

# STATE OF NEW YORK

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1505--B

## IN SENATE

January 18, 2019

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

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

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

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

(Part L); intentionally omitted (Part M); intentionally omitted (Part N); to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to the effectiveness thereof; to amend chapter 3 of the laws of 1995, amending the correction law and other laws relating to the incarceration fee, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 62 of the laws of 2011, amending the correction law and the executive law relating to merging the department of correctional services and division of parole into the department of corrections and community supervision, in relation to the effectiveness thereof; to amend chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the

use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the expiration thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 55 of the laws of 2018 amending the criminal procedure law relating to pre-criminal proceeding settlements in the city of New York, in relation to the effectiveness thereof (Part O); intentionally omitted (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); intentionally omitted (Part T); intentionally omitted (Part U); intentionally omitted (Part V); intentionally omitted (Part W); intentionally omitted (Part X); intentionally omitted (Part Y); intentionally omitted (Part Z); intentionally omitted (Part AA); intentionally omitted (Part BB); to amend the workers' compensation law, in relation to extending the board's authority to resolve medical bill disputes and simplify the process (Part CC); intentionally omitted (Part DD); intentionally omitted (Part EE); authorizing the alienation of certain parklands in the town of Hastings, county of Oswego (Part FF); to amend the state finance law, in relation to authorizing use of centralized services by public authorities and public benefit corporations to acquire energy products as centralized services from the office of general services; to amend chapter 410 of the laws of 2009, amending the state finance law relating to authorizing the aggregate purchases of energy for state agencies, institutions, local governments, public authorities and public benefit corporations, in relation to the effectiveness thereof; and to amend part C of chapter 97 of the laws of 2011, amending the state finance law and other laws relating to providing certain centralized service to political subdivisions and extending the authority of the commissioner of general services to aggregate purchases of energy for state agencies and political subdivisions, in relation to the effectiveness thereof (Part GG); to amend the public buildings law, in relation to increasing the maximum contract amount during construction emergencies and regarding bidding for certain contracts; and to amend chapter 674 of the laws of 1993, amending the public buildings law relating to value limitations on contracts, in relation to making such provisions permanent (Part HH); to amend the banking law, in relation to licensing considerations for check cashers (Subpart A); to amend

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

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

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

1 Section 1. This act enacts into law major components of legislation  
2 which are necessary to implement the state fiscal plan for the 2019-2020  
3 state fiscal year. Each component is wholly contained within a Part  
4 identified as Parts A through AAA. The effective date for each partic-  
5 ular provision contained within such Part is set forth in the last  
6 section of such Part. Any provision in any section contained within a  
7 Part, including the effective date of the Part, which makes a reference  
8 to a section "of this act", when used in connection with that particular  
9 component, shall be deemed to mean and refer to the corresponding  
10 section of the Part in which it is found. Section three of this act sets  
11 forth the general effective date of this act.

12 PART A

13 Intentionally Omitted

14 PART B

15 Intentionally Omitted

16 PART C

17 Intentionally Omitted

18 PART D

19 Intentionally Omitted

20 PART E

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

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

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

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

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

§ 3. This act shall take effect immediately.

#### PART F

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

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

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

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

§ 3. This act shall take effect immediately.

#### PART G

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

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

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

§ 2. This act shall take effect immediately.

#### PART H

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. the total amount of revenue realized by such city from such adjudications including a breakdown of revenue realized by such city for each year since deployment of its traffic-control signal photo violation-monitoring system;

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

10. quality of the adjudication process and its results and recommendations on ways such city can improve administration of its demonstration program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

8. the total amount of revenue realized by such county from such adjudications including a breakdown of revenue realized by such county for each year since deployment of its traffic-control signal photo violation-monitoring system;

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

10. quality of the adjudication process and its results and recommendations on ways such county can improve administration of its demonstration program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

8. the total amount of revenue realized by such county from such adjudications including a breakdown of revenue realized by such county for each year since deployment of its traffic-control signal photo violation-monitoring system;

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

10. quality of the adjudication process and its results and recommendations on ways such county can improve administration of its demonstration program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10. quality of the adjudication process and its results and recommendations on ways such city can improve administration of its demonstration program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



10. quality of the adjudication process and its results and recommendations on ways such city can improve administration of its demonstration program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 PART I

41 Intentionally Omitted

42 PART J

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (D) "Owner" means:

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

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

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

24 (iv) a beneficial owner under a trust;

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

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

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

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



increase that would have been paid by the tenant-stockholder during the taxable year above the total property taxes that would have been levied upon the tenant-stockholder's primary residence for the preceding fiscal year that would have been paid by the tenant-stockholder during the preceding taxable year if it were separately assessed, as determined by the commissioner based on the statement provided by the assessor pursuant to subparagraph (ii) of paragraph (k) of subdivision two of section four hundred twenty-five of the real property tax law, or in the case of a cooperative apartment corporation that is described in subparagraph (iv) of paragraph (k) of subdivision two of section four hundred twenty-five of the real property tax law, one third of such amount. In no case shall the term "qualifying taxes" be construed to include penalties, or interest, an increase due to an increase in the tax levy, or an increase in total property taxes based on an assessment increase due to physical improvement or removal or reduction of an exemption on property.

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

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

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

<u>Year Credit</u>	<u>Factor</u>
<u>is Allowed:</u>	

<u>First Year</u>	<u>1.00</u>
<u>Second Year</u>	<u>1.25</u>
<u>Third Year</u>	<u>1.50</u>
<u>Fourth Year</u>	<u>1.75</u>
<u>Fifth Year</u>	<u>1.75</u>

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

<u>Year Credit</u>	<u>Factor</u>
<u>is Allowed:</u>	

<u>Sixth Year</u>	<u>1.00</u>
<u>Seventh Year</u>	<u>0.25</u>

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

(D) a taxpayer who received a preliminary advance payment that constitutes an overpayment shall not be required to pay interest on the amount of the overpayment.

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

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

#### PART K

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

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

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

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

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

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

Economic Development and Public Authorities:

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

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

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

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

Education:

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

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

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

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

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

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

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

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

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

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

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

12. \$44,000,000 from the state university income fund, state university hospitals income reimbursable account (22656) to the general fund for hospital debt service for the period April 1, 2019 through March 31, 2020.

13. \$7,200,000 from the miscellaneous special revenue fund, office of the professions account (22051), to the miscellaneous capital projects fund, office of the professions electronic licensing account (32200).

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

15. \$6,600,000 from any of the state education department's special revenue or internal service funds to the capital projects fund (30000).

Environmental Affairs:

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

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

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

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

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

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

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

8. \$1,800,000 from the miscellaneous special revenue fund, public service account (22011) to the miscellaneous special revenue fund, utility environmental regulatory account (21064).

9. \$500,000 from the general fund to the enterprise fund, state fair account (50051).

10. \$2,200,000 from the miscellaneous special revenue fund, public service account (22011) to the general fund.

11. \$24,000,000 from the general fund to the New York state electric generation facility cessation mitigation fund (\_\_\_\_\_).

1 Family Assistance:

2 1. \$7,000,000 from any of the office of children and family services,  
3 office of temporary and disability assistance, or department of health  
4 special revenue federal funds and the general fund, in accordance with  
5 agreements with social services districts, to the miscellaneous special  
6 revenue fund, office of human resources development state match account  
7 (21967).

8 2. \$4,000,000 from any of the office of children and family services  
9 or office of temporary and disability assistance special revenue federal  
10 funds to the miscellaneous special revenue fund, family preservation and  
11 support services and family violence services account (22082).

12 3. \$18,670,000 from any of the office of children and family services,  
13 office of temporary and disability assistance, or department of health  
14 special revenue federal funds and any other miscellaneous revenues  
15 generated from the operation of office of children and family services  
16 programs to the general fund.

17 4. \$125,000,000 from any of the office of temporary and disability  
18 assistance or department of health special revenue funds to the general  
19 fund.

20 5. \$2,500,000 from any of the office of temporary and disability  
21 assistance special revenue funds to the miscellaneous special revenue  
22 fund, office of temporary and disability assistance program account  
23 (21980).

24 6. \$24,000,000 from any of the office of children and family services,  
25 office of temporary and disability assistance, department of labor, and  
26 department of health special revenue federal funds to the office of  
27 children and family services miscellaneous special revenue fund, multi-  
28 agency training contract account (21989).

29 7. \$205,000,000 from the miscellaneous special revenue fund, youth  
30 facility per diem account (22186), to the general fund.

31 8. \$621,850 from the general fund to the combined gifts, grants, and  
32 bequests fund, WB Hoyt Memorial account (20128).

33 9. \$5,000,000 from the miscellaneous special revenue fund, state  
34 central registry (22028), to the general fund.

35 General Government:

36 1. \$1,566,000 from the miscellaneous special revenue fund, examination  
37 and miscellaneous revenue account (22065) to the general fund.

38 2. \$8,083,000 from the general fund to the health insurance revolving  
39 fund (55300).

40 3. \$292,400,000 from the health insurance reserve receipts fund  
41 (60550) to the general fund.

42 4. \$150,000 from the general fund to the not-for-profit revolving loan  
43 fund (20650).

44 5. \$150,000 from the not-for-profit revolving loan fund (20650) to the  
45 general fund.

46 6. \$3,000,000 from the miscellaneous special revenue fund, surplus  
47 property account (22036), to the general fund.

48 7. \$19,000,000 from the miscellaneous special revenue fund, revenue  
49 arrearage account (22024), to the general fund.

50 8. \$1,826,000 from the miscellaneous special revenue fund, revenue  
51 arrearage account (22024), to the miscellaneous special revenue fund,  
52 authority budget office account (22138).

53 9. \$1,000,000 from the miscellaneous special revenue fund, parking  
54 services account (22007), to the general fund, for the purpose of reim-  
55 bursing the costs of debt service related to state parking facilities.

1 10. \$9,632,000 from the general fund to the centralized services fund,  
2 COPS account (55013).

3 11. \$13,854,000 from the general fund to the agencies internal service  
4 fund, central technology services account (55069), for the purpose of  
5 enterprise technology projects.

6 12. \$10,000,000 from the general fund to the agencies internal service  
7 fund, state data center account (55062).

8 13. \$20,000,000 from the miscellaneous special revenue fund, workers'  
9 compensation account (21995), to the miscellaneous capital projects  
10 fund, workers' compensation board IT business process design fund,  
11 (32218).

12 14. \$12,000,000 from the miscellaneous special revenue fund, parking  
13 services account (22007), to the centralized services, building support  
14 services account (55018).

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

17 16. \$8,000,000 from the general fund to the internal service fund,  
18 building support services account (55018).

19 17. \$1,500,000 from the combined expendable trust, special events  
20 account (20120), to the general fund.

21 Health:

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

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

30 3. A transfer from the general fund to the combined gifts, grants and  
31 bequests fund, Alzheimer's disease research and assistance account  
32 (20143), up to an amount equal to the moneys collected and deposited  
33 into that account in the previous fiscal year.

34 4. \$33,134,000 from the HCRA resources fund (20800) to the miscella-  
35 neous special revenue fund, empire state stem cell trust fund account  
36 (22161).

37 5. \$6,000,000 from the miscellaneous special revenue fund, certificate  
38 of need account (21920), to the miscellaneous capital projects fund,  
39 healthcare IT capital subfund (32216).

40 6. \$2,000,000 from the miscellaneous special revenue fund, vital  
41 health records account (22103), to the miscellaneous capital projects  
42 fund, healthcare IT capital subfund (32216).

43 7. \$2,000,000 from the miscellaneous special revenue fund, profes-  
44 sional medical conduct account (22088), to the miscellaneous capital  
45 projects fund, healthcare IT capital subfund (32216).

46 8. \$91,304,000 from the HCRA resources fund (20800) to the capital  
47 projects fund (30000).

48 9. \$6,550,000 from the general fund to the medical marihuana trust  
49 fund, health operation and oversight account (23755).

50 10. \$1,086,000 from the miscellaneous special revenue fund, certif-  
51 icate of need account (21920), to the general fund.

52 11. \$59,000,000 from the charitable gifts trust fund, health charita-  
53 ble account (24900), to the general fund, for payment of general support  
54 for primary, preventive, and inpatient health care, dental and vision  
55 care, hunger prevention and nutritional assistance, and other services  
56 for New York state residents with the overall goal of ensuring that New



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

3 Labor:

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

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

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

14 Mental Hygiene:

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

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

19 Public Protection:

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

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

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

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

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

31 6. \$115,420,000 from the state police motor vehicle law enforcement  
32 and motor vehicle theft and insurance fraud prevention fund, state  
33 police motor vehicle enforcement account (22802), to the general fund  
34 for state operation expenses of the division of state police.

35 7. \$119,500,000 from the general fund to the correctional facilities  
36 capital improvement fund (32350).

37 8. \$5,000,000 from the general fund to the dedicated highway and  
38 bridge trust fund (30050) for the purpose of work zone safety activities  
39 provided by the division of state police for the department of transpor-  
40 tation.

41 9. \$10,000,000 from the miscellaneous special revenue fund, statewide  
42 public safety communications account (22123), to the capital projects  
43 fund (30000).

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

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

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

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

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

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

16. A transfer of the unencumbered balance from the miscellaneous special revenue fund, airport security account (22199), to the miscellaneous special revenue fund, securing the cities account.

Transportation:

1. \$17,672,000 from the federal miscellaneous operating grants fund to the miscellaneous special revenue fund, New York Metropolitan Transportation Council account (21913).

2. \$20,147,000 from the federal capital projects fund to the miscellaneous special revenue fund, New York Metropolitan Transportation Council account (21913).

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

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

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

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

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

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

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

Miscellaneous:

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

2. Intentionally omitted.

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

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

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

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

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

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

1 department of agriculture and markets to the general fund, to pay appropriate administrative expenses.

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 13. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller, after consultation with the state university chancellor or his or her designee, is hereby authorized and directed to transfer moneys, in the first instance, from the state university collection fund, Stony Brook hospital collection account (61006), Brooklyn hospital collection account (61007), and Syracuse hospital collection account (61008) to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals. Notwithstanding any law to the contrary, the comptroller is also hereby authorized and directed, after consultation with the state university chancellor or his or her designee, to transfer moneys from the state university income fund to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to pay hospital operating costs or to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals on or before March 31, 2020.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

25 § 23. Intentionally omitted.

26 § 24. Intentionally omitted.

27 § 25. Intentionally omitted.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

thirty-first, two thousand two, on behalf of the state, in relation to any locally sponsored community college, shall be [~~nine hundred sixty eight million five hundred forty two thousand dollars \$968,542,000~~] one billion five million six hundred two thousand dollars \$1,005,602,000. Such amount shall be exclusive of bonds and notes issued to fund any reserve fund or funds, costs of issuance and to refund any outstanding bonds and notes, issued on behalf of the state, relating to a locally sponsored community college.

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

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed [~~seven~~ eight hundred [~~sixty-nine~~ four million six hundred fifteen thousand dollars [~~(\$769,615,000)~~ \$804,615,000], which authorization increases the aggregate principal amount of bonds, notes and other obligations authorized by section 40 of chapter 309 of the laws of 1996, and shall include all bonds, notes and other obligations issued pursuant to chapter 211 of the laws of 1990, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the youth facilities improvement fund, to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the office of children and family services from the youth facilities improvement fund for capital projects. The aggregate amount of bonds, notes and other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the office of children and family services; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than [~~seven~~ eight hundred [~~sixty-nine~~ four million six hundred fifteen thousand dollars [~~(\$769,615,000)~~ \$804,615,000], only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

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

b. The agency shall have power and is hereby authorized from time to time to issue negotiable bonds and notes in conformity with applicable provisions of the uniform commercial code in such principal amount as, in the opinion of the agency, shall be necessary, after taking into account other moneys which may be available for the purpose, to provide sufficient funds to the facilities development corporation, or any successor agency, for the financing or refinancing of or for the design, construction, acquisition, reconstruction, rehabilitation or improvement of mental health services facilities pursuant to paragraph a of this subdivision, the payment of interest on mental health services improvement bonds and mental health services improvement notes issued for such purposes, the establishment of reserves to secure such bonds and notes, the cost or premium of bond insurance or the costs of any financial mechanisms which may be used to reduce the debt service that would be payable by the agency on its mental health services facilities improvement bonds and notes and all other expenditures of the agency incident to and necessary or convenient to providing the facilities development corporation, or any successor agency, with funds for the financing or refinancing of or for any such design, construction, acquisition, reconstruction, rehabilitation or improvement and for the refunding of mental hygiene improvement bonds issued pursuant to section 47-b of the private housing finance law; provided, however, that the agency shall not issue mental health services facilities improvement bonds and mental health services facilities improvement notes in an aggregate principal amount exceeding ~~[eight billion seven hundred seventy-eight million seven hundred eleven thousand]~~ nine billion three hundred thirty-three million three hundred eight thousand dollars \$9,333,308,000, excluding mental health services facilities improvement bonds and mental health services facilities improvement notes issued to refund outstanding mental health services facilities improvement bonds and mental health services facilities improvement notes; provided, however, that upon any such refunding or repayment of mental health services facilities improvement bonds and/or mental health services facilities improvement notes the total aggregate principal amount of outstanding mental health services facilities improvement bonds and mental health facilities improvement notes may be greater than ~~[eight billion seven hundred seventy-eight million seven hundred eleven thousand dollars \$8,778,711,000]~~ nine billion three hundred thirty-three million three hundred eight thousand dollars \$9,333,308,000, only if, except as hereinafter provided with respect to mental health services facilities bonds and mental health services facilities notes issued to refund mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law, the present value of the aggregate debt service of the refunding or repayment bonds to be issued shall not exceed the present value of the aggregate debt service of the bonds to be refunded or repaid. For purposes hereof, the present values of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually)



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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

b. All monies of the corporation received or accepted pursuant to paragraph a of this subdivision, other than appropriations and advances from the state and except as otherwise authorized or provided in this section, shall be paid to the commissioner of taxation and finance as agent of the corporation, who shall not commingle such monies with any other monies. Such monies shall be deposited in two or more separate bank accounts. One of such accounts, to which shall be credited (i) all payments made on or after January 1, 1964, for the care, maintenance and treatment of patients in every mental hygiene facility, other than a community mental health and retardation facility, (ii) all payments made to the corporation as rentals, lease payments, permit fees or otherwise under any lease, sublease or agreement undertaken with respect to a community mental health and retardation facility or a current or former mental hygiene facility, (iii) all payments made to the corporation for the purchase of real property held by the corporation for the use of the department, other than payments derived from New York state medical care facilities finance agency financing or refinancing of the design, construction, acquisition, reconstruction, rehabilitation, improvement or renovation of state operated mental hygiene facilities, (iv) all income from investments and (v) all monies received or to be received for the purposes of such account on a recurring basis, shall be denominated the "mental hygiene facilities improvement fund income account". The monies in any account shall be paid out on checks signed by the commissioner of taxation and finance on requisition of the chairman of the corporation or of such other officer or employee or officers or employees as the corporation shall authorize to make such requisition. All deposits of such money shall, if required by the commissioner of taxation and finance or the directors of the corporation, be secured by obligations of the United States or of the state of a market value equal at all times to the amount of the deposit and all banks and trust companies are authorized to give such security for such deposits. Any moneys of the corporation not required for immediate use or disbursement may, at the discretion of the corporation, be invested by the commissioner of taxation and finance in accordance with the provisions of section 98-a of the state finance law. ~~[When the corporation is no longer required to make any rental payments under any lease, sublease or agreement entered into with the state housing finance agency in effect as of the effective date of this amendment to this paragraph, all monies received or accepted pursuant to paragraph a of this subdivision, other than appropriations and advances from the state and except as otherwise authorized or provided in this section, shall be deposited into the mental health services fund established by section 97-f of the state finance law. Any monies remaining in the mental hygiene facilities improvement fund income account and in any rental reserve account created pursuant to paragraph c of subdivision 4 of this section, when such lease, sublease or agreement is no longer in effect shall be deposited in the mental health services fund.]~~ The mental hygiene facilities improvement fund and the income account therein shall remain in existence until terminated by the corporation by written notice to the commissioner of taxation and finance. Any moneys on deposit in the mental hygiene facilities improvement fund or the income account therein upon the termination of said fund and account shall be transferred by the commissioner of taxation and finance to the mental health services fund. The corporation shall not terminate the mental hygiene facilities improvement fund and the income account therein until all mental health services facilities bonds issued pursuant to: (i) the New York state medical care facilities

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

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

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

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

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



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

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

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



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

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

§ 49-a. Intentionally omitted.

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

#### PART L

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

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

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

#### PART M

Intentionally Omitted

#### PART N

Intentionally Omitted

#### PART O

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(p) The amendments to section 1809 of the vehicle and traffic law made by sections three hundred thirty-seven and three hundred thirty-eight of this act shall not apply to any offense committed prior to such effective date; provided, further, that section three hundred forty-one of this act shall take effect immediately and shall expire November 1, 1993 at which time it shall be deemed repealed; sections three hundred forty-five and three hundred forty-six of this act shall take effect July 1, 1991; sections three hundred fifty-five, three hundred fifty-six, three hundred fifty-seven and three hundred fifty-nine of this act shall take effect immediately and shall expire June 30, 1995 and shall revert to and be read as if this act had not been enacted; section three hundred fifty-eight of this act shall take effect immediately and shall expire June 30, 1998 and shall revert to and be read as if this act had not been enacted; section three hundred sixty-four through three hundred sixty-seven of this act shall apply to claims filed on or after such effective date; sections three hundred sixty-nine, three hundred seventy-two, three hundred seventy-three, three hundred seventy-four, three hundred seventy-five and three hundred seventy-six of this act shall remain in effect until September 1, ~~2019~~ 2020, at which time they shall be deemed repealed; provided, however, that the mandatory surcharge provided in section three hundred seventy-four of this act shall apply to parking violations occurring on or after said effective date; and provided further that the amendments made to section 235 of the vehicle and traffic law by section three hundred seventy-two of this act, the amendments made to section 1809 of the vehicle and traffic law by sections three hundred thirty-seven and three hundred thirty-eight of this act and the amendments made to section 215-a of the labor law by section three hundred seventy-five of this act shall expire on September 1, ~~2019~~ 2020 and upon such date the provisions of such subdivisions and sections shall revert to and be read as if the provisions of this act had not been enacted; the amendments to subdivisions 2 and 3 of section 400.05 of the penal law made by sections three hundred seventy-seven and three hundred seventy-eight of this act shall expire on July 1, 1992 and upon such date the provisions of such subdivisions shall revert and shall be read as if the provisions of this act had not been enacted; the state board of law examiners shall take such action as is necessary to assure that all applicants for examination for admission to practice as an attorney and counsellor at law shall pay the increased examination fee provided for by the amendment made to section 465 of the judiciary law by section three hundred eighty of this act for any examination given on or after the effective date of this act notwithstanding that an applicant for such examination may have prepaid a lesser fee for such examination as required by the provisions of such section 465 as of the date prior to the effective date of this act; the provisions of section 306-a of the civil practice law and rules as added by section three hundred eighty-one of this act shall apply to all actions pending on or commenced on or after September 1, 1991, provided, however, that for the purposes of this section service of such summons made prior to

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

40 PART P

41 Intentionally Omitted

42 PART Q

43 Intentionally Omitted

44 PART R

45 Intentionally Omitted

46 PART S

47 Intentionally Omitted

## PART T

Intentionally Omitted

## PART U

Intentionally Omitted

## PART V

Intentionally Omitted

## PART W

Intentionally Omitted

## PART X

Intentionally Omitted

## PART Y

Intentionally Omitted

## PART Z

Intentionally Omitted

## PART AA

Intentionally Omitted

## PART BB

Intentionally Omitted

## PART CC

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

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

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

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

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

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

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

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

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

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

(h) "Occupational therapist" shall mean licensed as having a bachelor's or master's degree in occupational therapy from a registered program with the education department or receipt of a diploma or degree resulting from completion of not less than four years of postsecondary study, which includes the professional study of occupational therapy in accordance with the education law and the regulations of the commissioner of education.

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

(j) "Physician" shall mean licensed with a degree of doctor of medicine, M.D., or doctor of osteopathic medicine, D.O., or an equivalent degree in accordance with the education law and the licensing requirements of the state board of medicine and the regulations of the commissioner of education.

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

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

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

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

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

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

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

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

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

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

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

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

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

~~[2-]~~ (d) Upon the prescription or referral of an authorized physician, or nurse practitioner acting within the scope of his or her practice, care or treatment may be rendered to an injured employee by an authorized physical therapist, occupational therapist or acupuncturist provided the conditions and the treatment performed are among the conditions that the physical therapist, occupational therapist or acupuncturist is authorized to treat pursuant to the education law or the regulations of the commissioner of education. Where any such care or treatment is rendered, records of the patient's condition and progress, together with records of instruction for treatment, if any, shall be maintained by the physical therapist, occupational therapist or acupuncturist rendering treatment and by the referring physician or nurse practitioner. Said records shall be submitted to the chair on forms and at such times as the chair may require.

(e) A record, report or opinion of a physical therapist, occupational therapist, acupuncturist or physician assistant shall not be considered as evidence of the causal relationship of any condition to a work related accident or occupational disease under this chapter. Nor may a record, report or opinion of a physical therapist, occupational therapist or acupuncturist be considered evidence of disability. Nor may a record, report or opinion of a physician assistant be considered evidence of the presence of a permanent or initial disability or the degree thereof. Nor may a physical therapist, occupational therapist, acupuncturist or physician assistant perform an independent medical examination concerning a claim under this chapter.

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

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

~~refrain~~ chair or chair's designee. Prior to receiving authorization, a physician must, together with submission of an application to the chair, submit such application to the medical society of the county in which the physician's office is located or of a board designated by such county society or of a board representing duly licensed physicians of any other school of medical practice in such county, and submit the recommendation to the board. In the event such county society or board fails to take action upon a physician's application within forty-five days, the chair may complete review of the application without such approval. Upon approval of the application by the chair or the chair's designee, the applicant shall further agree to refrain from subsequently treating for remuneration, as a private patient, any person seeking medical treatment, or submitting to an independent medical examination, in connection with, or as a result of, any injury compensable under this chapter, if he or she has been removed from the list of ~~physicians~~ providers authorized to render medical care or to conduct independent medical examinations under this chapter, or if the person seeking such treatment, or submitting to an independent medical examination, has been transferred from his or her care in accordance with the provisions of this chapter. This agreement shall run to the benefit of the injured person so treated or examined, and shall be available to him or her as a defense in any action by such ~~physician~~ provider for payment for treatment rendered by a ~~physician~~ provider after he or she has been removed from the list of ~~physicians~~ providers authorized to render medical care or to conduct independent medical examinations under this chapter, or after the injured person was transferred from his or her care in accordance with the provisions of this chapter. ~~[The medical society or the board designated by it, or the board as otherwise provided under this section, if it deems such licensed physician duly qualified, shall recommend to the chair that such physician be authorized to render medical care and/or conduct independent medical examinations under this chapter, and such recommendation and authorization shall specify the character of the medical care or independent medical examination which such physician is qualified and authorized to render under this chapter. Such recommendations shall be advisory to the chair only and shall not be binding or conclusive upon him or her. The licensed physician may present to the medical society or board, evidences of additional qualifications at any time subsequent to his or her original application. If the medical society or board fails to recommend to the chair that a physician be authorized to render medical care and/or to conduct independent medical examinations under this chapter, the physician may appeal to the medical appeals unit. The medical society or the board designated by it, or the board as otherwise provided under this section, may upon its own initiative, or shall upon request of the chair, review at any time the qualifications of any physician as to the character of the medical care or independent medical examinations which such physician has theretofore been authorized to render under this chapter and may recommend to the chair that such physician be authorized to render medical care or to conduct independent medical examinations thereafter of the character which such physician is then qualified to render. On such advisory recommendation the chair may review and after reasonable investigation may revise the authorization of a physician in respect to the character of medical care and/or to conduct independent medical examinations which he or she is authorized to render. If the medical society or board recommends to the chair that a physician be authorized to render medical care and/or to conduct inde-~~



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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



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

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

2. An employee injured under circumstances which make such injury compensable under this article, when care is required for an injury to the foot which injury or resultant condition therefrom may lawfully be treated by a duly registered and licensed podiatrist of the state of New York, may select to treat him or her any podiatrist authorized by the chair to render ~~[podiatry]~~ podiatric medical care, as hereinafter provided. If the injury or condition is one which is without the limits prescribed by the education law for ~~[podiatry]~~ podiatric medical care and treatment, or the injuries involved affect other parts of the body in addition to the foot, the said podiatrist must so advise the said injured employee and instruct him or her to consult a physician of said employee's choice for appropriate care and treatment. Such physician shall thenceforth have overall supervision of the treatment of said patient including the future treatment to be administered to the patient by the podiatrist. If for any reason during the period when ~~[podiatry]~~ podiatric medical treatment and care is required, the employee wishes to transfer his or her treatment and care to another authorized podiatrist he or she may do so, in accordance with rules prescribed by the chair, provided however that the employer shall be liable for the proper fees of the original podiatrist for the care and treatment he or she shall have rendered. ~~[A podiatrist licensed and registered to practice podiatry in the state of New York who is desirous of being authorized to render podiatry care under this section and/or to conduct independent medical examinations in accordance with paragraph (b) of subdivision three of this section shall file an application for authorization under this section with the podiatry practice committee. In such application he or she shall agree to refrain from subsequently treating for remuneration, as a private patient, any person seeking podiatry treatment, or submitting to an independent medical examination, in connection with, or as a result of, any injury compensable under this chapter, if he or she has been removed from the list of podiatrists authorized to render podiatry care or to conduct independent medical examinations under this chapter, or if the person seeking such treatment has been transferred from his or her care in accordance with the provisions of this section. This agreement shall run to the benefit of the injured person so treated or examined, and shall be available to him or her as a defense in any action by such podiatrist for payment for treatment rendered by a podiatrist after he or she has been removed from the list of podiatrists authorized to render podiatry care or to conduct independent medical examinations under this section, or after the injured person was transferred from his or her care in accordance with the provisions of this section. The podiatry practice committee if it deems such licensed podiatrist duly qualified shall recommend to the chair that such podiatrist be authorized to render podiatry care and/or to conduct independent medical examinations under this section. Such recommendation shall be advisory to the chair only and shall not be binding or conclusive upon him or her.]~~ The chair shall prepare and establish a schedule for the state, or schedules limited to defined localities, of charges and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

49 PART DD

50 Intentionally Omitted

51 PART EE

52 Intentionally Omitted

1

## PART FF

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

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

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

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

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

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

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

47 § 5. This act shall take effect immediately.

48

## PART GG

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



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

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

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

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

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

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

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

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

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

§ 4. This act shall take effect immediately.

#### PART HH

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

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

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

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

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

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

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

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

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

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

## PART II

Section 1. This Part enacts into law major components of legislation that remove unnecessary barriers to reentry of people with criminal histories into society. This Part removes mandatory bars on licensing and employment for people with criminal convictions in the categories enumerated therein and replace them with individualized review processes using the factors set out in article 23-A of the correction law. This Part removes mandatory drivers license suspension for non-driving drug offenses. This Part prohibits disclosure of mugshots and arrest information by amending the freedom of information law. This Part also amends provisions of law to enact into law major components of legislation to prevent the use in a civil context, of past arrest information that did not result in a conviction because no disposition has been reported, or the case has been adjourned in contemplation of dismissal, or because arrest and arraignment charges were not followed by a corresponding conviction on those charges. This information would still be able to be seen and used by law enforcement and in criminal proceedings. Finally, this Part establishes compassionate parole for incarcerated individuals over the age of 55 who have incapacitating medical conditions exacerbated by age. Each component is wholly contained with a Subpart identified as Subparts A through P. 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. Subdivision 6 of section 369 of the banking law, as amended by chapter 164 of the laws of 2003, paragraph (b) as amended by section 6 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

6. The superintendent may, consistent with article twenty-three-A of the correction law, refuse to issue a license pursuant to this article if he shall find that the applicant, or any person who is a director, officer, partner, agent, employee or substantial stockholder of the applicant, (a) has been convicted of a crime in any jurisdiction or (b) is associating or consorting with any person who has, or persons who have, been convicted of a crime or crimes in any jurisdiction or jurisdictions[, ~~provided, however, that the superintendent shall not issue such a license if he shall find that the applicant, or any person who is a director, officer, partner, agent, employee or substantial stockholder of the applicant, has been convicted of a felony in any jurisdiction or of a crime which, if committed within this state, would constitute a felony under the laws thereof~~]. For the purposes of this article, a person shall be deemed to have been convicted of a crime if such person shall have pleaded guilty to a charge thereof before a court or magistrate, or shall have been found guilty thereof by the decision or judgment of a court or magistrate or by the verdict of a jury, irrespective of the pronouncement of sentence or the suspension thereof[, ~~unless such plea of guilty, or such decision, judgment or verdict, shall have been~~

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

§ 2. This act shall take effect immediately.

#### SUBPART B

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

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

(i) an act of malfeasance directly related to his or her service on such city-wide council or community district education council; or

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

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

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

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

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

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

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

#### 25 SUBPART C

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

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

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

41 § 2. This act shall take effect immediately.

#### 42 SUBPART D

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

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



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

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



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

§ 2. This act shall take effect immediately.

#### SUBPART E

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) a public officer who receives any consideration, direct or indirect, as owner or lessor of premises offered for the purpose of conducting bingo therein;

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

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

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

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

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

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

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

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

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

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

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

20 § 5. This act shall take effect immediately.

21 SUBPART F

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

24 § 2. This act shall take effect immediately.

25 SUBPART G

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

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

~~or a certificate of good conduct pursuant to article twenty-three of the correction law, to remove the disability under this section because of such conviction]~~ crime, unless the secretary makes a finding in conformance with all applicable statutory requirements, including those contained in article twenty-three-A of the correction law, that such convictions do not constitute a bar to 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 ~~[the above]~~ anything to the contrary in this section, tenant associations~~[7]~~ 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.

§ 2. This act shall take effect immediately.

#### SUBPART H

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

5. The social services district shall require every private or not-for-profit employer that intends to hire one or more work activity participants to certify to the district ~~[that]~~ whether such employer has ~~[not]~~, in the past five years, been convicted of a felony or a misdemeanor the underlying basis of which involved workplace safety and health or labor standards. Such employer shall also certify as to all violations issued by the department of labor within the past five years. The social services official in the district in which the participant is placed shall determine whether there is a pattern of convictions or violations sufficient to render the potential employer ineligible. Employers who submit false information under this section shall be subject to criminal prosecution for filing a false instrument.

§ 2. This act shall take effect immediately.

#### SUBPART I

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

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

§ 2. This act shall take effect immediately.

1

## SUBPART J

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

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

25 § 3. This act shall take effect immediately.

26

## SUBPART K

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

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

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

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

1 ii. disclosure of items involving the medical or personal records of a  
2 client or patient in a medical facility;  
3 iii. sale or release of lists of names and addresses if such lists  
4 would be used for solicitation or fund-raising purposes;  
5 iv. disclosure of information of a personal nature when disclosure  
6 would result in economic or personal hardship to the subject party and  
7 such information is not relevant to the work of the agency requesting or  
8 maintaining it;  
9 v. disclosure of information of a personal nature reported in confi-  
10 dence to an agency and not relevant to the ordinary work of such agency;  
11 vi. information of a personal nature contained in a workers' compen-  
12 sation record, except as provided by section one hundred ten-a of the  
13 workers' compensation law; ~~or~~  
14 vii. disclosure of electronic contact information, such as an e-mail  
15 address or a social network username, that has been collected from a  
16 taxpayer under section one hundred four of the real property tax law; or  
17 viii. disclosure of law enforcement booking information about an indi-  
18 vidual, including booking photographs, unless public release of such  
19 information will serve a specific law enforcement purpose and disclosure  
20 is not precluded by any state or federal laws.  
21 § 3. This act shall take effect immediately.

## SUBPART L

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

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

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

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

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



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

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

#### SUBPART M

Section 1. The commissioner of the division of criminal justice services is authorized to direct that records of any action or proceeding terminated in favor of the accused, as defined by section 160.50 of the criminal procedure law, on or after September 1, 1976 and before November 1, 1991 maintained by the division of criminal justice services be sealed in the manner provided for by section 160.50 of the criminal procedure law. The commissioner of the division of criminal justice services is further authorized to direct that records of any action or proceeding terminated by a conviction for a traffic infraction or a violation, other than a violation of loitering as described in paragraph (d) or (e) of subdivision 1 of section 160.50 of the criminal procedure law or the violation of operating a motor vehicle while ability impaired as described in subdivision one of section 1192 of the vehicle and traffic law on or after September 1, 1980 and before November 1, 1991 maintained by the division of criminal justice services be sealed in the manner provided for by section 160.55 of the criminal procedure law.

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

#### SUBPART N

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

§ 845-d. Criminal record searches; arrest charges without corresponding convictions or violations. 1. When, pursuant to statute or the regulations of the division, the division conducts a search of its criminal history records and returns a report thereon, in arrest cycles that

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

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

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

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

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

28 § 3. This act shall take effect immediately.

29 SUBPART O

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

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

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

dismissal, pursuant to section 170.55, 170.56, 210.46, 210.47, or 215.10 of the criminal procedure law, or by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law or by a conviction which is sealed pursuant to section 160.59 or 160.58 of the criminal procedure law, in connection with the licensing, housing, employment, including volunteer positions, or providing of credit or insurance to such individual; provided, further, that no person shall be required to divulge information pertaining to any arrest or criminal accusation of such individual not then pending against that individual which was followed by a termination of that criminal action or proceeding in favor of such individual, as defined in subdivision two of section 160.50 of the criminal procedure law, or by an order adjourning the criminal action in contemplation of dismissal, pursuant to section 170.55 or 170.56 of the criminal procedure law, or by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law, or by a conviction which is sealed pursuant to section 160.58 or 160.59 of the criminal procedure law. The provisions of this subdivision shall not apply to the licensing activities of governmental bodies in relation to the regulation of guns, firearms and other deadly weapons or in relation to an application for employment as a police officer or peace officer as those terms are defined in subdivisions thirty-three and thirty-four of section 1.20 of the criminal procedure law; provided further that the provisions of this subdivision shall not apply to an application for employment or membership in any law enforcement agency with respect to any arrest or criminal accusation which was followed by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law, or by a conviction which is sealed pursuant to section 160.58 or 160.59 of the criminal procedure law. For purposes of this subdivision, an action which has been adjourned in contemplation of dismissal, pursuant to section 170.55 or 170.56 of the criminal procedure law, shall not be considered a pending action, unless the case has been restored to the calendar.

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

#### SUBPART P

Intentionally Omitted

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

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

## PART JJ

Intentionally Omitted

## PART KK

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

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

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

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

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

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

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

6 PART LL

7 Intentionally Omitted

8 PART MM

9 Intentionally Omitted

10 PART NN

11 Intentionally Omitted

12 PART OO

13 Intentionally Omitted

14 PART PP

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

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

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



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

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

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

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

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

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

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



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

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

If any other provision of law expressly governs the manner of disposition of property subject to the judgment or order of forfeiture, that provision of law shall be controlling, with the exception that, notwithstanding the provisions of any other law, all forfeited monies and proceeds from forfeited property shall be deposited into and disbursed from an asset forfeiture escrow fund established pursuant to section six-v of the general municipal law, which shall govern the maintenance of such monies and proceeds from forfeited property. Upon application by a claiming agent for reimbursement of moneys directly expended by a claiming agent in the underlying criminal investigation for the purchase of contraband which were converted into a non-monetary form or which have not been otherwise recovered, the court shall direct such reimbursement from money forfeited pursuant to this article. Upon application of the claiming agent, the court may direct that any vehicles, vessels or aircraft forfeited pursuant to this article be retained by the claiming agent for law enforcement purposes, unless the court determines that such property is subject to a perfected lien, in which case the court may not direct that the property be retained unless all such liens on the property to be retained have been satisfied or pursuant to the court's order will be satisfied. In the absence of an application by the claiming agent, the claiming authority may apply to the court to retain such property for law enforcement purposes. Upon such application, the court may direct that such property be retained by the claiming authority for law enforcement purposes, unless the court determines that such property is subject to a perfected lien. If not so retained, the judgment or order shall direct the claiming authority to sell the property in accordance with article fifty-one of this chapter, and that the proceeds of such sale and any other moneys realized as a consequence of any forfeiture pursuant to this article shall be deposited to an asset forfeiture escrow fund established pursuant to section six-v of the general municipal law and shall be apportioned and paid in the following descending order of priority:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. The prosecutor shall promptly file a copy of the special forfeiture information, including the terms thereof, with the state division of criminal justice services and with the local agency responsible for criminal justice planning. Failure to file such information shall not be grounds for any relief under this chapter. The prosecutor shall also report such demographic data as required by the state division of criminal justice services when filing a copy of the special forfeiture information with the state division of criminal justice services.

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

PART QQ

Intentionally Omitted

PART RR

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

§ 63-e. Office of special investigation. 1. There is established within the office of the attorney general an office of special investigation. Notwithstanding any other provision of this article, the office of special investigation shall investigate any incident in which the death of a civilian is caused by a police officer, as defined in subdivision thirty-four of section 1.20 of the criminal procedure law, while engaged in law enforcement activity, whether or not formally on duty, or in which the attorney general determines there is a significant question as to whether the death was in fact caused by the police officer or whether the police officer was in fact engaged in law enforcement activity. Where an investigation required under this section involves the state police, the attorney general shall appoint an independent special prosecutor, who shall not be a state employee.

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

3. The attorney general has investigative authority and criminal jurisdiction under this section at the time of the death of the civilian and he or she retains investigative authority and criminal jurisdiction over the incident unless he or she determines that such incident does not meet the requirements of this section. If the attorney general determines the incident does not meet the requirements for the attorney general to have investigative authority and criminal jurisdiction pursuant to this section, the attorney general shall, as soon as practicable, provide written notice of his or her determination to the district attorney for the county in which the incident occurred.

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

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

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

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



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

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

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

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

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

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

36 § 4. This act shall take effect immediately.

37 PART SS

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

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

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



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

§ 3. This act shall take effect immediately.

PART TT

Intentionally Omitted

PART UU

Intentionally Omitted

PART VV

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

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

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

§ 2. This act shall take effect immediately.

PART WW

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

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

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

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

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

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

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

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

40 PART XX

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

49 PART YY

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

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



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

§ 2. This act shall take effect immediately.

PART ZZ

Section 1. Subdivisions a and e of section 25 of chapter 507 of the laws of 2009, amending the real property actions and proceedings law and other laws relating to home mortgage loans, as amended by chapter 29 of the laws of 2014, are amended to read as follows:

a. Sections one, one-a, two and three of this act shall take effect on the thirtieth day after this act shall have become a law and shall apply to notices required on or after such date; [~~provided, however, that section one-a of this act shall expire and be deemed repealed 10 years after such effective date,~~]

e. Section nine of this act shall take effect on the sixtieth day after this act shall have become a law and shall apply to legal actions filed on or after such date; [~~provided, however that the amendments to subdivision (a) of rule 3408 of the civil practice law and rules made by such section shall expire and be deemed repealed 10 years after such effective date,~~]

§ 2. This act shall take effect immediately.

PART AAA

Section 1. The education law is amended by adding a new section 239-c to read as follows:

§ 239-c. New York state gun violence research institute. 1. Institute formation and goals. Subject to amounts available by appropriation, the New York state gun violence research institute, hereinafter the "institute", is hereby created within the university. The purposes of the institute shall include:

(a) advising the governor, governmental agencies, the regents, and the legislature on matters relating to gun violence in New York state;

(b) fostering, pursuing and sponsoring collaborative gun violence research;

(c) increasing understanding by establishing and reporting on what is known and what is not known about gun violence of the state;

(d) identifying priority needs for gun violence research and inventory work within New York that currently are not receiving adequate attention, and identifying public or private entities that are best situated to address such needs, thereby leading to better coordination of gun violence research efforts in the state;

(e) promoting awareness of existing and new sources of gun violence information and gun violence while educating elected officials, governmental agencies, and the general public on gun violence issues through such means as it may determine;

(f) organizing and sponsoring meetings on gun violence topics;

(g) encouraging the establishment of networks of collaborating experts engaged in related aspects of gun violence research;

(h) raising sensitivity to gun violence concerns among state and local government agencies, and serving as a forum for enhanced interagency information sharing and cooperation;



1 (i) recommending priority activities for funding through the gun  
2 violence research fund, created pursuant to section ninety-seven-j of  
3 the state finance law;

4 (j) working on a continuing basis with policymakers in the legislature  
5 and state agencies to identify, implement, and evaluate innovative gun  
6 violence prevention policies and programs;

7 (k) recruiting and providing specialized training opportunities for  
8 new researchers, including experienced investigators in related fields  
9 who are beginning work on gun violence, young investigators who have  
10 completed their education, postdoctoral scholars, doctoral students, and  
11 undergraduates; and

12 (l) providing copies of their research publications to the legislature  
13 and to agencies supplying data used in the conduct of such research as  
14 soon as is practicable following publication.

15 2. Research. The institute shall foster, pursue, and sponsor basic,  
16 translational, and transformative research, field studies, and all other  
17 such activities to research:

18 (a) the nature of gun violence, including individual and societal  
19 determinants of risk for involvement in gun violence, whether as a  
20 victim or a perpetrator;

21 (b) the individual, community, and societal consequences of gun  
22 violence;

23 (c) the prevention and treatment of gun violence at the individual,  
24 community, and societal levels; and

25 (d) the effectiveness of existing laws and policies intended to reduce  
26 gun violence, and efforts to promote the responsible ownership and use  
27 of firearms, rifles, and shotguns.

28 3. Education and information transfer programs. The institute shall  
29 foster the collection, transfer, and application of gun violence infor-  
30 mation in the state by:

31 (a) fostering access, compatibility, interchange, and synthesis of  
32 data about gun violence maintained by public entities, academic and  
33 research institutions, and private organizations;

34 (b) employing advanced technology to coordinate for ease of use of the  
35 scattered gun violence resources of the state; and

36 (c) supporting the preparation and publication of interpretative works  
37 that draw upon gun violence resources.

38 4. Quinquennial reports. The institute shall prepare and submit a  
39 report within one year of the effective date of this section and every  
40 five years thereafter to the governor and the legislature describing  
41 programs undertaken or sponsored by the institute, the status of know-  
42 ledge regarding the state's gun violence, and research needs related  
43 thereto.

44 5. Executive committee. The institute shall be guided by an executive  
45 committee. Members of the committee shall be from varying backgrounds  
46 with members selected from the scientific community, academic community,  
47 as well as from government service. Such committee shall consist of ten  
48 members including the commissioner, the commissioner of criminal justice  
49 services, the commissioner of health, the chancellor of the university  
50 or their designees, two at large members appointed by the governor, two  
51 members appointed by the temporary president of the senate, and two  
52 members appointed by the speaker of the assembly. Appointed members  
53 shall serve for a term of three years, provided that such members may be  
54 reappointed. The executive committee shall:

55 (a) adopt policies, procedures, and criteria governing the programs  
56 and operations of the institute;

1 (b) recommend to the governor and legislature appropriate actions to  
2 reduce gun violence within the state;

3 (c) develop and implement the research, education and information  
4 transfer programs of the institute;

5 (d) identify and rate proposals for gun violence research;

6 (e) submit to the director of the budget, and the chairpersons of the  
7 senate finance committee and the assembly ways and means committee on  
8 the first day of October, two thousand nineteen and on or before August  
9 first each year thereafter, a budget request for the expenditure of  
10 funds available from the gun violence research fund, for the purposes  
11 established by section ninety-seven-j of the state finance law; and

12 (f) meet publicly at least twice a year. The committee shall widely  
13 disseminate notice of its meetings at least two weeks prior to each  
14 meeting. The commissioners on the executive committee and the chancellor  
15 of the university shall aid in such dissemination.

16 6. Scientific working group. The executive committee shall appoint a  
17 scientific working group composed of not more than eight individuals  
18 representing governmental agencies, academic or research institutions,  
19 educational organizations, the gun industry and related non-profit  
20 organizations. Members of the scientific working group shall have know-  
21 ledge and expertise in gun violence research and shall serve for a term  
22 of three years, provided, however that members may be reappointed for  
23 more than one term at the discretion of the executive committee. The  
24 scientific working group shall make recommendations to the executive  
25 committee with respect to:

26 (a) the identification of priority gun violence research needs in the  
27 state;

28 (b) the development and implementation of the institute's research,  
29 education, and information transfer programs;

30 (c) the allocation and expenditure of funds from the gun violence  
31 research fund created pursuant to section ninety-seven-j of the state  
32 finance law; and

33 (d) identification and rating of proposals for gun violence research.

34 7. Institute director. The institute shall have a director who shall  
35 be appointed by the executive committee and shall after appointment be  
36 an employee of the state university. The institute director shall serve  
37 at the pleasure of the executive committee. The institute director shall  
38 serve as chief administrative officer of the institute and provide the  
39 necessary support for the executive committee.

40 8. Compensation. The members of the executive committee and the scien-  
41 tific working group shall serve without additional compensation, but  
42 shall be eligible to receive reimbursement for their actual and neces-  
43 sary expenses from the gun violence research fund established by section  
44 ninety-seven-j of the state finance law, provided however, members of  
45 the executive committee representing state agencies may receive  
46 reimbursement for their actual and necessary expenses from their respec-  
47 tive agencies. Members of the executive committee and scientific working  
48 group shall be considered state employees for the purposes of sections  
49 seventeen and nineteen of the public officers law.

50 9. Memorandum of understanding. The department, the department of  
51 health, the department of motor vehicles, and the division of criminal  
52 justice services shall enter into a written memorandum of understanding  
53 to facilitate the appropriate implementation of the gun violence  
54 research institute and the goals, responsibilities, and programs estab-  
55 lished by this section.

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

3     § 97-j. Gun violence research fund. 1. There is hereby established in  
4 the joint custody of the state comptroller and the commissioner of tax-  
5 ation and finance a fund to be known as the gun violence research fund.

6     2. The gun violence research fund shall consist of all moneys credited  
7 or transferred thereto from any other fund or source, including any  
8 federal, state, or private funds, pursuant to law for the purposes of  
9 gun violence research.

10    3. Moneys in the gun violence research fund may be invested by the  
11 comptroller pursuant to section ninety-eight-a of this article, and any  
12 income received by the comptroller shall be used for the purposes of  
13 such fund.

14    4. The moneys held in or credited to the fund shall be expended for  
15 the purposes set forth in this section, and may not be interchanged or  
16 commingled with any other account or fund but may be commingled with any  
17 other fund or account for investment purposes.

18    5. Moneys in the gun violence research fund, following appropriation  
19 by the legislature, shall be available to the New York gun violence  
20 research institute for gun violence research, education, and information  
21 transfer programs as set forth in section two hundred thirty-nine-c of  
22 the education law.

23    6. Moneys shall be payable from the fund on the audit and warrant of  
24 the comptroller on vouchers approved by the comptroller.

25    § 3. This act shall take effect on the ninetieth day after it shall  
26 have become a law. Effective immediately, the action, amendment and/or  
27 repeal of any rule or regulation necessary for the implementation of  
28 this act on its effective date are authorized to be made and completed  
29 by the commissioner of education on or before such effective date.

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

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