expenditure made. For contributors who make aggregate contributions of one hundred dollars or more, each authorized and political committee shall report to the PCFB the occupation and business address of each contributor and lender. The PCFB shall revise, prepare, and post forms on its webpage that facilitate compliance with the requirements of this section.

(b) The PCFB shall review each disclosure report filed and shall inform authorized and political committees of relevant questions it has concerning: (i) compliance with requirements of this title and of the rules issued by the PCFB, and (ii) qualification for receiving public matching funds pursuant to this title. In the course of this review, it shall give authorized and political committees an opportunity to respond to and correct potential violations and give candidates an opportunity to address questions it has concerning their matchable contribution claims or other issues concerning eligibility for receiving public matching funds pursuant to this title.

(c) Contributions that are not itemized in reports filed with the PCFB shall not be matchable.

(d) Participating candidates may file reports of contributions as frequently as once a week on Monday so that their matching funds may be paid at the earliest allowable date.

§ 14-202. Proof of compliance. Authorized and political committees shall maintain such records of receipts and expenditures for a covered election as required by the PCFB. Authorized and political committees shall obtain and furnish to the PCFB any information it may request relating to financial transactions or contributions and furnish such documentation and other proof of compliance with this title as may be requested. In compliance with section 14-108 of this article, authorized and political committees shall maintain copies of such records for a period of five years.

§ 14-203. Eligibility. 1. Terms and conditions. To be eligible for voluntary public financing under this title, a candidate must:

(a) be a candidate in a covered election;

(b) meet all the requirements of law to have his or her name on the ballot, subject to the requirements of subdivision three of section 1-104 and subdivision one of section 6-142 of this chapter;

(c) in the case of a covered general or special election, be opposed by another candidate on the ballot who is not a write-in candidate;

(d) submit a certification in the form of an affidavit, in such form as may be prescribed by the PCFB, that sets forth his or her acceptance of and agreement to comply with the terms and conditions for the provision of such funds in each covered election and such certification shall be submitted at least four months before a primary election and on the last day in which a certification of nomination is filed in a special election pursuant to a schedule promulgated by the PCFB;

(e) be certified as a participating candidate by the PCFB;

(f) not make, and not have made, expenditures from or use his or her personal funds or property or the personal funds or property jointly

held with his or her spouse, or unemancipated children in connection with his or her nomination for election or election to a covered office, but may make a contribution to his or her authorized committee in an amount that does not exceed three times the applicable contribution limit from an individual contributor to candidates for the office that he or she is seeking;

(g) meet the threshold for eligibility set forth in subdivision two of this section;

(h) continue to abide by all requirements during the post-election period; and

(i) not have accepted contributions in amounts exceeding the contribution limits set forth for candidates in paragraphs a and b of subdivision one of section 14-114 of this article during the election cycle for which the candidate seeks certification;

(i) Provided however, that, if a candidate accepted contributions exceeding such limits, such acceptance shall not prevent the candidate from being certified by the PCFB if the candidate in a reasonable time, as determined by rule, pays to the fund or returns to the contributor the portion of any contribution that exceeded the applicable contribution limit.

(ii) If the candidate is unable to return such funds in a reasonable time, as determined by rule, because they have already been spent, acceptance of contributions exceeding the limits shall not prevent the candidate from being certified by the PCFB if the candidate submits an affidavit agreeing to pay to the fund all portions of any contributions that exceeded the limit no later than thirty days before the general election. If a candidate provides the PCFB with such an affidavit, any disbursement of public funds to the candidate shall be reduced by no more than twenty-five percent until the total amount owed by the candidate is repaid.

(iii) Nothing in this section shall be interpreted to require a candidate who retains funds raised during any previous election cycle to forfeit such funds. Funds raised during a previous election cycle may be retained and used by the candidate for the candidate's campaign in the next election cycle but funds shall not qualify for satisfying the threshold for participating in the public campaign finance program established in this title nor shall they be eligible to be matched. The PCFB shall adopt regulations to ensure that contributions that would satisfy the applicable contribution limits authorized in this title shall be transferred into the appropriate campaign account.

(iv) Contributions received and expenditures made by the candidate or an authorized committee of the candidate prior to the effective date of this title shall not constitute a violation of this title. Unexpended contributions shall be treated the same as campaign surpluses under subparagraph (iii) of this paragraph. Nothing in this recommendation shall be construed to limit, in any way, any candidate or public official from expending any portion of pre-existing campaign funds for any lawful purpose other than those related to his or her campaign.

(v) A candidate who has raised matchable contributions but, in the case of a covered primary, general or special election, is not opposed by another candidate on the ballot who is not a write-in candidate, or who chooses not to accept matchable funds, may retain such contributions and apply them in accord with this title to the candidate's next campaign, should there be one, in the next election cycle.

2. Threshold for eligibility. (a) The threshold for eligibility for public funding for participating candidates shall be in the case of:

(i) governor, not less than five hundred thousand dollars in contributions including at least five thousand matchable contributions shall be counted toward this qualifying threshold;

(ii) lieutenant governor, attorney general and comptroller, not less than one hundred thousand dollars in contributions including at least one thousand matchable contributions shall be counted toward this qualifying threshold;

(iii) state senator, except as otherwise provided in paragraph (c) of this subdivision, not less than twelve thousand dollars in contributions including at least one hundred fifty matchable contributions shall be counted toward this qualifying threshold; and

(iv) member of the assembly, except as otherwise provided in paragraph (c) of this subdivision, not less than six thousand dollars in contributions including at least seventy-five matchable contributions shall be counted toward this qualifying threshold.

(b) However, solely for purposes of achieving the monetary thresholds in paragraph (a) of this subdivision, the first two hundred fifty dollars of any contribution of more than two hundred fifty dollars to a candidate or a candidate's committee which would otherwise be matchable except that it comes from a contributor who has contributed more than two hundred fifty dollars to such candidate or candidate's committee, is deemed to be a matchable contribution and shall count toward satisfying such monetary threshold but shall not otherwise be considered a matchable contribution.

(c) With respect to the minimum dollar threshold for participating candidates for state senate and state assembly, in such districts where average median income ("AMI") is below the AMI as determined by the United States Census Bureau three years before such election for which public funds are sought, such minimum dollar threshold for eligibility shall be reduced by one-third. The PCFB shall make public which districts are subject to such reduction no later than two years before the first primary election for which funding is sought.

(d) Any participating candidate meeting the threshold for eligibility in a primary election for one of the foregoing offices shall be applied to satisfy the threshold for eligibility for such office in any other subsequent election held in the same calendar year. Any participating candidate who is nominated in a primary election and has participated in the public financing program set forth in this title, must participate in the general election for such office.

§ 14-204. Limits on public financing. The following limitations apply to the total amounts of public funds that may be provided to a participating candidate's authorized committee for an election cycle:

1. In any primary election, receipt of public funds by participating candidates and by their participating committees shall not exceed:

(a) for Governor	$3,500,000
(b) for Lieutenant Governor, Attorney General or Comptroller	$3,500,000
(c) for State Senator	$375,000
(d) for Member of the Assembly	$175,000

2. In any general or special election, receipt of public funds by a participating candidate's authorized committees shall not exceed:

(a) for Governor and Lieutenant Governor (combined)	$3,500,000
(b) for Attorney General	$3,500,000
(c) for Comptroller	$3,500,000
(d) for State Senator	$375,000
(e) for Member of the Assembly	$175,000

3. No participating candidate for nomination for an office who is not opposed by a candidate on the ballot in a primary election shall be entitled to payment of public matching funds, except that, where there is a contest in such primary election for the nomination of at least one of the two political parties with the highest and second highest number of enrolled members for such office, a participating candidate who is unopposed in the primary election may receive public funds before the primary election, for expenses incurred on or before the date of such primary election, in an amount equal to up to half the sum set forth in paragraph one of this section.

4. Nothing in this section shall be construed to limit the amount of private funds a candidate may receive subject to the contribution limits contained in section 14-114 of this article. Any contributions so received which are not expended in the general election may be applied to the next covered election for an office for which such candidate seeks nomination or election.

5. A candidate only on the ballot in one or more primary elections in which the number of persons eligible to vote for party nominees in each such election totals fewer than one thousand shall not receive public funds in excess of five thousand dollars for qualified campaign expenditures in such election or elections. For the purposes of this section, the number of persons eligible to vote for party nominees in a primary election shall be as determined by the state board of elections for the calendar year of the primary election. A candidate for office on the ballot in more than one primary for such office, shall be deemed, for purposes of this recommendation, to be a single candidate.

§ 14-205. Payment of public matching funds. 1. Determination of eligibility. No public matching funds shall be paid to an authorized committee unless the PCFB determines that the participating candidate has met the eligibility requirements of this title. Payment shall not exceed the amounts specified in subdivision two of this section, and shall be made only in accordance with the provisions of this title. Such payment may be made only to the participating candidate's authorized committee. No public matching funds shall be used except as reimbursement or payment for qualified campaign expenditures actually and lawfully incurred or to repay loans used to pay qualified campaign expenditures.

2. Calculation of payment. (a) In any election for a public office to be voted on by the voters of the entire state or for nomination to any such office, if the threshold for eligibility is met, the participating candidate's authorized committee shall receive payment for qualified campaign expenditures of six dollars of public matching funds for each one dollar of matchable contributions, obtained and reported to the PCFB in accordance with the provisions of this title. The maximum payment of public matching funds shall be limited to the amounts set forth in this section for the covered election.

(b) In any election for state senate or state assembly or for nomination to any such office, if the threshold for eligibility is met, the participating candidate's authorized committee shall receive payment for qualified campaign expenditures for matchable contributions of eligible private funds per contributor, obtained, and reported to the PCFB herein, of: twelve dollars of public matching funds for each of the first fifty dollars of matchable contributions; nine dollars of public matching funds for each of the next one hundred dollars of public matchable contributions; and eight dollars for the each of the next one hundred dollars of public matchable contributions. The maximum payment of public

matching funds shall be limited to the amounts set forth in this section for the covered election.

3. Timing of payment. The PCFB shall make any payment of public matching funds to participating candidates as soon as is practicable. But in all cases, it shall verify eligibility for public matching funds within four days, excluding weekends and holidays, of receiving a campaign contribution report filed in compliance with section 14-104 of this article. Within two days of determining that a candidate for a covered office is eligible for public matching funds, it shall authorize payment of the applicable matching funds owed to the candidate. The PCFB shall schedule at least three payment dates in the thirty days prior to a covered primary, general, or special election. If any of such payments would require payment on a weekend or federal holiday, payment shall be made on the next business day.

4. Notwithstanding any provision of this section to the contrary, the amount of public funds payable to a participating candidate on the ballot in any covered election shall not exceed one-quarter of the maximum public funds payment otherwise applicable and no participating candidate shall be eligible to receive a disbursement of public funds prior to two weeks after the last day to file designating petitions for a primary election unless the participating candidate is opposed by a competitive candidate. The PCFB shall, by regulation, set forth objective standards to determine whether a candidate is competitive and the procedures for qualifying for the payment of public funds.

5. Electronic funds transfer. The PCFB shall, in consultation with the office of the comptroller, promulgate rules to facilitate electronic funds transfers directly from the campaign finance fund into an authorized committee's bank account.

6. Irregularly scheduled elections. Notwithstanding any other provision of this title, the PCFB shall promulgate rules to provide for the prompt issuance of public matching funds to eligible participating candidates for qualified campaign expenditures in the case of any other covered election held on a day different from the day originally scheduled, including special elections. Provided, however in all cases, the PCFB shall: (a) within four days, excluding weekends and holidays, of receiving a report of contributions from a candidate for a covered office claiming eligibility for public matching funds, verify that candidate's eligibility for public matching funds; and (b) within two days of determining that the candidate for a covered office is eligible for public matching funds, it shall authorize payment of the applicable matching funds owed to the candidate.

§ 14-206. Use of public matching funds; qualified campaign expenditures. 1. Public matching funds provided pursuant to this title may be used only by an authorized committee for expenditures to further the participating candidate's nomination for election or election, including paying for debts incurred within one year prior to an election to further the participating candidate's nomination for election or election.

2. Such public matching funds may not be used for:

(a) an expenditure in violation of any law;

(b) an expenditure in excess of the fair market value of services, materials, facilities, or other things of value received in exchange;

(c) an expenditure made after the candidate has been finally disqualified from the ballot;

(d) an expenditure made after the only remaining opponent of the candidate has been finally disqualified from the general or special election ballot;

(e) an expenditure made by cash payment;

(f) a contribution or loan or transfer made to or expenditure to support another candidate or political committee or party committee or constituted committee;

(g) an expenditure to support or oppose a candidate for an office other than that which the participating candidate seeks;

(h) gifts, except brochures, buttons, signs, tee shirts and other printed campaign material;

(i) legal fees to defend against a criminal charge;

(j) any expenditure made to challenge the validity of any petition of designation or nomination or any certificate of nomination, acceptance, authorization, declination, or substitution;

(k) payments made to the candidate or a spouse, domestic partner, child, grandchild, parent, grandparent, brother or sister of the candidate or spouse or domestic partner of such child, grandchild, parent, grandparent, brother or sister, or to a business entity in which the candidate or any such person has a ten percent or greater ownership interest;

(l) an expenditure made primarily for the purpose of expressly advocating a vote for or against a ballot proposal, other than expenditures made also to further the participating candidate's nomination for election or election;

(m) payment of any settlement, penalty or fine imposed pursuant to federal, state or local law;

(n) payments made through advances, except in the case of individual purchases less than two hundred fifty dollars; or

(o) expenditures to facilitate, support, or otherwise assist in the execution or performance of the duties of public office.

§ 14-207. Composition, powers, and duties of the public campaign finance board. 1. There shall be a public campaign finance board within the state board of elections that shall be comprised of the following commissioners: the four state board of elections commissioners and three additional commissioners, one jointly appointed by the legislative leaders of one major political party in each house of the legislature, one jointly appointed by the legislative leaders of the other major political party in each house of the legislature, and one of whom shall be appointed by the governor. Each commissioner must be a New York state resident and registered voter, and may not currently be, or within the previous five years have been, an officer of a political party or political committee as defined in the election law, or a registered lobbyist. The chair of the PCFB shall be designated by the PCFB from among the three additional commissioners. Each of the three additional commissioners shall receive a per diem of three hundred fifty dollars for work actually performed not to exceed twenty-five thousand dollars in any one calendar year. They shall be considered public officers for purposes of sections seventy-three-a and seventy-four of the public officers law. The three commissioners so appointed pursuant to this recommendation will be appointed for a term of five years to commence on July first, two thousand twenty and may be removed by his or her appointing authority solely for substantial neglect of duty, gross misconduct in office, inability to discharge the power or duties of office, after written notice and opportunity to be heard. During the period of his or her term as a commissioner appointed hereunder, each such commissioner is barred

from making, or soliciting from other persons, any contributions to candidates for election to the offices of governor, lieutenant governor, attorney general, comptroller, member of the assembly, or state senator. Any vacancy occurring on the PCFB shall be filled within thirty days of its occurrence in the same manner as the member whose vacancy is being filled was appointed. A person appointed to fill a vacancy occurring other than by expiration of a term of office shall be appointed for the unexpired term of the member he or she succeeds. Four members of the PCFB shall constitute a quorum, and the PCFB shall have the power to act by majority vote of the total number of members of the commission without vacancy. All members of the PCFB shall be appointed no later than the first day of July, two thousand twenty and the PCFB shall promulgate such regulations as are needed no later than the first day of July, two thousand twenty-one.

2. The PCFB and state board of elections may utilize existing state board of elections staff and hire such other staff as are necessary to carry out its duties. It may expand its staffing, as needed, to provide additional candidate liaisons to assist candidates in complying with the terms of this public campaign finance system as provided for in these recommendations, as well as auditors, trainers, attorneys, technical staff and other such staff as the PCFB determines is necessary to administer this system. Annually, on or before the first of every year, the PCFB shall submit to the governor and the division of the budget a request for appropriations for the next state fiscal year to fully support the administration of the public campaign finance program established in this title.

3. The PCFB shall develop a program for informing candidates and the public as to the purpose and effect of the provisions of this title, including by means of a webpage. The PCFB shall prepare in plain language and make available educational materials, including compliance manuals and summaries and explanations of the purposes and provisions of this title. The PCFB shall provide compliance counseling and guidance to candidates seeking to participate in public financing as provided for in this title, as well as to such candidates who participate. The PCFB shall prepare or have prepared and make available materials, including, to the extent feasible, computer software, to facilitate the task of compliance with the disclosure and record keeping requirements of this title.

4. The PCFB shall have the authority to promulgate such rules and regulations and provide such forms as it deems necessary for the administration of this title.

5. The PCFB shall provide an interactive, searchable computer database that shall contain all information necessary for the proper administration of this title, including information on contributions to and expenditures by candidates and their authorized committees, independent expenditures in support or opposition of candidates for covered offices, and distributions of moneys from the fund. Such database shall be accessible to the public on the PCFB's webpage.

6. Any advice provided by PCFB staff to a participating or non participating candidate with regard to an action shall be presumptive evidence that such action, if taken in reliance on such advice, should not be subject to a penalty or repayment obligation where such candidate or such candidate's committee has confirmed such advice in writing to such PCFB staff by registered or certified mail to the correct address, or by electronic or facsimile transmission with evidence of receipt, describing the action to be taken pursuant to the advice given and the PCFB or

its staff has not responded to such written confirmation within seven business days disavowing or altering such advice, provided that the PCFB's response shall be by registered or certified mail to the correct address, or by electronic or facsimile transmission with evidence of receipt.

7. The PCFB and its proceedings shall be subject to articles six and seven of the public officers law.

8. Notwithstanding any other provision of law including, but not limited to, subdivision one of section 3-104 of this chapter, the PCFB shall have sole authority to investigate all referrals and complaints relating to the administration of the program established hereunder and violations of any of its provisions, and it shall have sole authority to administer the program established in this title and to enforce such provisions of this program except as otherwise provided in this title.

9. The PCFB may take such other actions as are necessary and proper to carry out the purposes of this recommendation.

§ 14-208. Audits and repayments. 1. Audits. (a) The PCFB shall audit and examine all matters relating to the proper administration of this title and shall complete all such audits no later than one and one-half years after the election in question. This deadline shall not apply in cases involving potential campaign-related fraud, knowing and willful violations of this article, or criminal activity.

(b) Every participating candidate for statewide office who receives public funds as provided in this title, and every candidate for any other office who receives five hundred thousand dollars or greater in public funds as provided in this title, shall be audited by the PCFB along with all other candidates in each such race. Such audits shall be completed within one and one-half years of the election in question.

(c) Except as provided in paragraph (b) of this subdivision, the PCFB shall select not more than one-third of all participating candidates in covered elections for audit through a lottery which shall be completed within one year of the election in question. A separate lottery shall be conducted for each office. The PCFB shall select senate and assembly districts to be audited, auditing every candidate in each selected district, while ensuring that the number of audited candidates within those districts does not exceed fifty percent of all participating candidates for the relevant office. The lottery for senate and assembly elections shall be weighted to increase the likelihood that a district for the relevant office is audited based on how frequently it has not been selected for auditing during the past three election cycles. The PCFB shall promulgate rules concerning the method of weighting the senate and assembly lotteries, including provisions for the first three election cycles for each office.

(d) The cost of complying with a post-election audit shall be borne by the candidate's authorized committee using public funds, private funds, or any combination of such funds. Candidates who run in any primary or general election must maintain a reserve of three percent of the public funds received to comply with the post-election audit.

(e) The PCFB shall issue to each campaign audited a final audit report that details its findings.

2. Repayments. (a) If the PCFB determines that any portion of the payment made to a candidate's authorized committee from the fund was in excess of the aggregate amount of payments that such candidate was eligible to receive pursuant to this title, it shall notify such committee and such committee shall pay to the PCFB an amount equal to the amount of excess payments. Such committee shall first utilize the

surplus for repayment of such sums and then such other funds as it may have. Provided, however, that if the erroneous payment was the result of an error by the PCFB, then the erroneous payment will be deducted from any future payment, if any, and if no future payment is to be made then neither the candidate nor the committee shall be liable to repay the excess amount to the PCFB. The candidate and the candidate's authorized committee are jointly and severally liable for any repayments to the PCFB.

(b) If the PCFB determines that any portion of the payment made to a candidate's authorized committee from the fund was used for purposes other than qualified campaign expenditures and such expenditures were not approved by the PCFB, it shall notify such committee of the amount so disqualified and such committee shall pay to the PCFB an amount equal to such disqualified amount. The candidate, the treasurer, and the candidate's authorized committee are jointly and severally liable for any repayments to the PCFB.

(c) If the total sum of contributions received and public matching payments from the fund received by a participating candidate and his or her authorized committee exceed the total campaign expenditures of such candidate and authorized committee for all covered elections held in the same calendar year or for a special election to fill a vacancy, such candidate and committee shall use such surplus funds to reimburse the fund for payments received by such authorized committee from the fund during such calendar year or for such special election. Participating candidates shall make such payments not later than twenty-seven days after all liabilities for the election have been paid and in any event, not later than the day on which the PCFB issues its final audit report for the participating candidate's authorized committee; provided, however, that all unspent public campaign funds for a participating candidate shall be immediately due and payable to the PCFB upon a determination by the PCFB that the participant has delayed the post-election audit. A participating candidate may make post-election expenditures with public funds only for routine activities involving nominal cost associated with winding up a campaign and responding to the post-election audit. Nothing in this title shall be construed to prevent a candidate or his or her authorized committee from using campaign contributions received from private contributors for otherwise lawful expenditures.

3. Rules and regulations. (a) The PCFB shall promulgate regulations for the certification of the amount of funds payable by the comptroller from the fund established pursuant to section ninety-two-t of the state finance law, to a participating candidate that has qualified to receive such payment. These regulations shall include the promulgation and distribution of forms on which contributions and expenditures are to be reported, the periods during which such reports must be filed, and the verification required. The PCFB shall institute procedures which will make possible payment by the fund within four business days after receipt of the required forms and verifications.

(b) All rules and regulations promulgated pursuant to this recommendation shall be promulgated pursuant to the state administrative procedure act. The PCFB's determinations pursuant to such regulations and these recommendations shall be deemed final.

§ 14-209. Enforcement and penalties for violations and other proceedings. 1. Civil penalties. Violations of any provisions regarding public campaign financing stated in this title or regulation promulgated pursuant to this title shall be subject to a civil penalty in an amount not in excess of fifteen thousand dollars and such other lesser fines as

the PCFB may promulgate in regulation. Candidates may contest alleged failures to file, late reports and reports with noticed deficiencies and have an opportunity to be heard by the PCFB. The PCFB shall promulgate a regulation setting forth a schedule of fines for such infractions including those that it may assess directly on violators. The PCFB shall investigate referrals and complaints. After investigation, it may recommend dismissal, settlement, civil action, or referral to law enforcement. The PCFB may assess penalties and it is authorized to commence a civil action in court to enforce all penalties and recover money due.

2. Notice of violation and opportunity to be heard. The PCFB shall:

(a) determine whether a violation of any provision of this title or regulation promulgated hereunder has been committed;

(b) serve written notice upon each person or entity it has reason to believe has committed a violation and such written notice shall describe with particularity the nature of the alleged violation including a written reference to a specific law or regulation alleged to have been violated;

(c) provide such person or entity an opportunity to be heard pursuant to the state administrative procedure act and any regulations of the PCFB; and

(d) if appropriate, assess penalties for violations, following such notice and opportunity to be heard.

3. Criminal conduct. Any person who knowingly and willfully furnishes or submits false statements or information to the PCFB in connection with its administration of this title shall be guilty of a misdemeanor in addition to any other penalty as may be imposed under this chapter or pursuant to any other law. The attorney general, upon referral from the PCFB, shall have exclusive authority to prosecute any such criminal violation. The PCFB shall seek to recover any public matching funds obtained as a result of such criminal conduct.

4. Court proceedings. Proceedings as to public financing brought under this title shall have preference over all other causes in all courts.

(a) The determination of eligibility pursuant to this title and any question or issue relating to payments for campaign expenditures pursuant to this title may be contested in a proceeding instituted in the Supreme Court, Albany county by any aggrieved candidate.

(b) A proceeding with respect to such a determination of eligibility or payment for qualified campaign expenditures pursuant to this chapter shall be instituted within fourteen days after such determination was made. The PCFB shall be made a party to any such proceeding.

(c) Upon the PCFB's failure to receive the amount due from a participating candidate or such candidate's authorized committee after the issuance of written notice of such amount due, as required by this title, the PCFB is authorized to institute a special proceeding or civil action in Supreme Court, Albany county to obtain a judgment for any amounts determined to be payable to the PCFB as a result of an examination and audit made pursuant to this title or to obtain such amounts directly from the candidate or authorized committee after a hearing at the PCFB.

(d) The PCFB shall settle or, in its sole discretion, institute a special proceeding or civil action in Supreme Court, Albany county to obtain a judgment for civil penalties determined to be payable to the PCFB pursuant to this title or to impose such penalty directly after a hearing at the PCFB.

§ 14-210. Reports. The PCFB shall review and evaluate the effect of this title upon the conduct of election campaigns and shall submit a report to the legislature on or before January first, two thousand twenty-five and every second year thereafter, and at any other time upon the request of the governor and at such other times as the PCFB deems appropriate. These reports shall include:

1. a list of the participating and nonparticipating candidates in covered elections and the votes received by each candidate in those elections;

2. the amount of contributions and loans received, and expenditures made on behalf of these candidates;

3. the amount of public matching funds each participating candidate received, spent, and repaid pursuant to this program;

4. analysis of the effect of this title on political campaigns, including its effect on the sources and amounts of private financing, the level of campaign expenditures, voter participation, the number of candidates, the candidates' ability to campaign effectively for public office, and the diversity of candidates seeking and elected to office; and

5. recommendations for further legislative and regulatory enactments, including changes in contribution limits, thresholds for eligibility, and any other features of the system.

§ 14-211. Debates for candidates for statewide office. The PCFB shall promulgate regulations to facilitate debates among participating candidates who seek election to statewide office. Participating candidates are required to participate in one debate before each election for which the candidate receives public funds, unless the participating candidate is running unopposed. Nonparticipating candidates may participate in such debates.

§ 14-212. Severability. If any clause, sentence, or other portion of paragraph (c) of subdivision two of section 14-203 of this title be adjudged by any court of competent jurisdiction to be invalid, then subparagraphs (iii) and (iv) of paragraph (a) of subdivision two of section 14-203 of this title shall read as follows:

(iii) state senator, except as otherwise provided in paragraph (c) of this subdivision, not less than ten thousand dollars in matchable contributions including at least one hundred and fifty matchable contributions in an amount greater than five dollars and no greater than the limits in this chapter, of which the first two hundred fifty dollars shall be counted toward this qualifying threshold; and

(iv) member of the assembly, except as otherwise provided in paragraph (c) of this subdivision, not less than five thousand dollars in matchable contributions including at least seventy-five matchable contributions in an amount greater than five dollars and no greater than the limits in this chapter, of which the first two hundred fifty dollars shall be counted toward this qualifying threshold.

§ 5. The state finance law is amended by adding a new section 92-t to read as follows:

§ 92-t. New York state campaign finance 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 New York state campaign finance fund.

2. Such fund shall consist of all revenues received from the New York state campaign finance fund check-off pursuant to section six hundred thirty-h of the tax law, from the abandoned property fund pursuant to section ninety-five of this article, from the general fund, and from all

other moneys credited or transferred thereto from any other fund or source pursuant to law. Such fund shall also receive contributions from private individuals, organizations, or other persons to fulfill the purposes of the public financing system.

3. Moneys of the fund, following appropriation by the legislature, may be expended for the purposes of making payments to candidates pursuant to title two of article fourteen of the election law and for administrative expenses related to the implementation of article fourteen of the election law. Moneys shall be paid out of the fund by the state comptroller on vouchers certified or approved by the state board of elections, or its duly designated representative, in the manner prescribed by law, not more than five working days after such voucher is received by the state comptroller.

4. Notwithstanding any provision of law to the contrary, if, in any state fiscal year, the state campaign finance fund lacks the amount of money to pay all claims vouchered by eligible candidates and certified or approved by the state board of elections, any such deficiency shall be paid by the state comptroller, from funds deposited in the general fund of the state not more than four working days after such voucher is received by the state comptroller.

5. Commencing in two thousand twenty-five, if the surplus in the fund on April first of the year after a year in which a governor is elected exceeds twenty-five percent of the disbursements from the fund over the previous four years, the excess shall revert to the general fund of the state.

6. No public funds shall be paid to any participating candidates in a primary election any earlier than thirty days after designating petitions or certificates of nomination have been filed and not later than thirty days after such primary election.

7. No public funds shall be paid to any participating candidates in a general election any earlier than the day after the day of the primary election held to nominate candidates for such election.

8. No public funds shall be paid to any participating candidates in a special election any earlier than the day after the last day to file certificates of party nomination for such special election.

9. No public funds shall be paid to any participating candidate who has been disqualified or whose designating petitions have been declared invalid by the appropriate board of elections or a court of competent jurisdiction until and unless such finding is reversed by a higher court in a final judgment. No payment from the fund in the possession of such a candidate or such candidate's participating committee on the date of such disqualification or invalidation may thereafter be expended for any purpose except the payment of liabilities incurred before such date. All such moneys shall be repaid to the fund.

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

5. (a) As often as necessary, the co-chairs of the state board of elections shall certify the amount such co-chairs have determined necessary to fund estimated payments from the fund established by section ninety-two-t of this article for the primary, general or special election.

(b) Notwithstanding any provision of this section authorizing the transfer of any moneys in the abandoned property fund to the general fund, the comptroller, after receiving amounts sufficient to pay claims against the abandoned property fund, shall, based upon a certification of the state board of elections pursuant to paragraph (a) of this subdi-

vision, and at the direction of the director of the budget, transfer the requested amount from remaining available monies in the abandoned property fund to the campaign finance fund established by section ninety-two-t of this article.

§ 7. The tax law is amended by adding a new section 630-h to read as follows:

§ 630-h. New York state campaign finance fund check-off. (a) For each taxable year beginning on and after January first, two thousand twenty, every resident taxpayer whose New York state income tax liability for the taxable year for which the return is filed is forty dollars or more may designate on such return that forty dollars be paid into the New York state campaign finance fund established by section ninety-two-t of the state finance law. Where a husband and wife file a joint return and have a New York state income tax liability for the taxable year for which the return is filed is eighty dollars or more, or file separate returns on a single form, each such taxpayer may make separate designations on such return of forty dollars to be paid into the New York state campaign finance fund. The contribution shall not reduce the amount of state tax owed by such taxpayer.

(b) Notwithstanding any other provision of law, all revenue contributed pursuant to this section shall be credited to the New York state campaign finance fund, established pursuant to section ninety-two-t of the state finance law.

(c) The commissioner shall include space on the personal income tax return to enable a taxpayer to make such contribution for a tax year beginning on or after January first, two thousand twenty.

§ 8. Paragraph (a) of subdivision 9-A of section 3-102 of the election law, as amended by chapter 406 of the laws of 2005, is amended to read as follows:

(a) develop an electronic reporting system to process the statements of campaign receipts, contributions, transfers and expenditures required to be filed with any board of elections pursuant to the provisions of sections 14-102 [~~and~~], 14-104 and 14-201 of this chapter;

§ 9. Subdivision 1 of section 6-142 of the election law, as amended by chapter 79 of the laws of 1992, is amended to read as follows:

1. An independent nominating petition for candidates to be voted for by all the voters of the state must be signed by at least [~~fifteen~~] forty-five thousand voters, or one percent of the total number of votes, excluding blank and void ballots, cast for the office of governor at the last gubernatorial election, whichever is less, of whom at least [~~one~~] five hundred, or one percent of enrolled voters, whichever is less, shall reside in each of one-half of the congressional districts of the State.

§ 10. Subdivision 3 of section 1-104 of the election law is amended to read as follows:

3. The term "party" means any political organization which [~~at the last preceding election for governor polled at least fifty thousand votes for its candidate for governor~~], excluding blank and void ballots, at the last preceding election for governor received, at least two percent of the total votes cast for its candidate for governor, or one hundred thirty thousand votes, whichever is greater, in the year in which a governor is elected and at least two percent of the total votes cast for its candidate for president, or one hundred thirty thousand votes, whichever is greater, in a year when a president is elected.

§ 11. Severability. The component clauses, sentences, subdivisions, paragraphs, sections, and parts of this law shall be interpreted as

being non-severable from the other components herein. If any clause, sentence, subdivision, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be invalid, such judgment shall invalidate the remainder thereof, and shall not be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 12. This act shall take effect immediately; provided, however that sections one, two, three and four of this act shall take effect on November 9, 2022 and shall apply to participants in the primary and general elections to be held in 2024; and provided further, that the terms and appointments of the members of the public campaign finance board as established by section four of this act, and the final date for regulations to be promulgated by such board, shall take place in accordance with dates as prescribed in section four of this act.

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

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