

STATE OF NEW YORK

S. 7505

A. 9505

SENATE - ASSEMBLY

January 22, 2020

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means

AN ACT to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to the effectiveness thereof; to amend chapter 3 of the laws of 1995, amending the correction law and other laws relating to the incarceration fee, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 62 of the laws of 2011, amending the correction law and the executive law relating to merging the department of correctional services and division of parole into the department of corrections and community supervision, in relation to the effectiveness thereof; to amend chapter 907 of the laws of 1984, amending the correction law, the New York city

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

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criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the expiration thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 55 of the laws of 2018 amending the criminal procedure law relating to pre-criminal proceeding settlements in the city of New York, in relation to the effectiveness thereof (Part A); to amend the correction law, in relation to expanding the definition of internet identifiers and establishing criminal personation by a sex offender (Part B); to amend the penal law, in relation to prohibiting the use of the intoxication of a victim as defense to a criminal charge for sex crimes (Part C); to amend section 7 of part Y of chapter 57 of the laws of 2018, amend-

ing the education law relating to persons practicing in certain licensed programs or services who are exempt from practice requirements of professionals licensed by the department of education, in relation to adding the division of criminal justice services to the list of agencies not required to receive a waiver for entities providing certain professional services (Part D); to amend the state finance law, in relation to establishing the district attorney discovery compensation fund; and to amend the criminal procedure law, in relation to monies recovered by county district attorneys before the filing of an accusatory instrument (Part E); in relation to the closure of correctional facility; and providing for the repeal of such provisions upon expiration thereof (Part F); to amend the correction law and the executive law, in relation to moving adolescent offenders to the office of children and family services; to repeal paragraph (a-1) of subdivision 4 of section 70.20 of the penal law and section 77 of the correction law relating thereto; to repeal paragraphs (a) through (e) of section 508 of the executive law relating to a technical correction; and providing for the repeal of certain provisions upon expiration thereof (Part G); to amend the state finance law, in relation to directing the correctional industries program to provide services in certain situations (Part H); to amend the tax law, in relation to suspending the transfer of monies into the emergency services revolving loan fund from the public safety communications account (Part I); to amend the executive law, in relation to the age of appointment for sworn members of the New York state police; and providing for the repeal of such provisions upon expiration thereof (Part J); to amend the penal law, in relation to the possession and sale of firearm, rifle, and shotgun components (Part K); to amend the executive law, in relation to administrative subpoenas (Part L); to amend the criminal procedure law, in relation to establishing the safe homes and families act (Part M); to amend the penal law, in relation to firearm licenses (Part N); to amend the executive law, in relation to the reporting of firearms (Part O); to amend the mental hygiene law, in relation to sharing information from mental health professionals with other states (Part P); to amend the penal law, in relation to establishing the crime of domestic violence (Part Q); to amend the penal law and the criminal procedure law, in relation to enacting the "New York Hate Crime Anti-Terrorism Act" (Part R); to amend the civil service law, in relation to reimbursement for medicare premium charges (Part S); to amend the civil practice law and rules and the state finance law, in relation to the rate of interest to be paid on judgement and accrued claims (Part T); to amend the civil service law, in relation to capping the standard medicare premium charge (Part U); to amend the civil service law, in relation to the state's contribution to the cost of health insurance premiums for future retirees of the state and their dependents (Part V); to amend the civil service law, in relation to continuing to protect and strengthen unions (Part W); to amend the state technology law and the state finance law, in relation to authorizing comprehensive technology service contracts (Part X); to amend the state finance law and the state technology law, in relation to defining the term technology to include computer information, electronic information, interconnected systems and related material thereto (Part Y); to amend section 1 of part S of chapter 56 of the laws of 2010, relating to establishing a joint appointing authority for the state financial system project, in relation to statewide financial system procurements (Part Z); to amend

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

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

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

1 Section 1. This act enacts into law major components of legislation
 2 which are necessary to implement the state fiscal plan for the 2020-2021
 3 state fiscal year. Each component is wholly contained within a Part
 4 identified as Parts A through VV. The effective date for each particular
 5 provision contained within such Part is set forth in the last section of
 6 such Part. Any provision in any section contained within a Part, includ-
 7 ing the effective date of the Part, which makes a reference to a section
 8 "of this act", when used in connection with that particular component,
 9 shall be deemed to mean and refer to the corresponding section of the
 10 Part in which it is found. Section three of this act sets forth the
 11 general effective date of this act.

PART A

13 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the
 14 correction law relating to the psychological testing of candidates, as
 15 amended by section 1 of part 0 of chapter 55 of the laws of 2019, is
 16 amended to read as follows:

17 § 2. This act shall take effect on the one hundred eightieth day after
 18 it shall have become a law and shall remain in effect until September 1,
 19 [~~2020~~] 2022.

20 § 2. Section 3 of chapter 428 of the laws of 1999, amending the execu-
 21 tive law and the criminal procedure law relating to expanding the
 22 geographic area of employment of certain police officers, as amended by
 23 section 2 of part 0 of chapter 55 of the laws of 2019, is amended to
 24 read as follows:

25 § 3. This act shall take effect on the first day of November next
 26 succeeding the date on which it shall have become a law, and shall
 27 remain in effect until the first day of September, [~~2020~~] 2022, when it
 28 shall expire and be deemed repealed.

29 § 3. Section 3 of chapter 886 of the laws of 1972, amending the
 30 correction law and the penal law relating to prisoner furloughs in
 31 certain cases and the crime of absconding therefrom, as amended by
 32 section 3 of part 0 of chapter 55 of the laws of 2019, is amended to
 33 read as follows:

1 § 3. This act shall take effect 60 days after it shall have become a
2 law and shall remain in effect until September 1, [~~2020~~] 2022.

3 § 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
4 50, 53 and 54 of the laws of 1987, the correction law, the penal law and
5 other chapters and laws relating to correctional facilities, as amended
6 by section 4 of part 0 of chapter 55 of the laws of 2019, is amended to
7 read as follows:

8 § 20. This act shall take effect immediately except that section thir-
9 teen of this act shall expire and be of no further force or effect on
10 and after September 1, [~~2020~~] 2022 and shall not apply to persons
11 committed to the custody of the department after such date, and provided
12 further that the commissioner of corrections and community supervision
13 shall report each January first and July first during such time as the
14 earned eligibility program is in effect, to the chairmen of the senate
15 crime victims, crime and correction committee, the senate codes commit-
16 tee, the assembly correction committee, and the assembly codes commit-
17 tee, the standards in effect for earned eligibility during the prior
18 six-month period, the number of inmates subject to the provisions of
19 earned eligibility, the number who actually received certificates of
20 earned eligibility during that period of time, the number of inmates
21 with certificates who are granted parole upon their first consideration
22 for parole, the number with certificates who are denied parole upon
23 their first consideration, and the number of individuals granted and
24 denied parole who did not have earned eligibility certificates.

25 § 5. Subdivision (q) of section 427 of chapter 55 of the laws of 1992,
26 amending the tax law and other laws relating to taxes, surcharges, fees
27 and funding, as amended by section 5 of part 0 of chapter 55 of the laws
28 of 2019, is amended to read as follows:

29 (q) the provisions of section two hundred eighty-four of this act
30 shall remain in effect until September 1, [~~2020~~] 2022 and be applicable
31 to all persons entering the program on or before August 31, [~~2020~~] 2022.

32 § 6. Section 10 of chapter 339 of the laws of 1972, amending the
33 correction law and the penal law relating to inmate work release,
34 furlough and leave, as amended by section 6 of part 0 of chapter 55 of
35 the laws of 2019, is amended to read as follows:

36 § 10. This act shall take effect 30 days after it shall have become a
37 law and shall remain in effect until September 1, [~~2020~~] 2022, and
38 provided further that the commissioner of correctional services shall
39 report each January first, and July first, to the chairman of the senate
40 crime victims, crime and correction committee, the senate codes commit-
41 tee, the assembly correction committee, and the assembly codes commit-
42 tee, the number of eligible inmates in each facility under the custody
43 and control of the commissioner who have applied for participation in
44 any program offered under the provisions of work release, furlough, or
45 leave, and the number of such inmates who have been approved for partic-
46 ipation.

47 § 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994
48 relating to certain provisions which impact upon expenditure of certain
49 appropriations made by chapter 50 of the laws of 1994 enacting the state
50 operations budget, as amended by section 7 of part 0 of chapter 55 of
51 the laws of 2019, is amended to read as follows:

52 (c) sections forty-one and forty-two of this act shall expire Septem-
53 ber 1, [~~2020~~] 2022; provided, that the provisions of section forty-two
54 of this act shall apply to inmates entering the work release program on
55 or after such effective date; and

1 § 8. Subdivision h of section 74 of chapter 3 of the laws of 1995,
2 amending the correction law and other laws relating to the incarceration
3 fee, as amended by section 8 of part 0 of chapter 55 of the laws of
4 2019, is amended to read as follows:

5 h. Section fifty-two of this act shall be deemed to have been in full
6 force and effect on and after April 1, 1995; provided, however, that the
7 provisions of section 189 of the correction law, as amended by section
8 fifty-five of this act, subdivision 5 of section 60.35 of the penal law,
9 as amended by section fifty-six of this act, and section fifty-seven of
10 this act shall expire September 1, [~~2020~~] 2022, when upon such date the
11 amendments to the correction law and penal law made by sections fifty-
12 five and fifty-six of this act shall revert to and be read as if the
13 provisions of this act had not been enacted; provided, however, that
14 sections sixty-two, sixty-three and sixty-four of this act shall be
15 deemed to have been in full force and effect on and after March 1, 1995
16 and shall be deemed repealed April 1, 1996 and upon such date the
17 provisions of subsection (e) of section 9110 of the insurance law and
18 subdivision 2 of section 89-d of the state finance law shall revert to
19 and be read as set out in law on the date immediately preceding the
20 effective date of sections sixty-two and sixty-three of this act;

21 § 9. Subdivision (c) of section 49 of subpart A of part C of chapter
22 62 of the laws of 2011 amending the correction law and the executive law
23 relating to merging the department of correctional services and division
24 of parole into the department of corrections and community supervision,
25 as amended by section 9 of part 0 of chapter 55 of the laws of 2019, is
26 amended to read as follows:

27 (c) that the amendments to subdivision 9 of section 201 of the
28 correction law as added by section thirty-two of this act shall remain
29 in effect until September 1, [~~2020~~] 2022, when it shall expire and be
30 deemed repealed;

31 § 10. Subdivision (aa) of section 427 of chapter 55 of the laws of
32 1992, amending the tax law and other laws relating to taxes, surcharges,
33 fees and funding, as amended by section 10 of part 0 of chapter 55 of
34 the laws of 2019, is amended to read as follows:

35 (aa) the provisions of sections three hundred eighty-two, three
36 hundred eighty-three and three hundred eighty-four of this act shall
37 expire on September 1, [~~2020~~] 2022;

38 § 11. Section 12 of chapter 907 of the laws of 1984, amending the
39 correction law, the New York city criminal court act and the executive
40 law relating to prison and jail housing and alternatives to detention
41 and incarceration programs, as amended by section 11 of part 0 of chap-
42 ter 55 of the laws of 2019, is amended to read as follows:

43 § 12. This act shall take effect immediately, except that the
44 provisions of sections one through ten of this act shall remain in full
45 force and effect until September 1, [~~2020~~] 2022 on which date those
46 provisions shall be deemed to be repealed.

47 § 12. Subdivision (p) of section 406 of chapter 166 of the laws of
48 1991, amending the tax law and other laws relating to taxes, as amended
49 by section 12 of part 0 of chapter 55 of the laws of 2019, is amended to
50 read as follows:

51 (p) The amendments to section 1809 of the vehicle and traffic law made
52 by sections three hundred thirty-seven and three hundred thirty-eight of
53 this act shall not apply to any offense committed prior to such effec-
54 tive date; provided, further, that section three hundred forty-one of
55 this act shall take effect immediately and shall expire November 1, 1993
56 at which time it shall be deemed repealed; sections three hundred

1 forty-five and three hundred forty-six of this act shall take effect
2 July 1, 1991; sections three hundred fifty-five, three hundred fifty-
3 six, three hundred fifty-seven and three hundred fifty-nine of this act
4 shall take effect immediately and shall expire June 30, 1995 and shall
5 revert to and be read as if this act had not been enacted; section three
6 hundred fifty-eight of this act shall take effect immediately and shall
7 expire June 30, 1998 and shall revert to and be read as if this act had
8 not been enacted; section three hundred sixty-four through three hundred
9 sixty-seven of this act shall apply to claims filed on or after such
10 effective date; sections three hundred sixty-nine, three hundred seven-
11 ty-two, three hundred seventy-three, three hundred seventy-four, three
12 hundred seventy-five and three hundred seventy-six of this act shall
13 remain in effect until September 1, [~~2020~~ 2022, at which time they
14 shall be deemed repealed; provided, however, that the mandatory
15 surcharge provided in section three hundred seventy-four of this act
16 shall apply to parking violations occurring on or after said effective
17 date; and provided further that the amendments made to section 235 of
18 the vehicle and traffic law by section three hundred seventy-two of this
19 act, the amendments made to section 1809 of the vehicle and traffic law
20 by sections three hundred thirty-seven and three hundred thirty-eight of
21 this act and the amendments made to section 215-a of the labor law by
22 section three hundred seventy-five of this act shall expire on September
23 1, [~~2020~~ 2022 and upon such date the provisions of such subdivisions
24 and sections shall revert to and be read as if the provisions of this
25 act had not been enacted; the amendments to subdivisions 2 and 3 of
26 section 400.05 of the penal law made by sections three hundred seventy-
27 seven and three hundred seventy-eight of this act shall expire on July
28 1, 1992 and upon such date the provisions of such subdivisions shall
29 revert and shall be read as if the provisions of this act had not been
30 enacted; the state board of law examiners shall take such action as is
31 necessary to assure that all applicants for examination for admission to
32 practice as an attorney and counsellor at law shall pay the increased
33 examination fee provided for by the amendment made to section 465 of the
34 judiciary law by section three hundred eighty of this act for any exam-
35 ination given on or after the effective date of this act notwithstanding
36 that an applicant for such examination may have prepaid a lesser fee for
37 such examination as required by the provisions of such section 465 as of
38 the date prior to the effective date of this act; the provisions of
39 section 306-a of the civil practice law and rules as added by section
40 three hundred eighty-one of this act shall apply to all actions pending
41 on or commenced on or after September 1, 1991, provided, however, that
42 for the purposes of this section service of such summons made prior to
43 such date shall be deemed to have been completed on September 1, 1991;
44 the provisions of section three hundred eighty-three of this act shall
45 apply to all money deposited in connection with a cash bail or a
46 partially secured bail bond on or after such effective date; and the
47 provisions of sections three hundred eighty-four and three hundred
48 eighty-five of this act shall apply only to jury service commenced
49 during a judicial term beginning on or after the effective date of this
50 act; provided, however, that nothing contained herein shall be deemed to
51 affect the application, qualification, expiration or repeal of any
52 provision of law amended by any section of this act and such provisions
53 shall be applied or qualified or shall expire or be deemed repealed in
54 the same manner, to the same extent and on the same date as the case may
55 be as otherwise provided by law;

1 § 13. Subdivision 8 of section 1809 of the vehicle and traffic law, as
2 amended by section 13 of part 0 of chapter 55 of the laws of 2019, is
3 amended to read as follows:

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

6 § 14. Section 6 of chapter 713 of the laws of 1988, amending the vehi-
7 cle and traffic law relating to the ignition interlock device program,
8 as amended by section 14 of part 0 of chapter 55 of the laws of 2019, is
9 amended to read as follows:

10 § 6. This act shall take effect on the first day of April next
11 succeeding the date on which it shall have become a law; provided,
12 however, that effective immediately, the addition, amendment or repeal
13 of any rule or regulation necessary for the implementation of the fore-
14 going sections of this act on their effective date is authorized and
15 directed to be made and completed on or before such effective date and
16 shall remain in full force and effect until the first day of September,
17 [~~2020~~] 2022 when upon such date the provisions of this act shall be
18 deemed repealed.

19 § 15. Paragraph a of subdivision 6 of section 76 of chapter 435 of the
20 laws of 1997, amending the military law and other laws relating to vari-
21 ous provisions, as amended by section 15 of part 0 of chapter 55 of the
22 laws of 2019, is amended to read as follows:

23 a. sections forty-three through forty-five of this act shall expire
24 and be deemed repealed on September 1, [~~2020~~] 2022;

25 § 16. Section 4 of part D of chapter 412 of the laws of 1999, amending
26 the civil practice law and rules and the court of claims act relating to
27 prisoner litigation reform, as amended by section 16 of part 0 of chap-
28 ter 55 of the laws of 2019, is amended to read as follows:

29 § 4. This act shall take effect 120 days after it shall have become a
30 law and shall remain in full force and effect until September 1, [~~2020~~]
31 2022, when upon such date it shall expire.

32 § 17. Subdivision 2 of section 59 of chapter 222 of the laws of 1994,
33 constituting the family protection and domestic violence intervention
34 act of 1994, as amended by section 17 of part 0 of chapter 55 of the
35 laws of 2019, is amended to read as follows:

36 2. Subdivision 4 of section 140.10 of the criminal procedure law as
37 added by section thirty-two of this act shall take effect January 1,
38 1996 and shall expire and be deemed repealed on September 1, [~~2020~~]
39 2022.

40 § 18. Section 5 of chapter 505 of the laws of 1985, amending the crim-
41 inal procedure law relating to the use of closed-circuit television and
42 other protective measures for certain child witnesses, as amended by
43 section 18 of part 0 of chapter 55 of the laws of 2019, is amended to
44 read as follows:

45 § 5. This act shall take effect immediately and shall apply to all
46 criminal actions and proceedings commenced prior to the effective date
47 of this act but still pending on such date as well as all criminal
48 actions and proceedings commenced on or after such effective date and
49 its provisions shall expire on September 1, [~~2020~~] 2022, when upon such
50 date the provisions of this act shall be deemed repealed.

51 § 19. Subdivision d of section 74 of chapter 3 of the laws of 1995,
52 enacting the sentencing reform act of 1995, as amended by section 19 of
53 part 0 of chapter 55 of the laws of 2019, is amended to read as follows:

54 d. Sections one-a through twenty, twenty-four through twenty-eight,
55 thirty through thirty-nine, forty-two and forty-four of this act shall
56 be deemed repealed on September 1, [~~2020~~] 2022;

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

5 § 2. This act shall take effect immediately, except that the
6 provisions of this act shall be deemed to have been in full force and
7 effect since July 1, 1992 and the provisions of this act shall expire
8 September 1, [~~2020~~] 2022 when upon such date the provisions of this act
9 shall be deemed repealed.

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

14 § 3. This act shall take effect immediately, except that section one
15 of this act shall take effect on the first of January next succeeding
16 the date on which it shall have become a law, and shall remain in effect
17 until the first of September, [~~2020~~] 2022, upon which date this act
18 shall be deemed repealed and have no further force and effect; provided
19 that section one of this act shall only take effect with respect to any
20 compacting state which has enacted an interstate compact entitled
21 "Interstate compact for adult offender supervision" and having an iden-
22 tical effect to that added by section one of this act and provided
23 further that with respect to any such compacting state, upon the effec-
24 tive date of section one of this act, section 259-m of the executive law
25 is hereby deemed REPEALED and section 259-mm of the executive law, as
26 added by section one of this act, shall take effect; and provided
27 further that with respect to any state which has not enacted an inter-
28 state compact entitled "Interstate compact for adult offender super-
29 vision" and having an identical effect to that added by section one of
30 this act, section 259-m of the executive law shall take effect and the
31 provisions of section one of this act, with respect to any such state,
32 shall have no force or effect until such time as such state shall adopt
33 an interstate compact entitled "Interstate compact for adult offender
34 supervision" and having an identical effect to that added by section one
35 of this act in which case, with respect to such state, effective imme-
36 diately, section 259-m of the executive law is deemed repealed and
37 section 259-mm of the executive law, as added by section one of this
38 act, shall take effect.

39 § 22. Section 8 of part H of chapter 56 of the laws of 2009, amending
40 the correction law relating to limiting the closing of certain correc-
41 tional facilities, providing for the custody by the department of
42 correctional services of inmates serving definite sentences, providing
43 for custody of federal prisoners and requiring the closing of certain
44 correctional facilities, as amended by section 22 of part O of chapter
45 55 of the laws of 2019, is amended to read as follows:

46 § 8. This act shall take effect immediately; provided, however that
47 sections five and six of this act shall expire and be deemed repealed
48 September 1, [~~2020~~] 2022.

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

53 § 3. This act shall take effect immediately; provided however that the
54 amendments made to subdivision 1 of section 221 of the military law by
55 section two of this act shall expire and be deemed repealed September 1,
56 [~~2020~~] 2022.

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

6 § 5. This act shall take effect immediately and shall remain in full
 7 force and effect until September 1, ~~2020~~ 2022, and provided further
 8 that the commissioner of correctional services shall report each January
 9 first and July first during such time as this legislation is in effect,
 10 to the chairmen of the senate crime victims, crime and correction
 11 committee, the senate codes committee, the assembly correction commit-
 12 tee, and the assembly codes committee, the number of individuals who are
 13 released to community treatment facilities during the previous six-month
 14 period, including the total number for each date at each facility who
 15 are not residing within the facility, but who are required to report to
 16 the facility on a daily or less frequent basis.

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

21 § 2. This act shall take effect immediately and shall remain in full
 22 force and effect until March 31, ~~2020~~ 2022, when it shall expire and
 23 be deemed repealed.

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

27 PART B

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

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

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

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

1 vision, an authorized internet entity shall not publish or in any way
 2 disclose or redisclose any information provided to it by the division
 3 pursuant to this subdivision. An authorized internet entity or internet
 4 access provider shall review the information provided by the division
 5 pursuant to this section. Such authorized internet entity or internet
 6 access provider shall develop policies regarding the use of such infor-
 7 mation and publicly release such policies to its users, in accordance
 8 with rules and regulations promulgated by the division pursuant to this
 9 subdivision. The division may charge an authorized internet entity a fee
 10 for access to registered internet identifiers requested by such entity
 11 pursuant to this subdivision. The division shall promulgate rules and
 12 regulations relating to procedures for the release of information in the
 13 registry, including but not limited to, the disclosure and redisclosure
 14 of such information, and the imposition of any fees, and rules and regu-
 15 lations relating to criteria required for the policies to be developed
 16 by authorized internet entities and internet access providers.

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

20 § 168-w. Criminal personation by a sex offender. 1. A person is guilty
 21 of criminal personation by a sex offender when, being required to regis-
 22 ter or verify under the provisions of this article, he or she, for the
 23 purpose of engaging in chat, messaging, gaming, dating, networking,
 24 social media, file sharing, information sharing, or other internet
 25 communication or contact, knowingly misrepresents his or her actual
 26 name, gender, date of birth, address, or status as a sex offender to
 27 another person, with the intent to defraud, deceive or injure such
 28 person or another person.

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

38 § 4. This act shall take effect immediately.

39 PART C

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

42 6. "Mentally incapacitated" means that a person is rendered temporar-
 43 ily incapable of appraising or controlling his or her conduct owing to
 44 the influence of a narcotic or intoxicating substance administered to
 45 him or her without his or her consent, or to any other act committed
 46 upon him or her without his or her consent.

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

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

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

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

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

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

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

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

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

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

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

36 PART D

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

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

54 § 2. This act shall take effect immediately.

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PART E

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

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

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

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

3. Monies of the district attorney discovery compensation fund, following appropriation by the legislature and allocation by the director of the budget, shall be made available for local assistance services and expenses related to digital evidence transmission technology.

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

§ 95.00 Pre-criminal proceeding settlement.

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

1 enforcement investigation or a judicial proceeding, and the current
2 total balance of monies held on deposit for state sanctioned deferred
3 prosecution agreements. The report shall include a detailed description
4 of any entity to which funds are distributed, including but not limited
5 to, whether it is a profit or not-for-profit entity, where it is
6 located, and the intended use of the monies distributed, and shall state
7 the law enforcement purpose.

8 § 3. This act shall take effect immediately; provided, however, that
9 the amendments to section 95.00 of the criminal procedure law made by
10 section two of this act shall not affect the repeal of such section and
11 shall be deemed repealed therewith.

12 PART F

13 Section 1. Notwithstanding the provisions of sections 79-a and 79-b of
14 the correction law, the governor is authorized to close correctional
15 facilities of the department of corrections and community supervision,
16 in the state fiscal year 2020-2021, as he determines to be necessary for
17 the cost-effective and efficient operation of the correctional system,
18 provided that the governor provides at least 90 days notice prior to any
19 such closures to the temporary president of the senate and the speaker
20 of the assembly.

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

24 PART G

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

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

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

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

38 § 4. The section heading and subdivisions 1, 2, 7 and 8 of section 508
39 of the executive law, the section heading as added by chapter 481 of the
40 laws of 1978, subdivision 1 as amended by chapter 738 of the laws of
41 2004, subdivisions 2, 7 and 8 as amended by section 82 of part WWW of
42 chapter 59 of the laws of 2017 and such section as renumbered by chapter
43 465 of the laws of 1992, are amended to read as follows:

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

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

5 7. While in the custody of the office of children and family services,
6 an offender shall be subject to the rules and regulations of the office,
7 except that his or her parole, temporary release and discharge shall be
8 governed by the laws applicable to inmates of state correctional facili-
9 ties and his or her transfer to state hospitals in the office of mental
10 health shall be governed by section five hundred nine of this [~~chapter~~
11 article]; provided, however, that an otherwise eligible offender may
12 receive the six-month limited credit time allowance for successful
13 participation in one or more programs developed by the office of chil-
14 dren and family services that are comparable to the programs set forth
15 in section eight hundred three-b of the correction law, taking into
16 consideration the age of offenders. The commissioner of the office of
17 children and family services shall, however, establish and operate
18 temporary release programs at office of children and family services
19 facilities for eligible juvenile offenders and adolescent offenders and
20 contract with the department of corrections and community supervision
21 for the provision of parole supervision services for temporary releas-
22 ees. The rules and regulations for these programs shall not be incon-
23 sistent with the laws for temporary release applicable to inmates of
24 state correctional facilities. For the purposes of temporary release
25 programs for juvenile offenders and adolescent offenders only, when
26 referred to or defined in article twenty-six of the correction law,
27 "institution" shall mean any facility designated by the commissioner of
28 the office of children and family services, "department" shall mean the
29 office of children and family services, "inmate" shall mean a juvenile
30 offender or adolescent offender residing in an office of children and
31 family services facility, and "commissioner" shall mean the commissioner
32 of the office of children and family services. Time spent in office of
33 children and family services facilities and in juvenile detention facil-
34 ities shall be credited towards the sentence imposed in the same manner
35 and to the same extent applicable to inmates of state correctional
36 facilities.

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

50 § 5. Paragraphs (a), (b), (c), (d) and (e) of subdivision 2 of section
51 508 of the executive law are REPEALED.

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

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

1 b. section two of this act shall take effect October 1, 2020; and
 2 c. section three of this act shall expire October 1, 2021 when upon
 3 such date the provisions of such section shall be deemed repealed.
 4 Effective immediately, the addition, amendment and/or repeal of any rule
 5 or regulation necessary for the implementation of this act on its effec-
 6 tive date are authorized to be made and completed on or before such
 7 effective date.

8 PART H

9 Section 1. Paragraph a of subdivision 2 of section 162 of the state
 10 finance law, as amended by section 164 of subpart B of part C of chapter
 11 62 of the laws of 2011, is amended to read as follows:

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

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

19 (iii) if, within ten days of the notification required by subparagraph
 20 (i) of this paragraph, no preferred source or facilitating entity iden-
 21 tified in paragraph e of subdivision six of this section indicates
 22 intent to provide the service, [~~then the service shall be procured in~~
 23 ~~accordance with section one hundred sixty-three of this article. If,~~
 24 ~~after such period, a preferred source elects to bid on the service,~~
 25 ~~award shall be made in accordance with section one hundred sixty-three~~
 26 ~~of this article or as otherwise provided by law] state agencies or poli-
 27 tical subdivisions or public benefit corporations having their own
 28 purchasing agency shall make reasonable efforts to provide a notifica-
 29 tion describing their requirements to the correctional industries
 30 program of the department of corrections and community supervision, and
 31 if the correctional industries program of the department of corrections
 32 and community supervision provides a notice of intent to provide the
 33 service in the form, function and utility required, at a price in
 34 accordance with the price provisions set forth herein, then the service
 35 shall be purchased from the correctional industries program of the
 36 department of corrections and community supervision.~~

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

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

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

53 § 4. This act shall take effect immediately.

1

PART I

2 Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax
3 law, as amended by section 1 of part M of chapter 55 of the laws of
4 2018, is amended to read as follows:

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

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

16

PART J

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

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

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

21 § 2. This act shall take effect immediately; provided, however, that
22 the amendments to subdivision 3 of section 215 of the executive law made
23 by section one of this act shall expire and be deemed repealed April 1,
24 2023.

25

PART K

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

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

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

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

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

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

49 § 400.04 Sale or transfer of firearm, rifle, or shotgun components.

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

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

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

19 3. No dealer in firearms may complete a transfer pursuant to this
20 section unless (i) the frame or receiver of a firearm, rifle, or shot-
21 gun, or unfinished frame or receiver, is conspicuously engraved, cast,
22 or stamped with a unique serial number, or (ii) in the case of an unfin-
23 ished frame or receiver that lacks such a unique serial number, the
24 dealer in firearms first requests and obtains a unique serial number for
25 each unfinished frame or receiver pursuant to subdivision four of this
26 section and provides the unique serial number assigned to the unfinished
27 frame or receiver to the transferee.

28 4. Upon the request of a dealer in firearms made pursuant to subdivi-
29 sion three of this section, the division of criminal justice services
30 shall issue a unique serial number for each unfinished frame or receiv-
31 er, transmit the serial number to the requesting dealer, and maintain a
32 record of each serial number issued, the date of issuance, and the iden-
33 tity of the requesting dealer.

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

43 6. Any person not a validly licensed dealer in firearms pursuant to
44 section 400.00 of this article or section 923 of title 18 of the United
45 States Code who violates subdivision one or five of this section shall
46 be guilty of a class D felony. Any dealer in firearms who violates
47 subdivision three of this section shall be guilty of a class B misdemea-
48 nor and any license of such dealer issued pursuant to section 400.00 of
49 this article shall be revoked. Any dealer in firearms who violates
50 subdivision one or two of this section, for a first offense, shall be
51 guilty of a violation and subject to the fine of one thousand dollars
52 and for a second offense, shall be guilty of a class B misdemeanor and
53 any license of such dealer issued pursuant to section 400.00 of this
54 article shall be revoked.

55 § 4. This act shall take effect on the first of November next succeed-
56 ing the date upon which it shall have become a law.

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PART L

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

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

- (a) Name;
- (b) Internet username;
- (c) Billing and service address;
- (d) Electronic mail address;
- (e) Internet protocol address;
- (f) Telephone number of account holder;
- (g) Method of access to the internet;
- (h) Local and long distance telephone connection records, or records of session times and durations;
- (i) Telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address;
- (j) Account status;
- (k) Length of service, including start date, and types of service utilized;
- (l) Means and source of payment for such service, including any credit card or bank account number.

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

- (a) The contents of stored or in-transit electronic communications;
- (b) Account memberships related to internet groups, newsgroups, mailing lists, or specific areas of interest;
- (c) Account passwords; and
- (d) Account content, including electronic mail in any form, address books, contacts, financial records, web surfing history, internet proxy content, and files or other digital documents stored with the account or pursuant to use of the account.

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

PART M

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

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

6. (a) A police officer who responds to a report of a family offense as defined in section 530.11 of this chapter and section eight hundred twelve of the family court act may, in the interest of public safety, take temporary custody of any firearm, rifle, electronic dart gun, elec-

1 tronic stun gun, disguised gun, imitation weapon, shotgun, antique
2 firearm, black powder rifle, black powder shotgun, or muzzle-loading
3 firearm that is in plain sight or is discovered pursuant to a lawful
4 search, and shall take temporary custody of any such weapon that is in
5 the possession of any person arrested for the commission of such family
6 offense or suspected of its commission. An officer who takes custody of
7 any weapon pursuant to this paragraph shall also take custody of any
8 license to carry, possess, repair, and dispose of such weapon issued to
9 the person arrested or suspected of such family offense. The officer
10 shall deliver such weapon and/or license to the appropriate law enforce-
11 ment officer as provided in subparagraph (f) of paragraph one of subdi-
12 vision a of section 265.20 of the penal law.

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

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

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

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

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

47 (b) Upon taking custody of any firearm, rifle or shotgun or any other
48 weapon described in paragraph (a) of this subdivision, the law enforce-
49 ment officer shall provide the owner or any other adult residing on the
50 premises with a receipt describing the items taken into temporary custo-
51 dy and shall provide instructions for claiming the items.

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

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

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

11 § 4. The section heading and paragraphs (a) and (b) of subdivision 1
12 of section 530.14 of the criminal procedure law, as amended by chapter
13 60 of the laws of 2018, are amended and a new paragraph (c) is added to
14 read as follows:

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

19 (a) the court shall suspend any such existing license possessed by the
20 defendant, order the defendant ineligible for such a license and order
21 the immediate surrender of any or all firearms, rifles and shotguns
22 owned or possessed where the court receives information that gives the
23 court good cause to believe that (i) the defendant has a prior
24 conviction of any violent felony offense as defined in section 70.02 of
25 the penal law; (ii) the defendant has previously been found to have
26 willfully failed to obey a prior order of protection and such willful
27 failure involved (A) the infliction of physical injury, as defined in
28 subdivision nine of section 10.00 of the penal law, (B) the use or
29 threatened use of a deadly weapon or dangerous instrument as those terms
30 are defined in subdivisions twelve and thirteen of section 10.00 of the
31 penal law, or (C) behavior constituting any violent felony offense as
32 defined in section 70.02 of the penal law; or (iii) the defendant has a
33 prior conviction for stalking in the first degree as defined in section
34 120.60 of the penal law, stalking in the second degree as defined in
35 section 120.55 of the penal law, stalking in the third degree as defined
36 in section 120.50 of the penal law or stalking in the fourth degree as
37 defined in section 120.45 of such law; ~~and~~

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

47 (c) the court may where the defendant willfully refuses to surrender
48 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
49 this subdivision, or for other good cause shown, order the immediate
50 seizure of such firearm, rifle or shotgun, and search therefor, consist-
51 ent with such rights as the defendant may derive from this article or
52 the constitution of this state or the United States.

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

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

6 (b) the court shall where the court finds a substantial risk that the
7 defendant may use or threaten to use a firearm, ~~rifles~~ rifle or ~~shot-~~
8 ~~guns~~ shotgun unlawfully against the person or persons for whose
9 protection the order of protection is issued, (i) revoke any such exist-
10 ing license possessed by the defendant, order the defendant ineligible
11 for such a license and order the immediate surrender of any or all
12 firearms, rifles and shotguns owned or possessed or (ii) suspend or
13 continue to suspend any such existing license possessed by the defend-
14 ant, order the defendant ineligible for such a license and order the
15 immediate surrender pursuant to subparagraph (f) of paragraph one of
16 subdivision a of section 265.20 and subdivision six of section 400.05 of
17 the penal law, of any or all firearms, rifles and shotguns owned or
18 possessed~~+~~; and

19 (c) the court may where the defendant willfully refuses to surrender
20 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
21 this subdivision, or for other good cause shown, order the immediate
22 seizure of such firearm, rifle or shotgun, and search therefor, consist-
23 ent with such rights as the defendant may derive from this article or
24 the constitution of this state or the United States.

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

28 (a) the court shall revoke any such existing license possessed by the
29 defendant, order the defendant ineligible for such a license and order
30 the immediate surrender of any or all firearms, rifles and shotguns
31 owned or possessed where the willful failure to obey such order involved
32 (i) the infliction of physical injury, as defined in subdivision nine of
33 section 10.00 of the penal law, (ii) the use or threatened use of a
34 deadly weapon or dangerous instrument as those terms are defined in
35 subdivisions twelve and thirteen of section 10.00 of the penal law,
36 (iii) behavior constituting any violent felony offense as defined in
37 section 70.02 of the penal law; or (iv) behavior constituting stalking
38 in the first degree as defined in section 120.60 of the penal law,
39 stalking in the second degree as defined in section 120.55 of the penal
40 law, stalking in the third degree as defined in section 120.50 of the
41 penal law or stalking in the fourth degree as defined in section 120.45
42 of such law; ~~and~~

43 (b) the court shall where the court finds a substantial risk that the
44 defendant may use or threaten to use a firearm, rifle or shotgun unlaw-
45 fully against the person or persons for whose protection the order of
46 protection was issued, (i) revoke any such existing license possessed by
47 the defendant, order the defendant ineligible for such a license and
48 order the immediate surrender pursuant to subparagraph (f) of paragraph
49 one of subdivision a of section 265.20 and subdivision six of section
50 400.05 of the penal law, of any or all firearms, rifles and shotguns
51 owned or possessed or (ii) suspend any such existing license possessed
52 by the defendant, order the defendant ineligible for such a license and
53 order the immediate surrender pursuant to subparagraph (f) of paragraph
54 one of subdivision a of section 265.20 and subdivision six of section
55 400.05 of the penal law, of any or all firearms, rifles and shotguns
56 owned or possessed~~+~~; and

1 (c) the court may where the defendant willfully refuses to surrender
 2 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
 3 this subdivision, or for other good cause shown, order the immediate
 4 seizure of such firearm, rifle or shotgun, and search therefor, consist-
 5 ent with such rights as the defendant may derive from this article or
 6 the constitution of this state or the United States.

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

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

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

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

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

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

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

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

49 (a) the court shall suspend any such existing license possessed by the
 50 respondent, order the respondent ineligible for such a license, and
 51 order the immediate surrender pursuant to subparagraph (f) of paragraph
 52 one of subdivision a of section 265.20 and subdivision six of section
 53 400.05 of the penal law, of any or all firearms, rifles and shotguns
 54 owned or possessed where the court receives information that gives the
 55 court good cause to believe that: (i) the respondent has a prior
 56 conviction of any violent felony offense as defined in section 70.02 of

1 the penal law; (ii) the respondent has previously been found to have
 2 willfully failed to obey a prior order of protection and such willful
 3 failure involved (A) the infliction of physical injury, as defined in
 4 subdivision nine of section 10.00 of the penal law, (B) the use or
 5 threatened use of a deadly weapon or dangerous instrument as those terms
 6 are defined in subdivisions twelve and thirteen of section 10.00 of the
 7 penal law, or (C) behavior constituting any violent felony offense as
 8 defined in section 70.02 of the penal law; or (iii) the respondent has a
 9 prior conviction for stalking in the first degree as defined in section
 10 120.60 of the penal law, stalking in the second degree as defined in
 11 section 120.55 of the penal law, stalking in the third degree as defined
 12 in section 120.50 of the penal law or stalking in the fourth degree as
 13 defined in section 120.45 of such law; ~~and~~

14 (b) the court shall where the court finds a substantial risk that the
 15 respondent may use or threaten to use a firearm, rifle or shotgun unlaw-
 16 fully against the person or persons for whose protection the temporary
 17 order of protection is issued, suspend any such existing license
 18 possessed by the respondent, order the respondent ineligible for such a
 19 license, and order the immediate surrender pursuant to subparagraph (f)
 20 of paragraph one of subdivision a of section 265.20 and subdivision six
 21 of section 400.05 of the penal law, of any or all firearms, rifles and
 22 shotguns owned or possessed~~+~~; and

23 (c) the court may where the defendant willfully refuses to surrender
 24 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
 25 this subdivision, or for other good cause shown, order the immediate
 26 seizure of such firearm, rifle or shotgun, and search therefor, consist-
 27 ent with such rights as the defendant may derive from this article or
 28 the constitution of this state or the United States.

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

32 (a) the court shall revoke any such existing license possessed by the
 33 respondent, order the respondent ineligible for such a license, and
 34 order the immediate surrender pursuant to subparagraph (f) of paragraph
 35 one of subdivision a of section 265.20 and subdivision six of section
 36 400.05 of the penal law, of any or all firearms, rifles and shotguns
 37 owned or possessed where the court finds that the conduct which resulted
 38 in the issuance of the order of protection involved (i) the infliction
 39 of physical injury, as defined in subdivision nine of section 10.00 of
 40 the penal law, (ii) the use or threatened use of a deadly weapon or
 41 dangerous instrument as those terms are defined in subdivisions twelve
 42 and thirteen of section 10.00 of the penal law, or (iii) behavior
 43 constituting any violent felony offense as defined in section 70.02 of
 44 the penal law; ~~and~~

45 (b) the court shall, where the court finds a substantial risk that the
 46 respondent may use or threaten to use a firearm, rifle or shotgun unlaw-
 47 fully against the person or persons for whose protection the order of
 48 protection is issued, (i) revoke any such existing license possessed by
 49 the respondent, order the respondent ineligible for such a license and
 50 order the immediate surrender pursuant to subparagraph (f) of paragraph
 51 one of subdivision a of section 265.20 and subdivision six of section
 52 400.05 of the penal law, of any or all firearms, rifles and shotguns
 53 owned or possessed or (ii) suspend or continue to suspend any such
 54 existing license possessed by the respondent, order the respondent inel-
 55 ible for such a license, and order the immediate surrender pursuant to
 56 subparagraph (f) of paragraph one of subdivision a of section 265.20 and

1 subdivision six of section 400.05 of the penal law, of any or all
2 firearms, rifles and shotguns owned or possessed[~~+~~]; and

3 (c) the court may where the defendant willfully refuses to surrender
4 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
5 this subdivision, or for other good cause shown, order the immediate
6 seizure of such firearm, rifle or shotgun, and search therefor, consist-
7 ent with such rights as the defendant may derive from this article or
8 the constitution of this state or the United States.

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

12 (a) the court shall revoke any such existing license possessed by the
13 respondent, order the respondent ineligible for such a license, and
14 order the immediate surrender pursuant to subparagraph (f) of paragraph
15 one of subdivision a of section 265.20 and subdivision six of section
16 400.05 of the penal law, of any or all firearms, rifles and shotguns
17 owned or possessed where the willful failure to obey such order involves
18 (i) the infliction of physical injury, as defined in subdivision nine of
19 section 10.00 of the penal law, (ii) the use or threatened use of a
20 deadly weapon or dangerous instrument as those terms are defined in
21 subdivisions twelve and thirteen of section 10.00 of the penal law, or
22 (iii) behavior constituting any violent felony offense as defined in
23 section 70.02 of the penal law; or (iv) behavior constituting stalking
24 in the first degree as defined in section 120.60 of the penal law,
25 stalking in the second degree as defined in section 120.55 of the penal
26 law, stalking in the third degree as defined in section 120.50 of the
27 penal law or stalking in the fourth degree as defined in section 120.45
28 of such law; [~~and~~]

29 (b) the court shall where the court finds a substantial risk that the
30 respondent may use or threaten to use a firearm, rifle or shotgun unlaw-
31 fully against the person or persons for whose protection the order of
32 protection was issued, (i) revoke any such existing license possessed by
33 the respondent, order the respondent ineligible for such a license,
34 whether or not the respondent possesses such a license, and order the
35 immediate surrender pursuant to subparagraph (f) of paragraph one of
36 subdivision a of section 265.20 and subdivision six of section 400.05 of
37 the penal law, of any or all firearms, rifles and shotguns owned or
38 possessed or (ii) suspend any such existing license possessed by the
39 respondent, order the respondent ineligible for such a license, and
40 order the immediate surrender of any or all firearms, rifles and shot-
41 guns owned or possessed[~~+~~]; and

42 (c) the court may where the defendant willfully refuses to surrender
43 such firearm, rifle or shotgun pursuant to paragraphs (a) and (b) of
44 this subdivision, or for other good cause shown, order the immediate
45 seizure of such firearm, rifle or shotgun, and search therefor, consist-
46 ent with such rights as the defendant may derive from this article or
47 the constitution of this state or the United States.

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

51 6. Notice. (a) Where an order requiring surrender, revocation, suspen-
52 sion, seizure or ineligibility has been issued pursuant to this section,
53 any temporary order of protection or order of protection issued shall
54 state that such firearm license has been suspended or revoked or that
55 the respondent is ineligible for such license, as the case may be, and

1 that the defendant is prohibited from possessing any firearms, rifles or
2 shotguns.

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

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

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

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

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

27 PART N

28 Section 1. Subdivision 17 of section 265.00 of the penal law, as added
29 by chapter 1041 of the laws of 1974, paragraph (a) as amended by chapter
30 264 of the laws of 2003, paragraph (b) as separately amended by sections
31 2 and 3 of chapter 232 of the laws of 2010, and paragraph (c) as added
32 by chapter 60 of the laws of 2018, is amended to read as follows:

33 17. "Serious offense" means (a) [~~any of the following offenses defined~~
34 ~~in the former penal law as in force and effect immediately prior to~~
35 ~~September first, nineteen hundred sixty-seven; illegally using, carrying~~
36 ~~or possessing a pistol or other dangerous weapon; making or possessing~~
37 ~~burglar's instruments; buying or receiving stolen property; unlawful~~
38 ~~entry of a building; aiding escape from prison; that kind of disorderly~~
39 ~~conduct defined in subdivisions six and eight of section seven hundred~~
40 ~~twenty-two of such former penal law; violations of sections four hundred~~
41 ~~eighty-three, four hundred eighty-three b, four hundred eighty-four h~~
42 ~~and article one hundred six of such former penal law; that kind of crim-~~
43 ~~inal sexual act or rape which was designated as a misdemeanor; violation~~
44 ~~of section seventeen hundred forty-seven d and seventeen hundred forty-~~
45 ~~seven e of such former penal law; any violation of any provision of~~
46 ~~article thirty-three of the public health law relating to narcotic drugs~~
47 ~~which was defined as a misdemeanor by section seventeen hundred fifty-~~
48 ~~one a of such former penal law, and any violation of any provision of~~
49 ~~article thirty-three A of the public health law relating to depressant~~
50 ~~and stimulant drugs which was defined as a misdemeanor by section seven-~~
51 ~~teen hundred forty-seven b of such former penal law.~~

52 (b) any of the following offenses defined in the current penal law
53 and any offense in any jurisdiction or the former penal law that
54 includes all of the essential elements of any of the following offenses:

1 illegally using, carrying or possessing a pistol or other dangerous
2 weapon; possession of burglar's tools; criminal possession of stolen
3 property in the third degree; escape in the third degree; jostling;
4 fraudulent accosting; endangering the welfare of a child; [~~the offenses~~
5 ~~defined in article two hundred thirty-five,~~] obscenity in the third
6 degree; issuing abortifacient articles; permitting prostitution; promoting
7 prostitution in the third degree; stalking in the fourth degree; stalk-
8 ing in the third degree; [~~the offenses defined in article one hundred~~
9 ~~thirty, the offenses defined in article two hundred twenty]~~ sexual
10 misconduct; forcible touching; sexual abuse in the third degree; sexual
11 abuse in the second degree; criminal possession of a controlled
12 substance in the seventh degree; criminally possessing a hypodermic
13 instrument; criminally using drug paraphernalia in the second degree;
14 criminal possession of methamphetamine manufacturing material in the
15 second degree.

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

26 ~~(e)]~~ (b) any of the following offenses defined in the current penal
27 law and any offense in any jurisdiction or in the former penal law that
28 includes all of the essential elements of any of the following offenses,
29 where the defendant and the person against whom the offense was commit-
30 ted were members of the same family or household as defined in subdivi-
31 sion one of section 530.11 of the criminal procedure law [~~and as estab-~~
32 ~~lished pursuant to section 370.15 of the criminal procedure law~~]:
33 assault in the third degree; menacing in the third degree; menacing in
34 the second degree; criminal obstruction of breathing or blood circula-
35 tion; unlawful imprisonment in the second degree; coercion in the
36 third degree; criminal tampering in the third degree; criminal contempt
37 in the second degree; harassment in the first degree; aggravated harass-
38 ment in the second degree; criminal trespass in the third degree; crimi-
39 nal trespass in the second degree; arson in the fifth degree; or attempt
40 to commit any of the above-listed offenses.

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

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

46 1-a. For purposes of subdivision one of this section, serious offense
47 shall include an offense in any jurisdiction or the former penal law
48 that includes all of the essential elements of a serious offense as
49 defined by subdivision seventeen of section 265.00 of this chapter.
50 Nothing in this subdivision shall preclude the denial of a license based
51 on the commission of, arrest for or conviction of an offense in any
52 other jurisdiction which does not include all of the essential elements
53 of a serious offense.

54 § 3. This act shall take effect on the first of November next succeed-
55 ing the date upon which it shall have become a law.

1

PART O

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

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

33 5. [~~In any case where a state or local law enforcement agency investi-~~
34 ~~gates the commission of a crime in this state and a specific gun is~~
35 ~~known to have been used in such crime, such agency shall submit a~~
36 ~~request to the national tracing center of the United States Department~~
37 ~~of Treasury, bureau of alcohol, tobacco and firearms to trace the move-~~
38 ~~ment of such gun and such federal agency shall be requested to provide~~
39 ~~the superintendent of the division of state police and the local law~~
40 ~~enforcement agency with the results of such a trace. This subdivision~~
41 ~~shall not apply where the source of a gun is already known to a local~~
42 ~~law enforcement agency.] All state and local law enforcement agencies
43 shall participate in the bureau of alcohol, tobacco, firearms and
44 explosives collective data sharing program for the purpose of sharing
45 gun trace reports among all law enforcement agencies in the state on a
46 reciprocal basis.~~

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

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

5 (b) Whenever a state or local law enforcement agency recovers any
 6 ammunition cartridge case that is of a type that is eligible for
 7 national integrated ballistic information network data entry and corre-
 8 lation at a crime scene, or has reason to believe that such recovered
 9 ammunition cartridge case is related to or associated with the commis-
 10 sion of a crime or the unlawful discharge of a gun, the agency shall, as
 11 soon as practicable, arrange for the ballistics information to be
 12 submitted to the national integrated ballistic information network.

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

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

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

21

PART P

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

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

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

31 (ii) providing information to the criminal justice information
 32 services division of the federal bureau of investigation by the commis-
 33 sioner of mental health or the commissioner of developmental disabili-
 34 ties, for the purposes of responding to queries to the national instant
 35 criminal background check system regarding attempts to purchase or
 36 otherwise take possession of firearms, in accordance with applicable
 37 federal laws or regulations[+]; or

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

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

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

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

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

1 § 3. This act shall take effect immediately.

2 PART Q

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

5 § 120.65 Domestic violence.

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

7 1. commits a serious offense as defined in paragraph (c) of subdivi-
8 sion seventeen of section 265.00 of this chapter and the person against
9 whom the offense is committed is a member of the same family or house-
10 hold as defined in subdivision one of section 530.11 of the criminal
11 procedure law; or

12 2. commits the crime of assault in the third degree as defined in
13 subdivisions one and two of section 120.00 of this article, or criminal
14 obstruction of breathing or blood circulation as defined in section
15 121.11 of this title, forcible touching as defined in section 130.52 of
16 this title, or sexual abuse in the second degree as defined in section
17 130.60 of this title, or sexual abuse in the third degree as defined in
18 section 130.55 of this title, or unlawful imprisonment in the second
19 degree as defined in section 135.05 of this title and the person against
20 whom the offense is committed is a current or former spouse, parent, or
21 guardian of the victim, a person with whom the victim shares a child in
22 common, a person who is cohabiting with or has cohabited with the victim
23 as a spouse, parent, or guardian, or a person similarly situated to a
24 spouse, parent, or guardian of the victim.

25 Domestic violence is a class A misdemeanor.

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

29 (c) any of the following offenses, where the defendant and the person
30 against whom the offense was committed were members of the same family
31 or household as defined in subdivision one of section 530.11 of the
32 criminal procedure law [~~and as established pursuant to section 370.15 of~~
33 ~~the criminal procedure law~~]: assault in the third degree; menacing in
34 the third degree; menacing in the second degree; criminal obstruction of
35 breathing or blood circulation; unlawful imprisonment in the second
36 degree; coercion in the third degree; criminal tampering in the third
37 degree; criminal contempt in the second degree; harassment in the first
38 degree; aggravated harassment in the second degree; criminal trespass in
39 the third degree; criminal trespass in the second degree; arson in the
40 fifth degree; or attempt to commit any of the above-listed offenses.

41 § 3. This act shall take effect on the first of November next succeed-
42 ing the date on which it shall have become a law.

43 PART R

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

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

48 The legislature finds and determines as follows: criminal acts involv-
49 ing violence, intimidation and destruction of property based upon bias
50 and prejudice have become more prevalent in New York state in recent
51 years. The intolerable truth is that in these crimes, commonly and
52 justly referred to as "hate crimes", victims are intentionally selected,

1 in whole or in part, because of their race, color, national origin,
2 ancestry, gender, gender identity or expression, religion, religious
3 practice, age, disability or sexual orientation. Hate crimes do more
4 than threaten the safety and welfare of all citizens. They inflict on
5 victims incalculable physical and emotional damage and tear at the very
6 fabric of free society. Crimes motivated by invidious hatred toward
7 particular groups not only harm individual victims but send a powerful
8 message of intolerance and discrimination to all members of the group to
9 which the victim belongs. Hate crimes can and do intimidate and disrupt
10 entire communities and vitiate the civility that is essential to healthy
11 democratic processes. In a democratic society, citizens cannot be
12 required to approve of the beliefs and practices of others, but must
13 never commit criminal acts on account of them. [~~Current law~~] However,
14 these criminal acts do occur and are occurring more and more frequently.
15 Quite often, these crimes of hate are also acts of terror. The recent
16 attacks in Monsey, New York as well as the shootings in El Paso, Texas;
17 Pittsburgh, Pennsylvania; Sutherland Springs, Texas; Orlando, Florida;
18 and Charleston, South Carolina illustrate that mass killings are often
19 apolitical, motivated by the hatred of a specific group coupled with a
20 desire to inflict mass casualties. The current law emphasizes the poli-
21 tical motivation of an act over its catastrophic effect and does not
22 adequately recognize the harm to public order and individual safety that
23 hate crimes cause. Therefore, our laws must be strengthened to provide
24 clear recognition of the gravity of hate crimes and the compelling
25 importance of preventing their recurrence.

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

29 3. A "specified offense" is an offense defined by any of the following
30 provisions of this chapter: section 120.00 (assault in the third
31 degree); section 120.05 (assault in the second degree); section 120.10
32 (assault in the first degree); section 120.12 (aggravated assault upon a
33 person less than eleven years old); section 120.13 (menacing in the
34 first degree); section 120.14 (menacing in the second degree); section
35 120.15 (menacing in the third degree); section 120.20 (reckless endan-
36 germent in the second degree); section 120.25 (reckless endangerment in
37 the first degree); section 121.12 (strangulation in the second degree);
38 section 121.13 (strangulation in the first degree); subdivision one of
39 section 125.15 (manslaughter in the second degree); subdivision one, two
40 or four of section 125.20 (manslaughter in the first degree); section
41 125.25 (murder in the second degree); section 120.45 (stalking in the
42 fourth degree); section 120.50 (stalking in the third degree); section
43 120.55 (stalking in the second degree); section 120.60 (stalking in the
44 first degree); subdivision one of section 130.35 (rape in the first
45 degree); subdivision one of section 130.50 (criminal sexual act in the
46 first degree); subdivision one of section 130.65 (sexual abuse in the
47 first degree); paragraph (a) of subdivision one of section 130.67
48 (aggravated sexual abuse in the second degree); paragraph (a) of subdi-
49 vision one of section 130.70 (aggravated sexual abuse in the first
50 degree); section 135.05 (unlawful imprisonment in the second degree);
51 section 135.10 (unlawful imprisonment in the first degree); section
52 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in
53 the first degree); section 135.60 (coercion in the third degree);
54 section 135.61 (coercion in the second degree); section 135.65 (coercion
55 in the first degree); section 140.10 (criminal trespass in the third
56 degree); section 140.15 (criminal trespass in the second degree);

1 section 140.17 (criminal trespass in the first degree); section 140.20
2 (burglary in the third degree); section 140.25 (burglary in the second
3 degree); section 140.30 (burglary in the first degree); section 145.00
4 (criminal mischief in the fourth degree); section 145.05 (criminal
5 mischief in the third degree); section 145.10 (criminal mischief in the
6 second degree); section 145.12 (criminal mischief in the first degree);
7 section 150.05 (arson in the fourth degree); section 150.10 (arson in
8 the third degree); section 150.15 (arson in the second degree); section
9 150.20 (arson in the first degree); section 155.25 (petit larceny);
10 section 155.30 (grand larceny in the fourth degree); section 155.35
11 (grand larceny in the third degree); section 155.40 (grand larceny in
12 the second degree); section 155.42 (grand larceny in the first degree);
13 section 160.05 (robbery in the third degree); section 160.10 (robbery in
14 the second degree); section 160.15 (robbery in the first degree);
15 section 240.25 (harassment in the first degree); subdivision one, two or
16 four of section 240.30 (aggravated harassment in the second degree);
17 section 490.10 (soliciting or providing support for an act of terrorism
18 in the second degree); section 490.15 (soliciting or providing support
19 for an act of terrorism in the first degree); section 490.20 (making a
20 terroristic threat); section 490.25 (crime of terrorism); section 490.30
21 (hindering prosecution of terrorism in the second degree); section
22 490.35 (hindering prosecution of terrorism in the first degree); section
23 490.37 (criminal possession of a chemical weapon or biological weapon in
24 the third degree); section 490.40 (criminal possession of a chemical
25 weapon or biological weapon in the second degree); section 490.45 (crim-
26 inal possession of a chemical weapon or biological weapon in the first
27 degree); section 490.47 (criminal use of a chemical weapon or biological
28 weapon in the third degree); section 490.50 (criminal use of a chemical
29 weapon or biological weapon in the second degree); section 490.55 (crim-
30 inal use of a chemical weapon or biological weapon in the first degree);
31 or any attempt or conspiracy to commit any of the foregoing offenses.

32 § 4. The penal law is amended by adding two new sections 490.27 and
33 490.28 to read as follows:

34 § 490.27 Domestic act of terrorism motivated by hate in the second
35 degree.

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

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

49 § 490.28 Domestic act of terrorism motivated by hate in the first
50 degree.

51 A person is guilty of the crime of domestic act of terrorism motivated
52 by hate in the first degree when, acting with the intent to cause the
53 death of, or serious physical injury to, five or more other persons, in
54 whole or in substantial part because of the perceived race, color,
55 national origin, ancestry, gender, gender identity or expression, reli-
56 gion, religious practice, age, disability, or sexual orientation of such

1 other person or persons, regardless of whether that belief or perception
2 is correct, he or she, as part of the same criminal transaction;

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

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

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

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

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

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

18 (q) Soliciting or providing support for an act of terrorism in the
19 second degree as defined in section 490.10 of the penal law, soliciting
20 or providing support for an act of terrorism in the first degree as
21 defined in section 490.15 of the penal law, making a terroristic threat
22 as defined in section 490.20 of the penal law, crime of terrorism as
23 defined in section 490.25 of the penal law, domestic act of terrorism
24 motivated by hate in the second degree as defined in section 490.27 of
25 the penal law, domestic act of terrorism motivated by hate in the first
26 degree as defined in section 490.28 of the penal law, hindering prose-
27 cution of terrorism in the second degree as defined in section 490.30 of
28 the penal law, hindering prosecution of terrorism in the first degree as
29 defined in section 490.35 of the penal law, criminal possession of a
30 chemical weapon or biological weapon in the third degree as defined in
31 section 490.37 of the penal law, criminal possession of a chemical weap-
32 on or biological weapon in the second degree as defined in section
33 490.40 of the penal law, criminal possession of a chemical weapon or
34 biological weapon in the first degree as defined in section 490.45 of
35 the penal law, criminal use of a chemical weapon or biological weapon in
36 the third degree as defined in section 490.47 of the penal law, criminal
37 use of a chemical weapon or biological weapon in the second degree as
38 defined in section 490.50 of the penal law, and criminal use of a chemi-
39 cal weapon or biological weapon in the first degree as defined in
40 section 490.55 of the penal law.

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

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

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

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

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

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

14 (c) The task force shall:

15 (1) study mass shooting incidents;

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

18 (3) recommend practices to provide for the security of locations like-
19 ly to be targeted by a mass shooter.

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

26 (e) The task force may, as it deems appropriate, request that studies,
27 surveys and analyses relating to the task force's powers and duties be
28 performed by any state department, commission, agency or public authori-
29 ty. All state departments, commissions, agencies or public authorities
30 shall provide information and advice in a timely manner and otherwise
31 assist the task force with its work; provided however, any information
32 or records otherwise confidential and privileged in accordance with
33 state or federal law that are provided to the task force pursuant to
34 this subdivision shall remain confidential as provided by such state or
35 federal law.

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

44 § 7. This act shall take effect on the first of November next succeed-
45 ing the date on which it shall have become a law.

46

PART S

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

50 § 167-a. Reimbursement for medicare premium charges. Upon exclusion
51 from the coverage of the health benefit plan of supplementary medical
52 insurance benefits for which an active or retired employee or a depend-
53 ent covered by the health benefit plan is or would be eligible under the
54 federal old-age, survivors and disability insurance program, an amount

1 equal to the standard medicare premium charge for such supplementary
2 medical insurance benefits for such active or retired employee and his
3 or her dependents, if any, shall be paid monthly or at other intervals
4 to such active or retired employee from the health insurance fund.
5 Furthermore, effective January first, two thousand twenty-one there
6 shall be no payment whatsoever for the income related monthly adjustment
7 amount for amounts (premiums) incurred on or after January first, two
8 thousand twenty to any active or retired employee and his or her depen-
9 dents, if any. Where appropriate, such standard medicare premium amount
10 may be deducted from contributions payable by the employee or retired
11 employee; or where appropriate in the case of a retired employee receiv-
12 ing a retirement allowance, such standard medicare premium amount may be
13 included with payments of his or her retirement allowance. All state
14 employer, employee, retired employee and dependent contributions to the
15 health insurance fund, including contributions from public authorities,
16 public benefit corporations or other quasi-public organizations of the
17 state eligible for participation in the health benefit plan as author-
18 ized by subdivision two of section one hundred sixty-three of this arti-
19 cle, shall be adjusted as necessary to cover the cost of reimbursing
20 federal old-age, survivors and disability insurance program premium
21 charges under this section. This cost shall be included in the calcu-
22 lation of premium or subscription charges for health coverage provided
23 to employees and retired employees of the state, public authorities,
24 public benefit corporations or other quasi-public organizations of the
25 state; provided, however, the state, public authorities, public benefit
26 corporations or other quasi-public organizations of the state shall
27 remain obligated to pay no less than its share of such increased cost
28 consistent with its share of premium or subscription charges provided
29 for by this article. All other employer contributions to the health
30 insurance fund shall be adjusted as necessary to provide for such
31 payments.

32 § 2. This act shall take effect immediately and shall apply on January
33 1, 2020 for the income related monthly adjustment amount for amounts,
34 premiums, incurred on or after January 1, 2020.

35 PART T

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

39 § 5004. Rate of interest. [~~Interest shall be at the rate of nine per~~
40 ~~centum per annum, except where otherwise provided by statute.~~] Notwith-
41 standing any other provision of law or regulation to the contrary,
42 including any law or regulation that limits the annual rate of interest
43 to be paid on a judgment or accrued claim, the annual rate of interest
44 to be paid on a judgment or accrued claim shall be calculated at the
45 one-year United States treasury bill rate. For the purposes of this
46 section, the "one-year United States treasury bill rate" means the week-
47 ly average one-year constant maturity treasury yield, as published by
48 the board of governors of the federal reserve system, for the calendar
49 week preceding the date of the entry of the judgment awarding damages.
50 Provided however, that this section shall not apply to any provision of
51 the tax law which provides for the annual rate of interest to be paid on
52 a judgment or accrued claim.

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

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

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

PART U

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

18 § 167-a. Reimbursement for medicare premium charges. Upon exclusion
19 from the coverage of the health benefit plan of supplementary medical
20 insurance benefits for which an active or retired employee or a depend-
21 ent covered by the health benefit plan is or would be eligible under the
22 federal old-age, survivors and disability insurance program, an amount
23 equal to the standard medicare premium charge for such supplementary
24 medical insurance benefits for such active or retired employee and his
25 or her dependents, if any, shall be paid monthly or at other intervals
26 to such active or retired employee from the health insurance fund;
27 provided, however, such payment for the standard medicare premium charge
28 shall not exceed one hundred forty-four dollars and sixty cents per
29 month. Where appropriate, such standard medicare premium amount may be
30 deducted from contributions payable by the employee or retired employee;
31 or where appropriate in the case of a retired employee receiving a
32 retirement allowance, such standard medicare premium amount may be
33 included with payments of his or her retirement allowance. All state
34 employer, employee, retired employee and dependent contributions to the
35 health insurance fund, including contributions from public authorities,
36 public benefit corporations or other quasi-public organizations of the
37 state eligible for participation in the health benefit plan as author-
38 ized by subdivision two of section one hundred sixty-three of this arti-
39 cle, shall be adjusted as necessary to cover the cost of reimbursing
40 federal old-age, survivors and disability insurance program premium
41 charges under this section. This cost shall be included in the calcu-
42 lation of premium or subscription charges for health coverage provided
43 to employees and retired employees of the state, public authorities,
44 public benefit corporations or other quasi-public organizations of the
45 state; provided, however, the state, public authorities, public benefit
46 corporations or other quasi-public organizations of the state shall
47 remain obligated to pay no less than its share of such increased cost
48 consistent with its share of premium or subscription charges provided
49 for by this article. All other employer contributions to the health
50 insurance fund shall be adjusted as necessary to provide for such
51 payments.

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

PART V

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

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

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

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

39 (c) For state employees who retire from a position at or equated to
40 grade ten or higher with at least ten but less than twenty years of
41 service, the state shall pay thirty-five percent of the cost of premium
42 or subscription charges for the coverage of dependents of such retired
43 state employees; such contribution shall increase by two percent of the
44 cost of premium or subscription charges for each year of service in
45 excess of ten years, to a maximum of fifty-three percent of the cost of
46 premium or subscription charges for such dependents. For state employees
47 who retire from a position at or equated to grade ten or higher with
48 twenty or more years of service, the state shall pay fifty-nine percent
49 of the cost of premium or subscription charges for the coverage of
50 dependents of such retired state employees; such contribution shall
51 increase by one percent of the cost of premium or subscription charges
52 for each year of service in excess of twenty years, to a maximum of
53 sixty-nine percent of the cost of premium or subscription charges for
54 such dependents.

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

1 service, the state shall pay thirty-nine percent of the cost of premium
2 or subscription charges for the coverage of dependents of such retired
3 state employees; such contribution shall increase by two percent of the
4 cost of premium or subscription charges for each year of service in
5 excess of ten years, to a maximum of fifty-seven percent of the cost of
6 premium or subscription charges for such dependents. For state employees
7 who retire from a position at or equated to grade nine or lower with
8 twenty or more years of service, the state shall pay sixty-three percent
9 of the cost of premium or subscription charges for the coverage of
10 dependents of such retired state employees; such contribution shall
11 increase by one percent of the cost of premium or subscription charges
12 for each year of service in excess of twenty years, to a maximum of
13 seventy-three percent of the cost of premium or subscription charges for
14 such dependents.

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

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

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

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

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

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

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

41 PART W

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

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

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

4 (b) Within thirty days of providing the notice in paragraph a of this
5 subdivision, a public employer shall allow a duly appointed represen-
6 tative of the employee organization that represents that bargaining unit
7 to meet with such employee for a reasonable amount of time during his or
8 her work time without charge to leave credits, unless otherwise speci-
9 fied within an agreement bargained collectively under article fourteen
10 of the civil service law, provided however that arrangements for such
11 meeting must be scheduled in consultation with a designated represen-
12 tative of the public employer[+]; and

13 (c) Upon the request of the certified and recognized employee organ-
14 ization, and if the public employer conducts new employee orientations,
15 the public employer shall provide the employee organization mandatory
16 access to such new employee orientations. The employee organization
17 shall receive not less than ten days' notice in advance of an orien-
18 tation, except that a shorter notice may be provided in a specific
19 instance where there is an urgent need critical to the employer's oper-
20 ations that was not reasonably foreseeable to provide such notice. The
21 structure, time, and manner of exclusive representative access shall be
22 determined through mutual agreement between the employer and the employ-
23 ee organization.

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

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

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

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

43 § 4. This act shall take effect immediately.

44 PART X

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

47 22. To issue procurements for technology, as defined in section one
48 hundred one of this article, in the manner as prescribed in this subdivi-
49 vision.

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

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

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

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

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

42 § 2. Subdivisions 3 and 4 of section 163-a of the state finance law,
43 subdivision 3 as added by chapter 430 of the laws of 1997 and subdivi-
44 sion 4 as amended by section 10 of part 0 of chapter 55 of the laws of
45 2012, are amended and a new subdivision 5 is added to read as follows:

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

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

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

4 § 3. This act shall take effect immediately.

5 PART Y

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

8 10. "Technology" means either a good or a service or a combination
9 thereof, [~~that results in a technical method of achieving a practical~~
10 ~~purpose or in improvements in productivity~~] used in the application of
11 any computer or electronic information or interconnected system that is
12 used in the acquisition, storage, manipulation, management, movement,
13 control, display, switching, interchange, transmission, or reception of
14 data or voice including, but not limited to, hardware, software, infor-
15 mation appliances, firmware, programs, systems, networks, infrastruc-
16 ture, media, and related material used to automatically and electron-
17 ically collect, receive, access, transmit, display, store, record,
18 retrieve, analyze, evaluate, process, classify, manipulate, manage,
19 assimilate, control, communicate, exchange, convert, coverage, inter-
20 face, switch, or disseminate data of any kind or form, and shall include
21 all associated consulting, management, facilities, maintenance and
22 training. Goods may be either new or used.

23 § 2. Subdivision 5 of section 101 of the state technology law, as
24 added by chapter 430 of the laws of 1997 and as renumbered by chapter
25 437 of the laws of 2004, is amended to read as follows:

26 5. "Technology" means [~~a good, service, or good and service that~~
27 ~~results in a digital, electronic or similar technical method of achiev-~~
28 ~~ing a practical purpose or in improvements in productivity, including~~
29 ~~but not limited to information management, equipment, software, operat-~~
30 ~~ing systems, interface systems, interconnected systems, telecommuni-~~
31 ~~cations, data management, networks, and network management, consulting,~~
32 ~~supplies, facilities, maintenance and training~~] either a good or a
33 service or a combination thereof, used in the application of any comput-
34 er or electronic information or interconnected system that is used in
35 the acquisition, storage, manipulation, management, movement, control,
36 display, switching, interchange, transmission, or reception of data or
37 voice including, but not limited to, hardware, software, information
38 appliances, firmware, programs, systems, networks, infrastructure,
39 media, and related material used to automatically and electronically
40 collect, receive, access, transmit, display, store, record, retrieve,
41 analyze, evaluate, process, classify, manipulate, manage, assimilate,
42 control, communicate, exchange, convert, coverage, interface, switch, or
43 disseminate data of any kind or form, and shall include all associated
44 consulting, management, facilities, maintenance, support and training.
45 Goods may be either new or used.

46 § 3. This act shall take effect immediately.

47 PART Z

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

51 Section 1. The division of the budget and office of the state comp-
52 troller may dedicate such officers and employees as may be needed to a

1 joint project, which shall be known as the [~~state~~] statewide financial
2 system project, and which shall be responsible for the development,
3 implementation and maintenance of a single, statewide financial manage-
4 ment system for use by the office of the state comptroller and all agen-
5 cies. The division of the budget and the office of the state comptroller
6 shall serve jointly as the appointing authority for all titles within
7 the project, and shall jointly appoint a project [~~manager~~] director
8 therefor. For purposes of appointment and promotion under the civil
9 service law, the [~~state~~] statewide financial system project shall be
10 treated as if it were a single department. For the purposes of procure-
11 ment and contracting pursuant to the state finance law, the statewide
12 financial system project shall be treated as a single department,
13 provided that all procurements and contracts issued and agreed to by the
14 statewide financial system project shall be subject to the approval of
15 the division of the budget and the office of the state comptroller.
16 § 2. This act shall take effect immediately.

17

PART AA

18 Section 1. Subdivision 12 of section 3 of the public buildings law, as
19 amended by section 48 of part T of chapter 57 of the laws of 2007, is
20 amended to read as follows:

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

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

4 PART BB

5 Section 1. Section 139-1 of the state finance law, as added by section
6 1 of subpart A of part KK of chapter 57 of the laws of 2018, is amended
7 to read as follows:

8 § 139-1. Statement on sexual harassment and reports on sexual harass-
9 ment, in bids. 1. (a) Every bid hereafter made to the state or any
10 public department or agency thereof, where competitive bidding is
11 required by statute, rule or regulation, for work or services performed
12 or to be performed or goods sold or to be sold, shall contain the
13 following statement subscribed by the bidder and affirmed by such bidder
14 as true under the penalty of perjury:

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

23 (b) Every bid hereafter made to the state or any public department or
24 agency thereof, where competitive bidding is not required by statute,
25 rule or regulation, for work or services performed or to be performed or
26 goods sold or to be sold, may contain, at the discretion of the depart-
27 ment, agency or official, the certification required pursuant to para-
28 graph (a) of this subdivision.

29 2. (a) Every bid hereafter made to the state or any public department
30 or agency thereof, where competitive bidding is required by statute,
31 rule or regulation, for work or services performed or to be performed or
32 goods sold or to be sold, shall include a report listing (i) the name of
33 the bidder; (ii) the total number of adverse judgments or administrative
34 rulings arising from allegations of sexual harassment during the preced-
35 ing year; (iii) total number of employees; (iv) whether any equitable
36 relief was ordered against the bidder in any adverse judgment or admin-
37 istrative ruling; (v) the total number of settlements, defined as any
38 written commitment or written agreement, including any agreed judgment,
39 stipulation, decree, agreement to settle, assurance of discontinuance,
40 or otherwise between an employee or a nonemployee and a bidder, under
41 which the bidder directly or indirectly provides to an individual
42 compensation or other consideration due to an allegation that the indi-
43 vidual has been a victim of sexual harassment, that has been entered
44 into during the preceding year that relate to any alleged act of sexual
45 harassment that occurred in the workplace of the bidder; and (vi) the
46 total number of settlements entered into during the previous year that
47 relate to any alleged act of sexual harassment committed by a corporate
48 executive without regard to whether that behavior occurred in the work-
49 place of the bidder. The information required by this subdivision shall
50 be provided in electronic format in such form as prescribed by the divi-
51 sion of human rights.

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

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

15 [~~2-~~] 3. Notwithstanding the foregoing, the statement required by para-
16 graph (a) of subdivision one of this section and the report required by
17 paragraph (a) of subdivision two of this section may be submitted elec-
18 tronically in accordance with the provisions of subdivision seven of
19 section one hundred sixty-three of this chapter.

20 [~~3-~~] 4. A bid shall not be considered for award nor shall any award be
21 made to a bidder who has not complied with [~~subdivision~~] subdivisions
22 one and two of this section; provided, however, that if the bidder
23 cannot make the foregoing certification, such bidder shall so state and
24 shall furnish with the bid a signed statement which sets forth in detail
25 the reasons therefor.

26 [~~4-~~] 5. Any bid hereafter made to the state or any public department,
27 agency or official thereof, by a corporate bidder for work or services
28 performed or to be performed or goods sold or to be sold, where such bid
29 contains the statement required by subdivision one of this section and
30 the report required by subdivision two of this section, shall be deemed
31 to have been authorized by the board of directors of such bidder, and
32 such authorization shall be deemed to include the signing and submission
33 of such bid and the inclusion therein of such statement and such report
34 as the act and deed of the corporation.

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

38 PART CC

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

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

1 dollars as against the holder of a license issued pursuant to sections
2 thirty, thirty-one, fifty-three, sixty-one-a, sixty-one-b, seventy-six,
3 seventy-six-a, and seventy-eight of this chapter, provided that the
4 civil penalty against the holder of a wholesale license issued pursuant
5 to section fifty-three of this chapter shall not exceed the sum of ten
6 thousand dollars where that licensee violates provisions of this chapter
7 during the course of the sale of beer at retail to a person for consump-
8 tion at home, and the sum of one hundred thousand dollars as against the
9 holder of any license issued pursuant to sections fifty-one, sixty-one,
10 and sixty-two of this chapter. Any civil penalty so imposed shall be in
11 addition to and separate and apart from the terms and provisions of the
12 bond required pursuant to section one hundred twelve of this chapter.
13 Provided that no appeal is pending on the imposition of such civil
14 penalty, in the event such civil penalty imposed by the division remains
15 unpaid, in whole or in part, more than forty-five days after written
16 demand for payment has been sent by first class mail to the address of
17 the licensed premises, a notice of impending default judgment shall be
18 sent by first class mail to the licensed premises and by first class
19 mail to the last known home address of the person who signed the most
20 recent license application. The notice of impending default judgment
21 shall advise the licensee: (a) that a civil penalty was imposed on the
22 licensee; (b) the date the penalty was imposed; (c) the amount of the
23 civil penalty; (d) the amount of the civil penalty that remains unpaid
24 as of the date of the notice; (e) the violations for which the civil
25 penalty was imposed; and (f) that a judgment by default will be entered
26 in the supreme court of the county in which the licensed premises are
27 located, or other court of civil jurisdiction or any other place
28 provided for the entry of civil judgments within the state of New York
29 unless the division receives full payment of all civil penalties due
30 within twenty days of the date of the notice of impending default judg-
31 ment. If full payment shall not have been received by the division with-
32 in thirty days of mailing of the notice of impending default judgment,
33 the division shall proceed to enter with such court a statement of the
34 default judgment containing the amount of the penalty or penalties
35 remaining due and unpaid, along with proof of mailing of the notice of
36 impending default judgment. The filing of such judgment shall have the
37 full force and effect of a default judgment duly docketed with such
38 court pursuant to the civil practice law and rules and shall in all
39 respects be governed by that chapter and may be enforced in the same
40 manner and with the same effect as that provided by law in respect to
41 execution issued against property upon judgments of a court of record. A
42 judgment entered pursuant to this subdivision shall remain in full force
43 and effect for eight years notwithstanding any other provision of law.

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

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

1 sixty-four-c, seventy-six-f, seventy-nine, eighty-one, and eighty-one-a
 2 of this chapter, and as against the holder of any license issued pursu-
 3 ant to section forty of this chapter, and the sum of thirty thousand
 4 dollars as against the holder of a license issued pursuant to sections
 5 thirty, thirty-one, fifty-three, sixty-one-a, sixty-one-b, seventy-six,
 6 seventy-six-a and seventy-eight of this chapter, provided that the civil
 7 penalty against the holder of a wholesale license issued pursuant to
 8 section fifty-three of this chapter shall not exceed the sum of ten
 9 thousand dollars where that licensee violates provisions of this chapter
 10 during the course of the sale of beer at retail to a person for consump-
 11 tion at home, and the sum of one hundred thousand dollars as against the
 12 holder of any license issued pursuant to sections fifty-one, sixty-one
 13 and sixty-two of this chapter. Any civil penalty so imposed shall be in
 14 addition to and separate and apart from the terms and provisions of the
 15 bond required pursuant to section one hundred twelve of this chapter.
 16 Provided that no appeal is pending on the imposition of such civil
 17 penalty, in the event such civil penalty imposed by the division remains
 18 unpaid, in whole or in part, more than forty-five days after written
 19 demand for payment has been sent by first class mail to the address of
 20 the licensed premises, a notice of impending default judgment shall be
 21 sent by first class mail to the licensed premises and by first class
 22 mail to the last known home address of the person who signed the most
 23 recent license application. The notice of impending default judgment
 24 shall advise the licensee: (a) that a civil penalty was imposed on the
 25 licensee; (b) the date the penalty was imposed; (c) the amount of the
 26 civil penalty; (d) the amount of the civil penalty that remains unpaid
 27 as of the date of the notice; (e) the violations for which the civil
 28 penalty was imposed; and (f) that a judgment by default will be entered
 29 in the supreme court of the county in which the licensed premises are
 30 located, or other court of civil jurisdiction, or any other place
 31 provided for the entry of civil judgments within the state of New York
 32 unless the division receives full payment of all civil penalties due
 33 within twenty days of the date of the notice of impending default judg-
 34 ment. If full payment shall not have been received by the division with-
 35 in thirty days of mailing of the notice of impending default judgment,
 36 the division shall proceed to enter with such court a statement of the
 37 default judgment containing the amount of the penalty or penalties
 38 remaining due and unpaid, along with proof of mailing of the notice of
 39 impending default judgment. The filing of such judgment shall have the
 40 full force and effect of a default judgment duly docketed with such
 41 court pursuant to the civil practice law and rules and shall in all
 42 respects be governed by that chapter and may be enforced in the same
 43 manner and with the same effect as that provided by law in respect to
 44 execution issued against property upon judgments of a court of record. A
 45 judgment entered pursuant to this subdivision shall remain in full force
 46 and effect for eight years notwithstanding any other provision of law.

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

49 ARTICLE 3-A

50 MISCELLANEOUS LICENSES

51 Section 40. Higher education institution license.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 1. In addition to the annual fees provided for in this chapter, there
37 shall be paid to the authority with each initial application for a
38 license filed pursuant to section thirty, thirty-one, **forty**, fifty-one,
39 fifty-one-a, fifty-two, fifty-three, fifty-eight, fifty-eight-c, fifty-
40 eight-d, sixty-one, sixty-two, seventy-six, seventy-seven or seventy-
41 eight of this chapter, a filing fee of four hundred dollars; with each
42 initial application for a license filed pursuant to section sixty-three,
43 sixty-four, sixty-four-a or sixty-four-b of this chapter, a filing fee
44 of two hundred dollars; with each initial application for a license
45 filed pursuant to section fifty-three-a, fifty-four, fifty-five, fifty-
46 five-a, seventy-nine, eighty-one or eighty-one-a of this chapter, a
47 filing fee of one hundred dollars; with each initial application for a
48 permit filed pursuant to section ninety-one, ninety-one-a, ninety-two,
49 ninety-two-a, ninety-three, ninety-three-a, if such permit is to be
50 issued on a calendar year basis, ninety-four, ninety-five, ninety-six or
51 ninety-six-a, or pursuant to paragraph b, c, e or j of subdivision one
52 of section ninety-nine-b of this chapter if such permit is to be issued
53 on a calendar year basis, or for an additional bar pursuant to subdivi-
54 sion four of section one hundred of this chapter, a filing fee of twenty
55 dollars; and with each application for a permit under section ninety-
56 three-a of this chapter, other than a permit to be issued on a calendar

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

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

11 PART DD

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

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

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

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

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

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

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

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

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

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

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

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

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

23 § 5. This act shall take effect immediately.

24 PART EE

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

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

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

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

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

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

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

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

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

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

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

3 16-a. Notwithstanding the provisions of subdivision sixteen of this
4 section, it shall be lawful for a retail licensee for off-premises
5 consumption to hold, directly or indirectly, an interest in a manufac-
6 turer or wholesaler, provided that:

7 (a) the retail licensee does not exercise, direct or indirect, control
8 over or participate in the management of the manufacturer or whole-
9 saler's business or business decisions;

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

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

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

19 16-b. The provisions of subdivisions sixteen and sixteen-a of this
20 section shall not apply to a retail licensee for off-premises consump-
21 tion with complete ownership of a manufacturer or wholesaler.

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

24 13-a. Notwithstanding the provisions of subdivision thirteen of this
25 section, it shall be lawful for a retail licensee for on-premises
26 consumption to hold, directly or indirectly, an interest in a manufac-
27 turer or wholesaler licensed under this chapter, provided that:

28 (a) the retail licensee does not exercise, direct or indirect, control
29 over or participate in the management of the manufacturer or whole-
30 saler's business or business decisions;

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

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

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

40 13-b. The provisions of paragraph a of subdivision thirteen and subdi-
41 vision thirteen-a shall not apply to a retail licensee for on-premises
42 consumption with complete ownership of a manufacturer or wholesaler.

43 § 8. This act shall take effect immediately.

44 PART FF

45 Section 1. Paragraph (b) of subdivision 5 of section 106 of the alco-
46 holic beverage control law, as amended by chapter 83 of the laws of
47 1995, is amended to read as follows:

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

1 York and New Jersey shall not be subject to change pursuant to subdivi-
2 sion eleven of section seventeen of this chapter.

3 § 2. This act shall take effect immediately.

4 PART GG

5 Section 1. The section heading and subdivisions 1, 2, 3 and 7 of
6 section 87 of the workers' compensation law, the section heading and
7 subdivision 1 as amended and subdivisions 2, 3 and 7 as added by section
8 20 of part GG of chapter 57 of the laws of 2013, are amended to read as
9 follows:

10 [~~Investment of surplus or reserve~~] Investments. 1. Any of the reserve
11 funds belonging to the state insurance fund, by order of the commission-
12 ers, approved by the superintendent of financial services, may be
13 invested in the types of [~~securities~~] investments described in [~~subdivi-~~
14 ~~sions one, two, three, four, five, six, eleven, twelve, twelve-a, thir-~~
15 ~~teen, fourteen, fifteen, nineteen, twenty, twenty one, twenty one-a,~~
16 ~~twenty-four, twenty four-a, twenty four-b, twenty four-c and twenty five~~
17 ~~of section two hundred thirty five of the banking law or in paragraph~~
18 paragraphs one through four of subsection (b) of section one thousand
19 four hundred two of the insurance law and paragraphs one, two, three,
20 four, five, six, seven, and eleven of subsection (a) of section one
21 thousand four hundred four of the insurance law except that a minimum of
22 [up to] five percent of such reserve funds [~~may~~] shall be invested in
23 the types of securities [~~of any solvent American institution as~~]
24 described in [~~such paragraph irrespective of the rating of such insti-~~
25 ~~tution's obligations or other similar qualitative standards described~~
26 ~~therein~~] paragraphs one through four of subsection (b) of section one
27 thousand four hundred two of the insurance law.

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

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

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

14 7. Notwithstanding any provision in this section, the [~~surplus and~~
 15 ~~reserve~~] funds of the state insurance fund shall not be invested in any
 16 investment that has been found by the superintendent of financial
 17 services to be against public policy or in any investment prohibited by
 18 the provisions of [~~paragraph six of subsection (a) of section one thou-~~
 19 ~~sand four hundred four of the insurance law or by the provisions of~~]
 20 paragraph one, two, three, four, six, seven, eight, nine or ten of
 21 subsection (a) of section one thousand four hundred seven of the insur-
 22 ance law or in excess of any limitation provided under sections one
 23 thousand four hundred eight and one thousand four hundred nine of the
 24 insurance law.

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

29 PART HH

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

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

1 Such notice shall be served on the employer by delivering it to him,
2 her or it or by sending it by mail, by certified or registered letter,
3 return receipt requested, addressed to the employer at his, her or its
4 last known place of business; provided that, if the employer be a part-
5 nership, then such notice may be so given to any of one of the partners,
6 and if the employer be a corporation then the notice may be given to any
7 agent or officer of the corporation upon whom legal process may be
8 served; and further provided that an employer may designate any person
9 or entity at any address to receive such notice including the desig-
10 nation of one person or entity to receive notice on behalf of multiple
11 entities insured under one insurance policy and that service of notice
12 at the address so designated upon the person or entity so designated by
13 delivery or by mail, by certified or registered letter, return receipt
14 requested, shall satisfy the notice requirement of this section.
15 [~~Provided, however, the~~] The right to cancellation of a policy of insur-
16 ance in the state insurance fund, however, shall be exercised only for
17 non-payment of premiums and assessments, or failure by the employer to
18 cooperate with a payroll audit, or as provided in section ninety-four of
19 this chapter. The state insurance fund may cancel a policy for the
20 employer's failure to cooperate with a payroll audit if the employer
21 fails (i) either to make or keep an appointment during regular business
22 hours with a payroll auditor, after the state insurance fund has made at
23 least two attempts to arrange an appointment including contacting the
24 employer's broker or accountant, if any, or (ii) to furnish business
25 records in the course of a payroll audit as required pursuant to
26 sections ninety-five and one hundred thirty-one of this chapter. At
27 least fifteen days in advance of sending a notice of cancellation for
28 failure to cooperate with a payroll audit, the state insurance fund
29 shall send a warning notice to the employer in the same manner as
30 provided in this subdivision for serving a notice of cancellation. Such
31 notice shall specify a means of contacting the state insurance fund to
32 set up an audit appointment. The state insurance fund will be required
33 to provide only one such warning notice to an employer related to any
34 particular payroll audit prior to cancellation.

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

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

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

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

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

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

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

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

36 § 3. Section 95 of the workers' compensation law, as amended by chap-
37 ter 135 of the laws of 1998, is amended to read as follows:

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

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

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

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

14 (1) Every employer subject to the provisions of this chapter shall
15 keep a true and accurate record of the number of [~~his or her~~] its
16 employees, the classification of its employees, information regarding
17 employee accidents and the wages paid by [~~him or her~~] such employer for
18 a period of four years after each entry therein, [~~which~~] as well as such
19 records relating to any person performing services under a subcontract
20 of such employer that is not covered under the subcontractor's own work-
21 ers' compensation insurance policy. Such records shall be open to
22 inspection at any time, and as often as may be necessary to verify the
23 same by investigators of the board, by the authorized auditors, account-
24 ants or inspectors of the carrier with whom the employer is insured, or
25 by the authorized auditors, accountants or inspectors of any workers'
26 compensation insurance rating board or bureau operating under the
27 authority of the insurance law and of which board or bureau such carrier
28 is a member or the group trust of which the employer is a member. Any
29 and all records required by law to be kept by such employer upon which
30 the employer makes or files a return concerning wages paid to employees
31 and any other records of an employer containing such information
32 pertaining to any policy period including, but not limited to, any
33 payroll book, payroll and distribution records, cash book, check book,
34 bank account statements, commission records, ledgers, journals, regis-
35 ters, vouchers, contracts, tax returns and reports, and computer
36 programs for retrieving data, certificates of insurance pertaining to
37 subcontractors and any other business records specified by the rules of
38 the board shall form part of the records described in this section and
39 shall be open to inspection in the same manner as provided in this
40 section. Any employer who shall fail to keep such records, who shall
41 willfully fail to furnish such record as required in this section or who
42 shall falsify any such records, shall be guilty of a misdemeanor and
43 subject to a fine of not less than five nor more than ten thousand
44 dollars in addition to any other penalties otherwise provided by law,
45 except that any such employer that has previously been subject to crimi-
46 nal penalties under this section within the prior ten years shall be
47 guilty of a class E felony, and subject to a fine of not less than ten
48 nor more than twenty-five thousand dollars in addition to any penalties
49 otherwise provided by law.

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

51 PART II

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

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

13 b. For a policyholder to be eligible for insurance in states other
14 than New York provided through agreements entered under this subdivi-
15 sion, either: (i) the policyholder's workers' compensation premiums with
16 the state insurance fund covering its employees under this chapter must
17 be greater than the premiums charged to cover the policyholder's obli-
18 gations to pay workers' compensation benefits in all states, in the
19 aggregate, other than New York; or (ii) the payroll for the
20 policyholder's operations in New York must be greater than the
21 policyholder's payroll in all states, in the aggregate, other than New
22 York for the prior policy period. For determining eligibility, "premi-
23 ums" mean estimated premiums as determined by the state insurance fund
24 at the beginning of the policy period. In addition, for a policyholder
25 to be eligible for insurance in states other than New York through the
26 state insurance fund, the policyholder must meet the state insurance
27 fund's underwriting criteria for other states coverage as specified by
28 rules of the commissioners.

29 § 2. This act shall take effect immediately.

30 PART JJ

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

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

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

40 (ii) In any public election that is not a state-wide election where a
41 0.5% margin of victory exists.

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

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

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

49 PART KK

50 Section 1. Section 54-1 of the state finance law, as added by section
51 1 of part J of chapter 57 of 2011, paragraph b of subdivision 2 as
52 amended by section 1 of part X of chapter 55 of the laws of 2014 and

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

3 § 54-1. State assistance to eligible cities [~~and eligible municipi-~~
4 ~~palities~~] in which a video lottery gaming facility is located. 1. Defi-
5 nitions. When used in this section, unless otherwise expressly stated:

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

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

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

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

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

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

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

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

53 § 2. This act shall take effect immediately.

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

4 8. For each county, new shared services actions [~~not included~~] in [~~a~~
5 ~~previously~~] an approved and submitted plan pursuant to this section or
6 part BBB of chapter fifty-nine of the laws of two thousand seventeen,
7 may be eligible for funding to match savings from such action, subject
8 to available appropriation. Savings that are actually and demonstrably
9 realized by the participating local governments are eligible for match-
10 ing funding. For actions that are part of an approved plan transmitted
11 to the secretary of state in accordance with paragraph b of subdivision
12 seven of this section, savings achieved [~~from~~] during either: (i) Janu-
13 ary first through December thirty-first from new actions implemented on
14 or after January first through December thirty-first of the year imme-
15 diately following an approved [~~and transmitted~~] plan, or (ii) July first
16 of the year immediately following an approved plan through June thirti-
17 eth of the subsequent year from new actions implemented July first of
18 the year immediately following an approved plan through June thirtieth
19 of the subsequent year may be eligible for matching funding. Only net
20 savings between local governments for each action would be eligible for
21 matching funding. Savings from internal efficiencies or any other action
22 taken by a local government without the participation of another local
23 government are not eligible for matching funding. Each county and all of
24 the local governments within the county that are part of any action to
25 be implemented as part of an approved plan must collectively apply for
26 the matching funding and agree on the distribution and use of any match-
27 ing funding in order to qualify for matching funding. Each county shall
28 be authorized to submit one consolidated application for matching funds
29 for each approved and transmitted plan. All actions from a plan for
30 which matching funds will be requested shall adhere to the same twelve-
31 month period beginning either January first or July first. The secretary
32 of state shall develop the application with any necessary requirements
33 for receipt of state matching funds.

34 § 2. This act shall take effect immediately.

35 PART MM

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

39 1. There shall be a financial restructuring board for local govern-
40 ments which shall consist of ten members: the director of the budget who
41 shall be chair of the board, the attorney general, the state comp-
42 troller, and the secretary of state, each of whom may designate a repre-
43 sentative to attend sessions of the board on his or her behalf, and six
44 members appointed by the governor, one of whom upon the recommendation
45 of the temporary president of the senate, one of whom upon the recommen-
46 dation of the speaker of the assembly, and four other members appointed
47 by the governor, one of whom shall have significant experience in munic-
48 ipal financial and restructuring matters. In making such appointments,
49 the governor shall consider regional diversity. Appointees shall serve
50 at the pleasure of his or her appointing authority. The appointee of the
51 governor who has been designated as having significant experience in
52 municipal financial and restructuring matters shall receive fair compen-
53 sation for his or her services performed pursuant to this section in an
54 amount to be determined by the director of the budget and all members

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

14 § 2. This act shall take effect immediately.

15

PART NN

16 Section 1. Paragraph 3 of subdivision (c) of section 1261 of the tax
17 law, as amended by section 9 of part SS-1 of chapter 57 of the laws of
18 2008, is amended to read as follows:

19 (3) However, the taxes, penalties and interest which (i) the county of
20 Nassau, (ii) the county of Erie, to the extent the county of Erie is
21 contractually or statutorily obligated to allocate and apply or pay net
22 collections to the city of Buffalo and to the extent that such county
23 has set aside net collections for educational purposes attributable to
24 the Buffalo school district, or the city of Buffalo or (iii) the county
25 of Erie is authorized to impose pursuant to section twelve hundred ten
26 of this article, other than such taxes in the amounts described, respec-
27 tively, in subdivisions one and two of section one thousand two hundred
28 sixty-two-e of this part, during the period that such section authorizes
29 Nassau county to establish special or local assistance programs there-
30 under, together with any penalties and interest related thereto, and
31 after the comptroller has reserved such refund fund and such costs, and
32 shall, commencing on the next payment date after the effective date of
33 this sentence and of each month thereafter, until such date as (i) the
34 Nassau county interim finance authority shall have no obligations
35 outstanding, or (ii) the Buffalo fiscal stability authority shall cease
36 to exist, or (iii) the Erie county fiscal stability authority shall
37 cease to exist, be paid by the comptroller, respectively, to (i) the
38 Nassau county interim finance authority to be applied by the Nassau
39 county interim finance authority, or (ii) to the Buffalo fiscal stabili-
40 ty authority to be applied by the Buffalo fiscal stability authority, or
41 (iii) to the Erie county fiscal stability authority to be applied by the
42 Erie county fiscal stability authority, as the case may be, in the
43 following order of priority: first pursuant to the Nassau county interim
44 finance authority's contracts with bondholders or the Buffalo fiscal
45 stability authority's contracts with bondholders or the Erie county
46 fiscal stability authority's contracts with bondholders, respectively,
47 then to pay the Nassau county interim finance authority's operating
48 expenses not otherwise provided for or the Buffalo fiscal stability
49 authority's operating expenses not otherwise provided for or the Erie
50 county fiscal stability authority's operating expenses not otherwise
51 provided for, respectively, then (i) for the Nassau county interim
52 finance authority to pay to the state as soon as practicable in the
53 months of May and December each year, the amount necessary to fulfill
54 the town and village distribution requirement on behalf of Nassau county

1 pursuant to paragraph five-a of this subdivision, or (ii) for the
2 Buffalo fiscal stability authority to pay to the state as soon as prac-
3 ticable in the months of May and December each year, the percentage of
4 the amount necessary to fulfill the town and village distribution
5 requirement on behalf of Erie county pursuant to paragraph five-a of
6 this subdivision that equates to the percentage of the county net
7 collections that the city of Buffalo and the Buffalo city school
8 district, together, are due in the months of May and December each year,
9 or (iii) for the Erie county fiscal stability authority to pay to the
10 state as soon as practicable in the months of May and December each
11 year, the amount necessary to fulfill the town and village distribution
12 requirement on behalf of Erie county pursuant to paragraph five-a of
13 this subdivision, less the amount being paid to the state by the Buffalo
14 fiscal stability authority in each respective month, and then (i) pursu-
15 ant to the Nassau county interim finance authority's agreements with the
16 county of Nassau, which agreements shall require the Nassau county
17 interim finance authority to transfer such taxes, penalties and interest
18 remaining after providing for contractual or other obligations of the
19 Nassau county interim finance authority, and subject to any agreement
20 between such authority and the county of Nassau, to the county of Nassau
21 as frequently as practicable; or (ii) pursuant to the Buffalo fiscal
22 stability authority's agreements with the city of Buffalo, which agree-
23 ments shall require the Buffalo fiscal stability authority to transfer
24 such taxes, penalties and interest remaining after providing for
25 contractual or other obligations of the Buffalo fiscal stability author-
26 ity, and subject to any agreement between such authority and the city of
27 Buffalo, to the city of Buffalo or the city of Buffalo school district,
28 as the case may be, as frequently as practicable; or (iii) pursuant to
29 the Erie county fiscal stability authority's agreements with the county
30 of Erie, which agreements shall require the Erie county fiscal stability
31 authority to transfer such taxes, penalties and interest remaining after
32 providing for contractual or other obligations of the Erie county fiscal
33 stability authority, and subject to any agreement between such authority
34 and the county of Erie, to the county of Erie as frequently as practica-
35 ble. During the period that the comptroller is required to make payments
36 to the Nassau county interim finance authority described in the previous
37 sentence, the county of Nassau shall have no right, title or interest in
38 or to such taxes, penalties and interest required to be paid to the
39 Nassau county interim finance authority, except as provided in such
40 authority's agreements with the county of Nassau. During the period that
41 the comptroller is required to make payments to the Buffalo fiscal
42 stability authority described in the second previous sentence, the city
43 of Buffalo and such school district shall have no right, title or inter-
44 est in or to such taxes, penalties and interest required to be paid to
45 the Buffalo fiscal stability authority, except as provided in such
46 authority's agreements with the city of Buffalo. During the period that
47 the comptroller is required to make payments to the Erie county fiscal
48 stability authority described in the third previous sentence, the county
49 of Erie shall have no right, title or interest in or to such taxes,
50 penalties and interest required to be paid to the Erie county fiscal
51 stability authority, except as provided in such authority's agreements
52 with the county of Erie.

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

1 (5-a) However, after the comptroller has made the payments to the
2 Nassau county interim finance authority, the Buffalo fiscal stability
3 authority, and the Erie county fiscal stability authority required by
4 [~~paragraphs two,~~] paragraph three [~~and five~~] of this subdivision, for
5 each municipality that received a base level grant in state fiscal year
6 two thousand eighteen-two thousand nineteen but not in state fiscal year
7 two thousand nineteen-two thousand twenty under the aid and incentives
8 for municipalities program pursuant to subdivision ten of section
9 fifty-four of the state finance law, the comptroller shall annually
10 withhold from each county except Nassau and Erie from the remaining
11 taxes, penalties and interest imposed by the county in which a majority
12 of the population of such municipality resides, and on behalf of Nassau
13 and Erie counties the comptroller shall annually receive from the Nassau
14 county interim finance authority, the Buffalo fiscal stability authori-
15 ty, and the Erie county fiscal stability authority, an amount equal to
16 the base level grant received by such municipality in state fiscal year
17 two thousand eighteen-two thousand nineteen and shall annually distrib-
18 ute, by December fifteenth, two thousand nineteen and by such date annu-
19 ally thereafter, such amount directly to such municipality, unless such
20 municipality has a fiscal year ending May thirty-first, then such annual
21 distribution shall be made by May fifteenth, two thousand twenty and by
22 such date annually thereafter. No county shall have any right, title or
23 interest in or to the taxes, penalties and interest required to be with-
24 held [~~and~~] or distributed pursuant to this paragraph.

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

27 5. Tax revenues received by the authority pursuant to section twelve
28 hundred sixty-one of the tax law, together with any other revenues
29 received by the authority, shall be applied in the following order of
30 priority: first pursuant to the authority's contracts with bondholders,
31 then to pay the authority's operating expenses not otherwise provided
32 for, then to pay to the state pursuant to paragraph three of subdivision
33 (c) of section twelve hundred sixty-one of the tax law, and then,
34 subject to the authority's agreements with the county, to transfer the
35 balance of such tax revenues not required to meet contractual or other
36 obligations of the authority to the county as frequently as practicable.

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

40 5. Revenues of the authority shall be applied in the following order
41 of priority: first to pay debt service or for set asides to pay debt
42 service on the authority's bonds, notes, or other obligations and to
43 replenish any reserve funds securing such bonds, notes or other obli-
44 gations of the authority, in accordance with the provision of any inden-
45 ture or bond resolution of the authority; then to pay the authority's
46 operating expenses not otherwise provided for; then to pay to the state
47 pursuant to paragraph three of subdivision (c) of section twelve hundred
48 sixty-one of the tax law; and then, subject to the authority's agreement
49 with the city, for itself or on behalf of the city's dependent school
50 district and any other covered organization, to transfer as frequently
51 as practicable the balance of revenues not required to meet contractual
52 or other obligations of the authority to the city or the city's depend-
53 ent school district as provided in subdivision seven of this section.

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

1 5. Revenues of the authority shall be applied in the following order
2 of priority: first to pay debt service or for set asides to pay debt
3 service on the authority's bonds, notes, or other obligations and to
4 replenish any reserve funds securing such bonds, notes or other obli-
5 gations of the authority in accordance with the provision of indenture
6 or bond resolution of the authority; then to pay the authority's operat-
7 ing expenses not otherwise provided for; then to pay to the state pursu-
8 ant to paragraph three of subdivision (c) of section twelve hundred
9 sixty-one of the tax law; and then, subject to the authority's agree-
10 ments with the county for itself or on behalf of any covered organiza-
11 tion to transfer as frequently as practicable the balance of revenues
12 not required to meet contractual or other obligations of the authority
13 to the county as provided in subdivision seven of this section.

14 § 6. This act shall take effect immediately.

15 PART 00

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

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

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

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

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

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

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

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

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

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

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

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

1 both, in the discretion of the court. If the county jail in which the
 2 court is sitting has entered into a shared services agreement to main-
 3 tain a joint county jail, the person may be imprisoned in a jail in
 4 another county that is a party to that agreement. Where the punishment
 5 for contempt is based on a violation of an order of protection issued
 6 under section 530.12 or 530.13 of the criminal procedure law, imprison-
 7 ment may be for a term not exceeding three months. Where a person is
 8 committed to jail, for the nonpayment of a fine, imposed under this
 9 section, he must be discharged at the expiration of thirty days; but
 10 where he is also committed for a definite time, the thirty days must be
 11 computed from the expiration of the definite time.

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

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

20 PART PP

21 Section 1. Subparagraph 9 of paragraph d of subdivision 5 of part B of
 22 section 236 of the domestic relations law, as amended by chapter 281 of
 23 the laws of 1980 and as renumbered by chapter 229 of the laws of 2009,
 24 is amended to read as follows:

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

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

32 PART QQ

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

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

1 increases in pay in proper proportion to increase of ability, increase
2 of output and increase of quality of work demonstrated in service.

3 2. For the purpose of this section:

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

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

18 (c) employees shall be deemed to work in the same establishment if the
19 employees work for the same employer at workplaces located in the same
20 geographical region, no larger than a county, taking into account popu-
21 lation distribution, economic activity, and/or the presence of munici-
22 palties.

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

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

28 (1) a bona fide seniority or merit system;

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

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

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

45 (5) a collective bargaining agreement.

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

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

53 § 2. This act shall take effect immediately.

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

4 The family court and the criminal courts shall have concurrent juris-
5 diction over any proceeding concerning acts which would constitute
6 disorderly conduct, unlawful dissemination or publication of an intimate
7 image, harassment in the first degree, harassment in the second degree,
8 aggravated harassment in the second degree, sexual misconduct, forcible
9 touching, sexual abuse in the third degree, sexual abuse in the second
10 degree as set forth in subdivision one of section 130.60 of the penal
11 law, stalking in the first degree, stalking in the second degree, stalk-
12 ing in the third degree, stalking in the fourth degree, criminal
13 mischief, menacing in the second degree, menacing in the third degree,
14 reckless endangerment, criminal obstruction of breathing or blood circu-
15 lation, strangulation in the second degree, strangulation in the first
16 degree, assault in the second degree, assault in the third degree, an
17 attempted assault, identity theft in the first degree, identity theft in
18 the second degree, identity theft in the third degree, grand larceny in
19 the fourth degree, grand larceny in the third degree, coercion in the
20 second degree or coercion in the third degree as set forth in subdivi-
21 sions one, two and three of section 135.60 of the penal law between
22 spouses or former spouses, or between parent and child or between
23 members of the same family or household except that if the respondent
24 would not be criminally responsible by reason of age pursuant to section
25 30.00 of the penal law, then the family court shall have exclusive
26 jurisdiction over such proceeding. Notwithstanding a complainant's
27 election to proceed in family court, the criminal court shall not be
28 divested of jurisdiction to hear a family offense proceeding pursuant to
29 this section. The family court may also issue an order of protection
30 based on any circumstances that the court determines require an order
31 for the purposes established in paragraph (b) of subdivision two of this
32 section. In any proceeding pursuant to this article, a court shall not
33 deny an order of protection, or dismiss a petition, solely on the basis
34 that the acts or events alleged are not relatively contemporaneous with
35 the date of the petition, the conclusion of the fact-finding or the
36 conclusion of the dispositional hearing. For purposes of this article,
37 "disorderly conduct" includes disorderly conduct not in a public place.
38 For purposes of this article, "members of the same family or household"
39 shall mean the following:

40 § 2. Paragraph (a) of subdivision 1 of section 821 of the family court
41 act, as amended by section 6 of part NN of chapter 55 of the laws of
42 2018, is amended to read as follows:

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

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

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

7 3-a. Emergency powers when family court not in session; issuance of
8 temporary orders of protection. Upon the request of the petitioner, a
9 local criminal court may on an ex parte basis issue a temporary order of
10 protection pending a hearing in family court, provided that a sworn
11 affidavit, verified in accordance with subdivision one of section 100.30
12 of this chapter, is submitted: (i) alleging that the family court is not
13 in session; (ii) alleging that: (A) a family offense, as defined in
14 subdivision one of section eight hundred twelve of the family court act
15 and subdivision one of section 530.11 of this article, has been commit-
16 ted; or (B) circumstances exist that require an order of protection for
17 the purposes established in paragraph (b) of subdivision two of section
18 eight hundred twelve of the family court act; the respondent is the
19 spouse, or former spouse, parent, child or other member of the same
20 family or household as the petitioner and circumstances exist that
21 require an order of protection for the purposes established in paragraph
22 (b) of subdivision two of section eight hundred twelve of the family
23 court act; (iii) alleging that a family offense petition has been filed
24 or will be filed in family court on the next day the court is in
25 session; and (iv) showing good cause. Upon appearance in a local crimi-
26 nal court, the petitioner shall be advised that he or she may continue
27 with the proceeding either in family court or upon the filing of a local
28 criminal court accusatory instrument in criminal court or both. Upon
29 issuance of a temporary order of protection where petitioner requests
30 that it be returnable in family court, the local criminal court shall
31 transfer the matter forthwith to the family court and shall make the
32 matter returnable in family court on the next day the family court is in
33 session, or as soon thereafter as practicable, but in no event more than
34 four calendar days after issuance of the order. The local criminal
35 court, upon issuing a temporary order of protection returnable in family
36 court pursuant to this subdivision, shall immediately forward, in a
37 manner designed to insure arrival before the return date set in the
38 order, a copy of the temporary order of protection and sworn affidavit
39 to the family court and shall provide a copy of such temporary order of
40 protection to the petitioner; provided, however, that where a copy of
41 the temporary order of protection and affidavit are transmitted to the
42 family court by facsimile or other electronic means, the original order
43 and affidavit shall be forwarded to the family court immediately there-
44 after. Any temporary order of protection issued pursuant to this subdivi-
45 sion shall be issued to the respondent, and copies shall be filed as
46 required in subdivisions six and eight of this section for orders of
47 protection issued pursuant to this section. Any temporary order of
48 protection issued pursuant to this subdivision shall plainly state the
49 date that such order expires which, in the case of an order returnable
50 in family court, shall be not more than four calendar days after its
51 issuance, unless sooner vacated or modified by the family court. A peti-
52 tioner requesting a temporary order of protection returnable in family
53 court pursuant to this subdivision in a case in which a family court
54 petition has not been filed shall be informed that such temporary order
55 of protection shall expire as provided for herein, unless the petitioner
56 files a petition pursuant to subdivision one of section eight hundred

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

9 § 4. This act shall take effect immediately.

10

PART SS

11 Section 1. The election law is amended by adding a new section
12 14-116-a to read as follows:

13 § 14-116-a. Restriction on contributions from foreign-influenced
14 corporations or entities. 1. No corporation, limited liability company,
15 joint-stock association or other corporate entity doing business in this
16 state that is foreign-influenced, nor any foreign national, shall
17 directly or indirectly pay or use or offer, consent or agree to pay or
18 use any money or property for or in aid of any political party, commit-
19 tee or organization, or for, or in aid of, any corporation, limited
20 liability company, joint-stock, other association, or other corporate
21 entity organized or maintained for political purposes, or for, or in aid
22 of, any candidate for political office or for nomination for such
23 office, or for any political purpose whatsoever, or for the reimburse-
24 ment or indemnification of any person for moneys or property so used.
25 Any officer, director, stock-holder, member, owner, attorney or agent of
26 any corporation, limited liability company, joint-stock association or
27 other corporate entity which violates any of the provisions of this
28 section, who participates in, aids, abets or advises or consents to any
29 such violations, and any person who solicits or knowingly receives any
30 money or property in violation of this section, shall be guilty of a
31 misdemeanor. Any such contribution may result in the assessment of a
32 civil fine, not to exceed ten thousand dollars per contribution, in
33 addition to any other penalties under the law.

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

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

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

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

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

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

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

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

4 PART TT

5 Section 1. Section 10 of the public officers law, as amended by chap-
6 ter 29 of the laws of 1977, is amended to read as follows:

7 § 10. Official oaths. 1. Every officer shall take and file the oath
8 of office required by law, and every judicial officer of the unified
9 court system, in addition, shall file a copy of said oath in the office
10 of court administration, before he shall be entitled to enter upon the
11 discharge of any of his official duties. An oath of office may be admin-
12 istered by a judge of the court of appeals, the attorney general, or by
13 any officer authorized to take, within the state, the acknowledgment of
14 the execution of a deed of real property, or by an officer in whose
15 office the oath is required to be filed or by his duly designated
16 assistant, or may be administered to any member of a body of officers,
17 by a presiding officer or clerk, thereof, who shall have taken an oath
18 of office. An oath of office may be administered to any state or local
19 officer who is a member of the armed forces of the United States by any
20 commissioned officer, in active service, of the armed forces of the
21 United States. In addition to the requirements of any other law, the
22 certificate of the officer in the armed forces administering the oath of
23 office under this section shall state (a) the rank of the officer admin-
24 istering the oath, and (b) that the person taking the oath was at the
25 time, enlisted, inducted, ordered or commissioned in or serving with,
26 attached to or accompanying the armed forces of the United States. The
27 fact that the officer administering the oath was at the time duly
28 commissioned and in active service with the armed forces, shall be
29 certified by the secretary of the army, secretary of the air force or by
30 the secretary of the navy, as the case may be, of the United States, or
31 by a person designated by him to make such certifications, but the place
32 where such oath was administered need not be disclosed. The oath of
33 office of a notary public or commissioner of deeds shall be filed in the
34 office of the clerk of the county in which he shall reside. The oath of
35 office of every state officer shall be filed in the office of the secre-
36 tary of state; of every officer of a municipal corporation, including a
37 school district, with the clerk thereof; and of every other officer,
38 including the trustees and officers of a public library and the officers
39 of boards of cooperative educational services, in the office of the
40 clerk of the county in which he shall reside, if no place be otherwise
41 provided by law for the filing thereof.

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

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

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

5 § 13. Notice of neglect to file oath or undertaking. The officer or
6 body making the appointment or certificate of election of a public offi-
7 cer shall, if the officer be required to give an official undertaking to
8 be filed in an office other than that in which the written appointment
9 or certificate of election is to be filed, forthwith give written notice
10 of such appointment or election to the officer in whose office the
11 undertaking is to be filed. The officer or body making the appointment
12 or certificate of election of a statewide elected official, member of
13 the legislature, head of a state agency or elected local official, as
14 such terms are used in section seventy-three-a of this chapter, shall
15 also forthwith give written notice of such appointment or election to
16 the joint commission on public ethics. If any officer shall neglect,
17 within the time required by law, to take and file an official oath, or
18 execute and file an official undertaking, the officer, with whom or in
19 whose office such oath or undertaking is required to be filed, shall
20 forthwith give notice of such neglect, if of an appointive officer, to
21 the authority appointing such officer; if of an elective officer, to the
22 officer, board or body authorized to fill a vacancy in such office, if
23 any, or if none and a vacancy in the office may be filled by a special
24 election, to the officer, board or body authorized to call or give
25 notice of a special election to fill such vacancy; except that the
26 notice of failure of a justice of the peace to file his official oath,
27 shall be given to the town clerk of the town for which the justice was
28 elected.

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

32 h. His refusal or neglect to file his official oath, certification
33 pursuant to subdivision two of section ten of this chapter, if required,
34 or undertaking, if one is required, before or within thirty days after
35 the commencement of the term of office for which he is chosen, if an
36 elective office, or if an appointive office, within thirty days after
37 notice of his appointment, or within thirty days after the commencement
38 of such term; or to file a renewal undertaking within the time required
39 by law, or if no time be so specified, within thirty days after notice
40 to him in pursuance of law, that such renewal undertaking is required.
41 The neglect or failure of any state or local officer to execute and file
42 his oath of office, certification required by subdivision two of section
43 ten of this chapter and official undertaking within the time limited
44 therefor by law, shall not create a vacancy in the office if such offi-
45 cer was on active duty in the armed forces of the United States and
46 absent from the county of his residence at the time of his election or
47 appointment, and shall take his oath of office and execute his official
48 undertaking within thirty days after receipt of notice of his election
49 or appointment, and provided such oath of office, certification required
50 by subdivision two of section ten of this chapter and official undertak-
51 ing be filed within ninety days following the date it has been taken and
52 subscribed, any inconsistent provision of law, general, special, or
53 local to the contrary, notwithstanding.

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

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

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

8 (a) Every statewide elected official, state officer or employee,
9 member of the legislature, legislative employee and political party
10 chairman and every candidate for statewide elected office or for member
11 of the legislature shall file an annual statement of financial disclo-
12 sure containing the information and in the form set forth in subdivision
13 three of this section. Every statewide elected official, member of the
14 legislature, or head of a state agency shall also file, and every
15 elected local official shall file a copy of his or her New York state
16 income tax return, including any schedules and attachments to such
17 return, for the preceding year. On or before the fifteenth day of May
18 with respect to the preceding calendar year: (1) every member of the
19 legislature, every candidate for member of the legislature and legisla-
20 tive employee shall file such statement, and such tax return, if
21 required, with the legislative ethics commission which shall provide
22 such statement along with any requests for exemptions or deletions, and
23 such tax return, if required, to the joint commission on public ethics
24 for filing and rulings with respect to such requests for exemptions or
25 deletions, on or before the thirtieth day of June; [~~and~~] (2) all other
26 individuals required to file such statement shall file it, and such tax
27 return, if required, with the joint commission on public ethics; and (3)
28 any elected local official shall file such tax return with such commis-
29 sion, except that:

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

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

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

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

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

17 (vi) candidates for independent nomination who have not been desig-
18 nated by a party to receive a nomination shall file such statement with-
19 in ten days after the last day allowed by law for the filing of inde-
20 pendent nominating petitions naming them as candidates in the next
21 succeeding general or special election;

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

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

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

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

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

1 (ii) post for at least five years beginning for filings made for the
2 two thousand nineteen calendar year any income tax return filed pursuant
3 to this subdivision, provided, however, that prior to posting any tax
4 return to the commissioner shall redact such information as it, in consul-
5 tation with the commissioner of taxation and finance or his or her dele-
6 gate, deems appropriate or required by law. An official shall be enti-
7 tled to request at the time of filing of a tax return particular
8 redactions to such return that the commission shall make if it deems
9 such redactions to be appropriate.

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

12 § 6-169. Notice of transparency requirements. The state board of
13 elections or other board of elections, as the case may be, shall notify
14 each person nominated or designated as a candidate for elective office,
15 not later than ten days after such nomination or designation, that such
16 office may be subject to certification requirements pursuant to section
17 ten of the public officers law and subject to financial and tax disclo-
18 sure requirements pursuant to section seventy-three-a of the public
19 officers law.

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

22 PART UU

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

25 9. Any registered charitable organization that is required to file an
26 annual financial report pursuant to subdivision one or two of this
27 section, or that is required to file a funding disclosure report pursu-
28 ant to section one hundred seventy-two-e of this article, and/or a
29 financial disclosure report pursuant to section one hundred
30 seventy-two-f of this article for a reporting period during the applica-
31 ble fiscal year shall also be required to file such annual financial
32 report, including all required forms and attachments, with the depart-
33 ment of taxation and finance.

34 § 1-a. Subdivision 2 of section 172-e of the executive law, as added
35 by section 1 of part F of chapter 286 of the laws of 2016, is amended to
36 read as follows:

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

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

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

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

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

51 (v) [~~any donation in excess of two thousand five hundred dollars to~~
52 ~~the covered entity during the relevant reporting period including the~~
53 ~~identity of the donor of any such donation~~] a detailed description of
54 the in-kind donation, including the charitable purpose advanced by such

1 donation, if any, and any restrictions on the use of such donation by
2 the recipient entity.

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

4 (b) The covered entity shall file a funding disclosure report with the
5 department of law and the department of taxation and finance within
6 thirty days of the close of a reporting period.

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

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

15 (i) the name and address of the covered entity that made the expendi-
16 ture for covered communications;

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

20 (iii) a detailed description of the covered communication;

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

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

30 (b) The covered entity shall file a financial disclosure report with
31 the department of law and the department of taxation and finance within
32 thirty days of the close of a reporting period.

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

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

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

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

52 4. If a covered entity's annual report filed pursuant to section one
53 hundred seventy-two of this article does not include a completed Inter-
54 nal Revenue Service Form 990 schedule B, the entity shall in addition to
55 filing a disclosure with the department of law, also file with the
56 department of taxation and finance a complete Internal Revenue Service

1 Form 990 schedule B, regardless of whether such form is submitted or
2 required to be submitted to the Internal Revenue Service.

3 § 5. Section 171 of the tax law is amended by adding a new subdivision
4 twenty-ninth to read as follows:

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

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

14 PART VV

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

- 19 1. DOL-Child performer protection account (20401).
- 20 2. Proprietary vocational school supervision account (20452).
- 21 3. Local government records management account (20501).
- 22 4. Child health plus program account (20810).
- 23 5. EPIC premium account (20818).
- 24 6. Education - New (20901).
- 25 7. VLT - Sound basic education fund (20904).
- 26 8. Sewage treatment program management and administration fund
- 27 (21000).
- 28 9. Hazardous bulk storage account (21061).
- 29 10. Utility environmental regulatory account (21064).
- 30 11. Federal grants indirect cost recovery account (21065).
- 31 12. Low level radioactive waste account (21066).
- 32 13. Recreation account (21067).
- 33 14. Public safety recovery account (21077).
- 34 15. Environmental regulatory account (21081).
- 35 16. Natural resource account (21082).
- 36 17. Mined land reclamation program account (21084).
- 37 18. Great lakes restoration initiative account (21087).
- 38 19. Environmental protection and oil spill compensation fund (21200).
- 39 20. Public transportation systems account (21401).
- 40 21. Metropolitan mass transportation (21402).
- 41 22. Operating permit program account (21451).
- 42 23. Mobile source account (21452).
- 43 24. Statewide planning and research cooperative system account
- 44 (21902).
- 45 25. New York state thruway authority account (21905).
- 46 26. Mental hygiene program fund account (21907).
- 47 27. Mental hygiene patient income account (21909).
- 48 28. Financial control board account (21911).
- 49 29. Regulation of racing account (21912).
- 50 30. State university dormitory income reimbursable account (21937).
- 51 31. Criminal justice improvement account (21945).
- 52 32. Environmental laboratory reference fee account (21959).
- 53 33. Training, management and evaluation account (21961).
- 54 34. Clinical laboratory reference system assessment account (21962).

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

- 1 90. New York racing account (32213).
- 2 91. Capital miscellaneous gifts account (32214).
- 3 92. New York environmental protection and spill remediation account
- 4 (32219).
- 5 93. Mental hygiene facilities capital improvement fund (32300).
- 6 94. Correctional facilities capital improvement fund (32350).
- 7 95. New York State Storm Recovery Capital Fund (33000).
- 8 96. OGS convention center account (50318).
- 9 97. Empire Plaza Gift Shop (50327).
- 10 98. Centralized services fund (55000).
- 11 99. Archives records management account (55052).
- 12 100. Federal single audit account (55053).
- 13 101. Civil service EHS occupational health program account (55056).
- 14 102. Banking services account (55057).
- 15 103. Cultural resources survey account (55058).
- 16 104. Neighborhood work project account (55059).
- 17 105. Automation & printing chargeback account (55060).
- 18 106. OFT NYT account (55061).
- 19 107. Data center account (55062).
- 20 108. Intrusion detection account (55066).
- 21 109. Domestic violence grant account (55067).
- 22 110. Centralized technology services account (55069).
- 23 111. Labor contact center account (55071).
- 24 112. Human services contact center account (55072).
- 25 113. Tax contact center account (55073).
- 26 114. Department of law civil recoveries account (55074).
- 27 115. Executive direction internal audit account (55251).
- 28 116. CIO Information technology centralized services account (55252).
- 29 117. Health insurance internal service account (55300).
- 30 118. Civil service employee benefits division administrative account
- 31 (55301).
- 32 119. Correctional industries revolving fund (55350).
- 33 120. Employees health insurance account (60201).
- 34 121. Medicaid management information system escrow fund (60900).
- 35 122. New York state cannabis revenue fund.
- 36 123. Behavioral health parity compliance fund.

37 § 1-a. The state comptroller is hereby authorized and directed to loan
38 money in accordance with the provisions set forth in subdivision 5 of
39 section 4 of the state finance law to any account within the following
40 federal funds, provided the comptroller has made a determination that
41 sufficient federal grant award authority is available to reimburse such
42 loans:

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

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

1 Economic Development and Public Authorities:
2 1. \$175,000 from the miscellaneous special revenue fund, underground
3 facilities safety training account (22172), to the general fund.
4 2. An amount up to the unencumbered balance from the miscellaneous
5 special revenue fund, business and licensing services account (21977),
6 to the general fund.
7 3. \$14,810,000 from the miscellaneous special revenue fund, code
8 enforcement account (21904), to the general fund.
9 4. \$3,000,000 from the general fund to the miscellaneous special
10 revenue fund, tax revenue arrearage account (22168).
11 Education:
12 1. \$2,487,000,000 from the general fund to the state lottery fund,
13 education account (20901), as reimbursement for disbursements made from
14 such fund for supplemental aid to education pursuant to section 92-c of
15 the state finance law that are in excess of the amounts deposited in
16 such fund for such purposes pursuant to section 1612 of the tax law.
17 2. \$978,000,000 from the general fund to the state lottery fund, VLT
18 education account (20904), as reimbursement for disbursements made from
19 such fund for supplemental aid to education pursuant to section 92-c of
20 the state finance law that are in excess of the amounts deposited in
21 such fund for such purposes pursuant to section 1612 of the tax law.
22 3. \$168,000,000 from the general fund to the New York state commercial
23 gaming fund, commercial gaming revenue account (23701), as reimbursement
24 for disbursements made from such fund for supplemental aid to education
25 pursuant to section 97-nnnn of the state finance law that are in excess
26 of the amounts deposited in such fund for purposes pursuant to section
27 1352 of the racing, pari-mutuel wagering and breeding law.
28 4. \$5,000,000 from the interactive fantasy sports fund, fantasy sports
29 education account (24950), to the state lottery fund, education account
30 (20901), as reimbursement for disbursements made from such fund for
31 supplemental aid to education pursuant to section 92-c of the state
32 finance law.
33 5. An amount up to the unencumbered balance from the charitable gifts
34 trust fund, elementary and secondary education account (24901), to the
35 general fund, for payment of general support for public schools pursuant
36 to section 3609-a of the education law.
37 6. Moneys from the state lottery fund (20900) up to an amount deposit-
38 ed in such fund pursuant to section 1612 of the tax law in excess of the
39 current year appropriation for supplemental aid to education pursuant to
40 section 92-c of the state finance law.
41 7. \$300,000 from the New York state local government records manage-
42 ment improvement fund, local government records management account
43 (20501), to the New York state archives partnership trust fund, archives
44 partnership trust maintenance account (20351).
45 8. \$900,000 from the general fund to the miscellaneous special revenue
46 fund, Batavia school for the blind account (22032).
47 9. \$900,000 from the general fund to the miscellaneous special revenue
48 fund, Rome school for the deaf account (22053).
49 10. \$343,400,000 from the state university dormitory income fund
50 (40350) to the miscellaneous special revenue fund, state university
51 dormitory income reimbursable account (21937).
52 11. \$8,318,000 from the general fund to the state university income
53 fund, state university income offset account (22654), for the state's
54 share of repayment of the STIP loan.
55 12. \$47,000,000 from the state university income fund, state universi-
56 ty hospitals income reimbursable account (22656) to the general fund for

1 hospital debt service for the period April 1, 2020 through March 31,
2 2021.

3 13. \$25,390,000 from the miscellaneous special revenue fund, office of
4 the professions account (22051), to the miscellaneous capital projects
5 fund, office of the professions electronic licensing account (32222).

6 14. \$24,000,000 from any of the state education department's special
7 revenue and internal service funds to the miscellaneous special revenue
8 fund, indirect cost recovery account (21978).

9 15. \$4,200,000 from any of the state education department's special
10 revenue or internal service funds to the capital projects fund (30000).

11 16. \$1,500,000 from the miscellaneous special revenue fund, office of
12 the professions account (22051), to the general fund from fees charged
13 to each non-licensee owner of a firm that is incorporating as a profes-
14 sional service corporation formed to lawfully engage in the practice of
15 public accountancy.

16 Environmental Affairs:

17 1. \$16,000,000 from any of the department of environmental conserva-
18 tion's special revenue federal funds to the environmental conservation
19 special revenue fund, federal indirect recovery account (21065).

20 2. \$5,000,000 from any of the department of environmental conserva-
21 tion's special revenue federal funds to the conservation fund (21150) or
22 Marine Resources Account (21151) as necessary to avoid diversion of
23 conservation funds.

24 3. \$3,000,000 from any of the office of parks, recreation and historic
25 preservation capital projects federal funds and special revenue federal
26 funds to the miscellaneous special revenue fund, federal grant indirect
27 cost recovery account (22188).

28 4. \$1,000,000 from any of the office of parks, recreation and historic
29 preservation special revenue federal funds to the miscellaneous capital
30 projects fund, I love NY water account (32212).

31 5. \$28,000,000 from the general fund to the environmental protection
32 fund, environmental protection fund transfer account (30451).

33 6. \$1,800,000 from the general fund to the hazardous waste remedial
34 fund, hazardous waste oversight and assistance account (31505).

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

40 8. \$3,600,000 from the miscellaneous special revenue fund, public
41 service account (22011) to the miscellaneous special revenue fund, util-
42 ity environmental regulatory account (21064).

43 9. \$4,000,000 from the general fund to the enterprise fund, state fair
44 account (50051).

45 Family Assistance:

46 1. \$7,000,000 from any of the office of children and family services,
47 office of temporary and disability assistance, or department of health
48 special revenue federal funds and the general fund, in accordance with
49 agreements with social services districts, to the miscellaneous special
50 revenue fund, office of human resources development state match account
51 (21967).

52 2. \$4,000,000 from any of the office of children and family services
53 or office of temporary and disability assistance special revenue federal
54 funds to the miscellaneous special revenue fund, family preservation and
55 support services and family violence services account (22082).

- 1 3. \$18,670,000 from any of the office of children and family services,
2 office of temporary and disability assistance, or department of health
3 special revenue federal funds and any other miscellaneous revenues
4 generated from the operation of office of children and family services
5 programs to the general fund.
- 6 4. \$125,000,000 from any of the office of temporary and disability
7 assistance or department of health special revenue funds to the general
8 fund.
- 9 5. \$2,500,000 from any of the office of temporary and disability
10 assistance special revenue funds to the miscellaneous special revenue
11 fund, office of temporary and disability assistance program account
12 (21980).
- 13 6. \$35,000,000 from any of the office of children and family services,
14 office of temporary and disability assistance, department of labor, and
15 department of health special revenue federal funds to the office of
16 children and family services miscellaneous special revenue fund, multi-
17 agency training contract account (21989).
- 18 7. \$205,000,000 from the miscellaneous special revenue fund, youth
19 facility per diem account (22186), to the general fund.
- 20 8. \$621,850 from the general fund to the combined gifts, grants, and
21 bequests fund, WB Hoyt Memorial account (20128).
- 22 9. \$5,000,000 from the miscellaneous special revenue fund, state
23 central registry (22028), to the general fund.
- 24 10. \$600,000 from the miscellaneous special revenue fund, veterans
25 remembrance and cemetery maintenance and operation fund (20201), to the
26 capital projects fund (30000).
- 27 General Government:
- 28 1. \$1,566,000 from the miscellaneous special revenue fund, examination
29 and miscellaneous revenue account (22065) to the general fund.
- 30 2. \$12,000,000 from the general fund to the health insurance revolving
31 fund (55300).
- 32 3. \$292,400,000 from the health insurance reserve receipts fund
33 (60550) to the general fund.
- 34 4. \$150,000 from the general fund to the not-for-profit revolving loan
35 fund (20650).
- 36 5. \$150,000 from the not-for-profit revolving loan fund (20650) to the
37 general fund.
- 38 6. \$3,000,000 from the miscellaneous special revenue fund, surplus
39 property account (22036), to the general fund.
- 40 7. \$19,000,000 from the miscellaneous special revenue fund, revenue
41 arrearage account (22024), to the general fund.
- 42 8. \$1,826,000 from the miscellaneous special revenue fund, revenue
43 arrearage account (22024), to the miscellaneous special revenue fund,
44 authority budget office account (22138).
- 45 9. \$1,000,000 from the agencies enterprise fund, parking services
46 account (22007), to the general fund, for the purpose of reimbursing the
47 costs of debt service related to state parking facilities.
- 48 10. \$9,628,000 from the general fund to the centralized services fund,
49 COPS account (55013).
- 50 11. \$11,460,000 from the general fund to the agencies internal service
51 fund, central technology services account (55069), for the purpose of
52 enterprise technology projects.
- 53 12. \$10,000,000 from the general fund to the agencies internal service
54 fund, state data center account (55062).
- 55 13. \$20,000,000 from the miscellaneous special revenue fund, workers'
56 compensation account (21995), to the miscellaneous capital projects

1 fund, workers' compensation board IT business process design fund,
2 (32218).

3 14. \$12,000,000 from the agencies enterprise fund, parking services
4 account (22007), to the centralized services, building support services
5 account (55018).

6 15. \$30,000,000 from the general fund to the internal service fund,
7 business services center account (55022).

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

10 17. \$1,500,000 from the agencies enterprise fund, special events
11 account (20120), to the general fund.

12 Health:

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

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

21 3. A transfer from the general fund to the combined gifts, grants and
22 bequests fund, Alzheimer's disease research and assistance account
23 (20143), up to an amount equal to the moneys collected and deposited
24 into that account in the previous fiscal year.

25 4. \$33,134,000 from the HCRA resources fund (20800) to the miscella-
26 neous special revenue fund, empire state stem cell trust fund account
27 (22161).

28 5. \$6,000,000 from the miscellaneous special revenue fund, certificate
29 of need account (21920), to the miscellaneous capital projects fund,
30 healthcare IT capital subfund (32216).

31 6. \$2,000,000 from the miscellaneous special revenue fund, vital
32 health records account (22103), to the miscellaneous capital projects
33 fund, healthcare IT capital subfund (32216).

34 7. \$2,000,000 from the miscellaneous special revenue fund, profes-
35 sional medical conduct account (22088), to the miscellaneous capital
36 projects fund, healthcare IT capital subfund (32216).

37 8. \$91,304,000 from the HCRA resources fund (20800) to the capital
38 projects fund (30000).

39 9. \$6,550,000 from the general fund to the medical marihuana trust
40 fund, health operation and oversight account (23755).

41 10. An amount up to the unencumbered balance from the miscellaneous
42 special revenue fund, certificate of need account (21920), to the gener-
43 al fund.

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

51 12. \$3,000,000 from the miscellaneous special revenue fund, New York
52 State cannabis revenue fund, to the general fund.

53 Labor:

54 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
55 penalty account (21923), to the child performer's protection fund, child
56 performer protection account (20401).

1 2. \$11,700,000 from the unemployment insurance interest and penalty
2 fund, unemployment insurance special interest and penalty account
3 (23601), to the general fund.

4 3. \$5,000,000 from the miscellaneous special revenue fund, workers'
5 compensation account (21995), to the training and education program
6 occupation safety and health fund, OSHA-training and education account
7 (21251) and occupational health inspection account (21252).

8 Mental Hygiene:

9 1. \$10,000,000 from the general fund, to the miscellaneous special
10 revenue fund, federal salary sharing account (22056).

11 2. \$3,800,000 from the general fund, to the agencies internal service
12 fund, civil service EHS occupational health program account (55056).

13 3. \$3,000,000 from the chemical dependence service fund, substance
14 abuse services fund account (22700), to the mental hygiene capital
15 improvement fund (32305).

16 Public Protection:

17 1. \$1,350,000 from the miscellaneous special revenue fund, emergency
18 management account (21944), to the general fund.

19 2. \$2,087,000 from the general fund to the miscellaneous special
20 revenue fund, recruitment incentive account (22171).

21 3. \$22,773,000 from the general fund to the correctional industries
22 revolving fund, correctional industries internal service account
23 (55350).

24 4. \$60,000,000 from any of the division of homeland security and emer-
25 gency services special revenue federal funds to the general fund.

26 5. \$11,149,000 from the miscellaneous special revenue fund, criminal
27 justice improvement account (21945), to the general fund.

28 6. \$115,420,000 from the state police motor vehicle law enforcement
29 and motor vehicle theft and insurance fraud prevention fund, state
30 police motor vehicle enforcement account (22802), to the general fund
31 for state operation expenses of the division of state police.

32 7. \$120,500,000 from the general fund to the correctional facilities
33 capital improvement fund (32350).

34 8. \$5,000,000 from the general fund to the dedicated highway and
35 bridge trust fund (30050) for the purpose of work zone safety activities
36 provided by the division of state police for the department of transpor-
37 tation.

38 9. \$10,000,000 from the miscellaneous special revenue fund, statewide
39 public safety communications account (22123), to the capital projects
40 fund (30000).

41 10. \$9,830,000 from the miscellaneous special revenue fund, legal
42 services assistance account (22096), to the general fund.

43 11. \$1,000,000 from the general fund to the agencies internal service
44 fund, neighborhood work project account (55059).

45 12. \$7,980,000 from the miscellaneous special revenue fund, finger-
46 print identification & technology account (21950), to the general fund.

47 13. \$1,100,000 from the state police motor vehicle law enforcement and
48 motor vehicle theft and insurance fraud prevention fund, motor vehicle
49 theft and insurance fraud account (22801), to the general fund.

50 14. \$25,000,000 from the miscellaneous special revenue fund, statewide
51 public safety communications account (22123), to the general fund.

52 Transportation:

53 1. \$31,000,000 from the general fund to the MTA financial assistance
54 fund, mobility tax trust account (23651) for disbursements related to
55 part NN of chapter 54 of the laws of 2016.

1 2. \$20,000,000 from the general fund to the mass transportation oper-
2 ating assistance fund, public transportation systems operating assist-
3 ance account (21401), of which \$12,000,000 constitutes the base need for
4 operations.

5 3. \$727,500,000 from the general fund to the dedicated highway and
6 bridge trust fund (30050).

7 4. \$244,250,000 from the general fund to the MTA financial assistance
8 fund, mobility tax trust account (23651).

9 5. \$5,000,000 from the miscellaneous special revenue fund, transporta-
10 tion regulation account (22067) to the dedicated highway and bridge
11 trust fund (30050), for disbursements made from such fund for motor
12 carrier safety that are in excess of the amounts deposited in the dedi-
13 cated highway and bridge trust fund (30050) for such purpose pursuant to
14 section 94 of the transportation law.

15 6. \$3,000,000 from the miscellaneous special revenue fund, traffic
16 adjudication account (22055), to the general fund.

17 7. \$11,721,000 from the mass transportation operating assistance fund,
18 metropolitan mass transportation operating assistance account (21402),
19 to the capital projects fund (30000).

20 8. \$5,000,000 from the miscellaneous special revenue fund, transporta-
21 tion regulation account (22067) to the general fund, for disbursements
22 made from such fund for motor carrier safety that are in excess of the
23 amounts deposited in the general fund for such purpose pursuant to
24 section 94 of the transportation law.

25 Miscellaneous:

26 1. \$250,000,000 from the general fund to any funds or accounts for the
27 purpose of reimbursing certain outstanding accounts receivable balances.

28 2. \$500,000,000 from the general fund to the debt reduction reserve
29 fund (40000).

30 3. \$450,000,000 from the New York state storm recovery capital fund
31 (33000) to the revenue bond tax fund (40152).

32 4. \$15,500,000 from the general fund, community projects account GG
33 (10256), to the general fund, state purposes account (10050).

34 5. \$100,000,000 from any special revenue federal fund to the general
35 fund, state purposes account (10050).

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

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

45 2. Upon request of the commissioner of agriculture and markets, up to
46 \$3,000,000 from any special revenue fund or enterprise fund within the
47 department of agriculture and markets to the general fund, to pay appro-
48 priate administrative expenses.

49 3. Upon request of the commissioner of agriculture and markets, up to
50 \$2,000,000 from the state exposition special fund, state fair receipts
51 account (50051) to the miscellaneous capital projects fund, state fair
52 capital improvement account (32208).

53 4. Upon request of the commissioner of the division of housing and
54 community renewal, up to \$6,221,000 from revenues credited to any divi-
55 sion of housing and community renewal federal or miscellaneous special

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

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

7 6. Upon request of the commissioner of health up to \$13,225,000 from
8 revenues credited to any of the department of health's special revenue
9 funds, to the miscellaneous special revenue fund, administration account
10 (21982).

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

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

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

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

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

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

54 § 10. 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, upon request of the director of the budget, up

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

7 § 11. Notwithstanding any law to the contrary, and in accordance with
8 section 4 of the state finance law, the comptroller is hereby authorized
9 and directed to transfer, upon request of the state university chancel-
10 lor or his or her designee, up to \$55,000,000 from the state university
11 income fund, state university hospitals income reimbursable account
12 (22656), for services and expenses of hospital operations and capital
13 expenditures at the state university hospitals; and the state university
14 income fund, Long Island veterans' home account (22652) to the state
15 university capital projects fund (32400) on or before June 30, 2021.

16 § 12. Notwithstanding any law to the contrary, and in accordance with
17 section 4 of the state finance law, the comptroller, after consultation
18 with the state university chancellor or his or her designee, is hereby
19 authorized and directed to transfer moneys, in the first instance, from
20 the state university collection fund, Stony Brook hospital collection
21 account (61006), Brooklyn hospital collection account (61007), and Syra-
22 cuse hospital collection account (61008) to the state university income
23 fund, state university hospitals income reimbursable account (22656) in
24 the event insufficient funds are available in the state university
25 income fund, state university hospitals income reimbursable account
26 (22656) to permit the full transfer of moneys authorized for transfer,
27 to the general fund for payment of debt service related to the SUNY
28 hospitals. Notwithstanding any law to the contrary, the comptroller is
29 also hereby authorized and directed, after consultation with the state
30 university chancellor or his or her designee, to transfer moneys from
31 the state university income fund to the state university income fund,
32 state university hospitals income reimbursable account (22656) in the
33 event insufficient funds are available in the state university income
34 fund, state university hospitals income reimbursable account (22656) to
35 pay hospital operating costs or to permit the full transfer of moneys
36 authorized for transfer, to the general fund for payment of debt service
37 related to the SUNY hospitals on or before March 31, 2021.

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

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

1 funds that would result in the loss of eligibility for federal benefits
2 or federal funds pursuant to federal law, rule, or regulation as assent-
3 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
4 1951 are not permitted pursuant to this authorization.

5 § 15. Notwithstanding any law to the contrary, and in accordance with
6 section 4 of the state finance law, the comptroller is hereby authorized
7 and directed to transfer, at the request of the director of the budget,
8 up to \$100 million from any non-general fund or account, or combination
9 of funds and accounts, to the miscellaneous special revenue fund, tech-
10 nology financing account (22207), the miscellaneous capital projects
11 fund, the federal capital projects account (31350), information technol-
12 ogy capital financing account (32215), or the centralized technology
13 services account (55069), for the purpose of consolidating technology
14 procurement and services. The amounts transferred to the miscellaneous
15 special revenue fund, technology financing account (22207) pursuant to
16 this authorization shall be equal to or less than the amount of such
17 monies intended to support information technology costs which are
18 attributable, according to a plan, to such account made in pursuance to
19 an appropriation by law. Transfers to the technology financing account
20 shall be completed from amounts collected by non-general funds or
21 accounts pursuant to a fund deposit schedule or permanent statute, and
22 shall be transferred to the technology financing account pursuant to a
23 schedule agreed upon by the affected agency commissioner. Transfers from
24 funds that would result in the loss of eligibility for federal benefits
25 or federal funds pursuant to federal law, rule, or regulation as assent-
26 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
27 1951 are not permitted pursuant to this authorization.

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

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

50 § 18. Notwithstanding any provision of law, rule or regulation to the
51 contrary, the New York state energy research and development authority
52 is authorized and directed to make the following contributions to the
53 state treasury to the credit of the general fund on or before March 31,
54 2021: (a) \$913,000; and (b) \$23,000,000 from proceeds collected by the
55 authority from the auction or sale of carbon dioxide emission allowances
56 allocated by the department of environmental conservation.

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

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

11 5. Notwithstanding the provisions of section one hundred seventy-one-a
12 of the tax law, as separately amended by chapters four hundred eighty-
13 one and four hundred eighty-four of the laws of nineteen hundred eight-
14 y-one, and notwithstanding the provisions of chapter ninety-four of the
15 laws of two thousand eleven, or any other provisions of law to the
16 contrary, during the fiscal year beginning April first, two thousand
17 [~~nineteen~~ twenty, the state comptroller is hereby authorized and
18 directed to deposit to the fund created pursuant to this section from
19 amounts collected pursuant to article twenty-two of the tax law and
20 pursuant to a schedule submitted by the director of the budget, up to
21 [~~\$2,185,995,000~~ \$1,999,516,000, as may be certified in such schedule as
22 necessary to meet the purposes of such fund for the fiscal year begin-
23 ning April first, two thousand [~~nineteen~~ twenty.

24 § 21. Notwithstanding any law to the contrary, the comptroller is
25 hereby authorized and directed to transfer, upon request of the director
26 of the budget, on or before March 31, 2021, the following amounts from
27 the following special revenue accounts to the capital projects fund
28 (30000), for the purposes of reimbursement to such fund for expenses
29 related to the maintenance and preservation of state assets:

30 1. \$43,000 from the miscellaneous special revenue fund, administrative
31 program account (21982).

32 2. \$1,478,000 from the miscellaneous special revenue fund, helen hayes
33 hospital account (22140).

34 3. \$366,000 from the miscellaneous special revenue fund, New York city
35 veterans' home account (22141).

36 4. \$513,000 from the miscellaneous special revenue fund, New York
37 state home for veterans' and their dependents at oxford account (22142).

38 5. \$159,000 from the miscellaneous special revenue fund, western New
39 York veterans' home account (22143).

40 6. \$323,000 from the miscellaneous special revenue fund, New York
41 state for veterans in the lower-hudson valley account (22144).

42 7. \$2,550,000 from the miscellaneous special revenue fund, patron
43 services account (22163).

44 8. \$7,300,000 from the miscellaneous special revenue fund, state
45 university general income reimbursable account (22653).

46 9. \$132,000,000 from the miscellaneous special revenue fund, state
47 university revenue offset account (22655).

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

50 11. \$1,000,000 from the miscellaneous special revenue fund, litigation
51 settlement and civil recovery account (22117).

52 § 22. Notwithstanding any provision of law to the contrary, in the
53 event that federal legislation, federal regulatory actions, federal
54 executive actions or federal judicial actions in federal fiscal year
55 2021 reduce federal financial participation in Medicaid funding to New
56 York state or its subdivisions by \$850 million or more in state fiscal

1 years 2020-21 or 2021-22, the director of the division of the budget
2 shall notify the temporary president of the senate and the speaker of
3 the assembly in writing that the federal actions will reduce expected
4 funding to New York state. The director of the division of the budget
5 shall prepare a plan that shall be submitted to the legislature, which
6 shall (a) specify the total amount of the reduction in federal financial
7 participation in Medicaid, (b) itemize the specific programs and activ-
8 ities that will be affected by the reduction in federal financial
9 participation in Medicaid, and (c) identify the general fund and state
10 special revenue fund appropriations and related disbursements that shall
11 be reduced, and in what program areas, provided, however, that such
12 reductions to appropriations and disbursements shall be applied equally
13 and proportionally to the programs affected by the reduction in federal
14 financial participation in Medicaid. Upon such submission, the legisla-
15 ture shall have 90 days after such submission to either prepare its own
16 plan, which may be adopted by concurrent resolution passed by both hous-
17 es, or if after 90 days the legislature fails to adopt their own plan,
18 the reductions to the general fund and state special revenue fund appro-
19 priations and related disbursements identified in the division of the
20 budget plan will go into effect automatically.

21 § 23. Notwithstanding any provision of law to the contrary, in the
22 event that federal legislation, federal regulatory actions, federal
23 executive actions or federal judicial actions in federal fiscal year
24 2021 reduce federal financial participation or other federal aid in
25 funding to New York state that affects the state operating funds finan-
26 cial plan by \$850 million or more in state fiscal years 2020-21 or
27 2021-22, exclusive of any cuts to Medicaid, the director of the division
28 of the budget shall notify the temporary president of the senate and the
29 speaker of the assembly in writing that the federal actions will reduce
30 expected funding to New York state. The director of the division of the
31 budget shall prepare a plan that shall be submitted to the legislature,
32 which shall (a) specify the total amount of the reduction in federal
33 aid, (b) itemize the specific programs and activities that will be
34 affected by the federal reductions, exclusive of Medicaid, and (c) iden-
35 tify the general fund and state special revenue fund appropriations and
36 related disbursements that shall be reduced, and in what program areas,
37 provided, however, that such reductions to appropriations and disburse-
38 ments shall be applied equally and proportionally. Upon such submission,
39 the legislature shall have 90 days after such submission to either
40 prepare its own plan, which may be adopted by concurrent resolution
41 passed by both houses, or if after 90 days the legislature fails to
42 adopt their own plan, the reductions to the general fund and state
43 special revenue fund appropriations and related disbursements identified
44 in the division of the budget plan will go into effect automatically.

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

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

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

26 6. Notwithstanding any law to the contrary, at the beginning of the
27 state fiscal year, the state comptroller is hereby authorized and
28 directed to receive for deposit to the credit of a fund and/or an
29 account such monies as are identified by the director of the budget as
30 having been intended for such deposit to support disbursements from such
31 fund and/or account made in pursuance of an appropriation by law. As
32 soon as practicable upon enactment of the budget, the director of the
33 budget shall, but not less than three days following preliminary
34 submission to the chairs of the senate finance committee and the assem-
35 bly ways and means committee, file with the state comptroller an iden-
36 tification of specific monies to be so deposited. Any subsequent change
37 regarding the monies to be so deposited shall be filed by the director
38 of the budget, as soon as practicable, but not less than three days
39 following preliminary submission to the chairs of the senate finance
40 committee and the assembly ways and means committee.

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

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

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

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

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

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

5 § 27. Notwithstanding any other law, rule, or regulation to the
6 contrary, the state comptroller is hereby authorized and directed to use
7 any balance remaining in the mental health services fund debt service
8 appropriation, after payment by the state comptroller of all obligations
9 required pursuant to any lease, sublease, or other financing arrangement
10 between the dormitory authority of the state of New York as successor to
11 the New York state medical care facilities finance agency, and the
12 facilities development corporation pursuant to chapter 83 of the laws of
13 1995 and the department of mental hygiene for the purpose of making
14 payments to the dormitory authority of the state of New York for the
15 amount of the earnings for the investment of monies deposited in the
16 mental health services fund that such agency determines will or may have
17 to be rebated to the federal government pursuant to the provisions of
18 the internal revenue code of 1986, as amended, in order to enable such
19 agency to maintain the exemption from federal income taxation on the
20 interest paid to the holders of such agency's mental services facilities
21 improvement revenue bonds. Annually on or before each June 30th, such
22 agency shall certify to the state comptroller its determination of the
23 amounts received in the mental health services fund as a result of the
24 investment of monies deposited therein that will or may have to be
25 rebated to the federal government pursuant to the provisions of the
26 internal revenue code of 1986, as amended.

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

32 1. Subject to the provisions of chapter 59 of the laws of 2000, but
33 notwithstanding the provisions of section 18 of section 1 of chapter 174
34 of the laws of 1968, the New York state urban development corporation is
35 hereby authorized to issue bonds, notes and other obligations in an
36 aggregate principal amount not to exceed [~~eight billion four hundred~~
37 ~~ninety-four million nine hundred seventy-nine thousand~~] eight billion
38 eight hundred seventeen million two hundred ninety-nine thousand dollars
39 [~~\$8,494,979,000~~] \$8,817,299,000, and shall include all bonds, notes and
40 other obligations issued pursuant to chapter 56 of the laws of 1983, as
41 amended or supplemented. The proceeds of such bonds, notes or other
42 obligations shall be paid to the state, for deposit in the correctional
43 facilities capital improvement fund to pay for all or any portion of the
44 amount or amounts paid by the state from appropriations or reappropri-
45 ations made to the department of corrections and community supervision
46 from the correctional facilities capital improvement fund for capital
47 projects. The aggregate amount of bonds, notes or other obligations
48 authorized to be issued pursuant to this section shall exclude bonds,
49 notes or other obligations issued to refund or otherwise repay bonds,
50 notes or other obligations theretofore issued, the proceeds of which
51 were paid to the state for all or a portion of the amounts expended by
52 the state from appropriations or reappropriations made to the department
53 of corrections and community supervision; provided, however, that upon
54 any such refunding or repayment the total aggregate principal amount of
55 outstanding bonds, notes or other obligations may be greater than [~~eight~~
56 ~~billion four hundred ninety-four million nine hundred seventy-nine thou-~~

1 ~~sand~~] eight billion eight hundred seventeen million two hundred ninety-
2 nine thousand dollars [~~\$8,494,979,000~~] \$8,817,299,000, only if the pres-
3 ent value of the aggregate debt service of the refunding or repayment
4 bonds, notes or other obligations to be issued shall not exceed the
5 present value of the aggregate debt service of the bonds, notes or other
6 obligations so to be refunded or repaid. For the purposes hereof, the
7 present value of the aggregate debt service of the refunding or repay-
8 ment bonds, notes or other obligations and of the aggregate debt service
9 of the bonds, notes or other obligations so refunded or repaid, shall be
10 calculated by utilizing the effective interest rate of the refunding or
11 repayment bonds, notes or other obligations, which shall be that rate
12 arrived at by doubling the semi-annual interest rate (compounded semi-
13 annually) necessary to discount the debt service payments on the refund-
14 ing or repayment bonds, notes or other obligations from the payment
15 dates thereof to the date of issue of the refunding or repayment bonds,
16 notes or other obligations and to the price bid including estimated
17 accrued interest or proceeds received by the corporation including esti-
18 mated accrued interest from the sale thereof.

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

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

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

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

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

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

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

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

43 (c) Subject to the provisions of chapter fifty-nine of the laws of two
44 thousand, the dormitory authority shall not issue any bonds for state
45 university educational facilities purposes if the principal amount of
46 bonds to be issued when added to the aggregate principal amount of bonds
47 issued by the dormitory authority on and after July first, nineteen
48 hundred eighty-eight for state university educational facilities will
49 exceed [~~thirteen billion eight hundred forty one million eight hundred~~
50 ~~sixty four thousand~~] fourteen billion seven hundred forty one million
51 eight hundred sixty four thousand dollars [~~\$13,841,864,000~~]
52 \$14,741,864,000; provided, however, that bonds issued or to be issued
53 shall be excluded from such limitation if: (1) such bonds are issued to
54 refund state university construction bonds and state university
55 construction notes previously issued by the housing finance agency; or
56 (2) such bonds are issued to refund bonds of the authority or other

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

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

35 (c) Subject to the provisions of chapter fifty-nine of the laws of two
36 thousand, (i) the dormitory authority shall not deliver a series of
37 bonds for city university community college facilities, except to refund
38 or to be substituted for or in lieu of other bonds in relation to city
39 university community college facilities pursuant to a resolution of the
40 dormitory authority adopted before July first, nineteen hundred eighty-
41 five or any resolution supplemental thereto, if the principal amount of
42 bonds so to be issued when added to all principal amounts of bonds
43 previously issued by the dormitory authority for city university commu-
44 nity college facilities, except to refund or to be substituted in lieu
45 of other bonds in relation to city university community college facili-
46 ties will exceed the sum of four hundred twenty-five million dollars and
47 (ii) the dormitory authority shall not deliver a series of bonds issued
48 for city university facilities, including community college facilities,
49 pursuant to a resolution of the dormitory authority adopted on or after
50 July first, nineteen hundred eighty-five, except to refund or to be
51 substituted for or in lieu of other bonds in relation to city university
52 facilities and except for bonds issued pursuant to a resolution supple-
53 mental to a resolution of the dormitory authority adopted prior to July
54 first, nineteen hundred eighty-five, if the principal amount of bonds so
55 to be issued when added to the principal amount of bonds previously
56 issued pursuant to any such resolution, except bonds issued to refund or

1 to be substituted for or in lieu of other bonds in relation to city
2 university facilities, will exceed [~~eight billion six hundred seventy-~~
3 ~~four million two hundred fifty six thousand~~] nine billion two hundred
4 twenty-two million seven hundred thirty-two thousand dollars
5 [~~\$8,674,256,000~~] \$9,222,732,000. The legislature reserves the right to
6 amend or repeal such limit, and the state of New York, the dormitory
7 authority, the city university, and the fund are prohibited from coven-
8 anting or making any other agreements with or for the benefit of bond-
9 holders which might in any way affect such right.

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

13 10-a. Subject to the provisions of chapter fifty-nine of the laws of
14 two thousand, but notwithstanding any other provision of the law to the
15 contrary, the maximum amount of bonds and notes to be issued after March
16 thirty-first, two thousand two, on behalf of the state, in relation to
17 any locally sponsored community college, shall be [~~one billion five~~
18 ~~million six hundred two thousand~~] one billion fifty-one million six
19 hundred forty thousand dollars [~~\$1,005,602,000~~] \$1,051,640,000. Such
20 amount shall be exclusive of bonds and notes issued to fund any reserve
21 fund or funds, costs of issuance and to refund any outstanding bonds and
22 notes, issued on behalf of the state, relating to a locally sponsored
23 community college.

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

29 1. Subject to the provisions of chapter 59 of the laws of 2000, but
30 notwithstanding the provisions of section 18 of section 1 of chapter 174
31 of the laws of 1968, the New York state urban development corporation is
32 hereby authorized to issue bonds, notes and other obligations in an
33 aggregate principal amount not to exceed eight hundred [~~four~~] forty
34 million [~~six~~] three hundred fifteen thousand dollars [~~\$804,615,000~~]
35 \$840,315,000, which authorization increases the aggregate principal
36 amount of bonds, notes and other obligations authorized by section 40 of
37 chapter 309 of the laws of 1996, and shall include all bonds, notes and
38 other obligations issued pursuant to chapter 211 of the laws of 1990, as
39 amended or supplemented. The proceeds of such bonds, notes or other
40 obligations shall be paid to the state, for deposit in the youth facili-
41 ties improvement fund, to pay for all or any portion of the amount or
42 amounts paid by the state from appropriations or reappropriations made
43 to the office of children and family services from the youth facilities
44 improvement fund for capital projects. The aggregate amount of bonds,
45 notes and other obligations authorized to be issued pursuant to this
46 section shall exclude bonds, notes or other obligations issued to refund
47 or otherwise repay bonds, notes or other obligations theretofore issued,
48 the proceeds of which were paid to the state for all or a portion of the
49 amounts expended by the state from appropriations or reappropriations
50 made to the office of children and family services; provided, however,
51 that upon any such refunding or repayment the total aggregate principal
52 amount of outstanding bonds, notes or other obligations may be greater
53 than eight hundred [~~four~~] forty million [~~six~~] three hundred fifteen
54 thousand dollars [~~\$804,615,000~~] \$840,315,000, only if the present value
55 of the aggregate debt service of the refunding or repayment bonds, notes
56 or other obligations to be issued shall not exceed the present value of

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

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

19 b. The agency shall have power and is hereby authorized from time to
20 time to issue negotiable bonds and notes in conformity with applicable
21 provisions of the uniform commercial code in such principal amount as,
22 in the opinion of the agency, shall be necessary, after taking into
23 account other moneys which may be available for the purpose, to provide
24 sufficient funds to the facilities development corporation, or any
25 successor agency, for the financing or refinancing of or for the design,
26 construction, acquisition, reconstruction, rehabilitation or improvement
27 of mental health services facilities pursuant to paragraph a of this
28 subdivision, the payment of interest on mental health services improve-
29 ment bonds and mental health services improvement notes issued for such
30 purposes, the establishment of reserves to secure such bonds and notes,
31 the cost or premium of bond insurance or the costs of any financial
32 mechanisms which may be used to reduce the debt service that would be
33 payable by the agency on its mental health services facilities improve-
34 ment bonds and notes and all other expenditures of the agency incident
35 to and necessary or convenient to providing the facilities development
36 corporation, or any successor agency, with funds for the financing or
37 refinancing of or for any such design, construction, acquisition, recon-
38 struction, rehabilitation or improvement and for the refunding of mental
39 hygiene improvement bonds issued pursuant to section 47-b of the private
40 housing finance law; provided, however, that the agency shall not issue
41 mental health services facilities improvement bonds and mental health
42 services facilities improvement notes in an aggregate principal amount
43 exceeding [~~nine billion three hundred thirty-three million three hundred~~
44 ~~eight thousand~~] nine billion nine hundred twenty-seven million two
45 hundred seventy-six thousand dollars [~~\$9,333,308,000~~] \$9,927,276,000,
46 excluding mental health services facilities improvement bonds and mental
47 health services facilities improvement notes issued to refund outstand-
48 ing mental health services facilities improvement bonds and mental
49 health services facilities improvement notes; provided, however, that
50 upon any such refunding or repayment of mental health services facili-
51 ties improvement bonds and/or mental health services facilities improve-
52 ment notes the total aggregate principal amount of outstanding mental
53 health services facilities improvement bonds and mental health facili-
54 ties improvement notes may be greater than [~~nine billion three hundred~~
55 ~~thirty-three million three hundred eight thousand~~] nine billion nine
56 hundred twenty-seven million two hundred seventy-six thousand dollars

1 [~~\$9,333,308,000~~] \$9,927,276,000, only if, except as hereinafter provided
2 with respect to mental health services facilities bonds and mental
3 health services facilities notes issued to refund mental hygiene
4 improvement bonds authorized to be issued pursuant to the provisions of
5 section 47-b of the private housing finance law, the present value of
6 the aggregate debt service of the refunding or repayment bonds to be
7 issued shall not exceed the present value of the aggregate debt service
8 of the bonds to be refunded or repaid. For purposes hereof, the present
9 values of the aggregate debt service of the refunding or repayment
10 bonds, notes or other obligations and of the aggregate debt service of
11 the bonds, notes or other obligations so refunded or repaid, shall be
12 calculated by utilizing the effective interest rate of the refunding or
13 repayment bonds, notes or other obligations, which shall be that rate
14 arrived at by doubling the semi-annual interest rate (compounded semi-
15 annually) necessary to discount the debt service payments on the refund-
16 ing or repayment bonds, notes or other obligations from the payment
17 dates thereof to the date of issue of the refunding or repayment bonds,
18 notes or other obligations and to the price bid including estimated
19 accrued interest or proceeds received by the authority including esti-
20 mated accrued interest from the sale thereof. Such bonds, other than
21 bonds issued to refund outstanding bonds, shall be scheduled to mature
22 over a term not to exceed the average useful life, as certified by the
23 facilities development corporation, of the projects for which the bonds
24 are issued, and in any case shall not exceed thirty years and the maxi-
25 mum maturity of notes or any renewals thereof shall not exceed five
26 years from the date of the original issue of such notes. Notwithstanding
27 the provisions of this section, the agency shall have the power and is
28 hereby authorized to issue mental health services facilities improvement
29 bonds and/or mental health services facilities improvement notes to
30 refund outstanding mental hygiene improvement bonds authorized to be
31 issued pursuant to the provisions of section 47-b of the private housing
32 finance law and the amount of bonds issued or outstanding for such
33 purposes shall not be included for purposes of determining the amount of
34 bonds issued pursuant to this section. The director of the budget shall
35 allocate the aggregate principal authorized to be issued by the agency
36 among the office of mental health, office for people with developmental
37 disabilities, and the office of [~~alcoholism and substance abuse~~
38 services] addiction services and supports, in consultation with their
39 respective commissioners to finance bondable appropriations previously
40 approved by the legislature.

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

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

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

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

15 § 53. 1. Notwithstanding the provisions of any other law to the
16 contrary, the dormitory authority and the urban development corporation
17 are hereby authorized to issue bonds or notes in one or more series for
18 the purpose of funding project costs for the acquisition of equipment,
19 including but not limited to the creation or modernization of informa-
20 tion technology systems and related research and development equipment,
21 health and safety equipment, heavy equipment and machinery, the creation
22 or improvement of security systems, and laboratory equipment and other
23 state costs associated with such capital projects. The aggregate princi-
24 pal amount of bonds authorized to be issued pursuant to this section
25 shall not exceed [~~ninety-three million~~] one hundred ninety-three million
26 dollars [~~\$93,000,000~~] \$193,000,000, excluding bonds issued to fund one
27 or more debt service reserve funds, to pay costs of issuance of such
28 bonds, and bonds or notes issued to refund or otherwise repay such bonds
29 or notes previously issued. Such bonds and notes of the dormitory
30 authority and the urban development corporation shall not be a debt of
31 the state, and the state shall not be liable thereon, nor shall they be
32 payable out of any funds other than those appropriated by the state to
33 the dormitory authority and the urban development corporation for prin-
34 cipal, interest, and related expenses pursuant to a service contract and
35 such bonds and notes shall contain on the face thereof a statement to
36 such effect. Except for purposes of complying with the internal revenue
37 code, any interest income earned on bond proceeds shall only be used to
38 pay debt service on such bonds.

39 2. Notwithstanding any other provision of law to the contrary, in
40 order to assist the dormitory authority and the urban development corpo-
41 ration in undertaking the financing for project costs for the acquisi-
42 tion of equipment, including but not limited to the creation or modern-
43 ization of information technology systems and related research and
44 development equipment, health and safety equipment, heavy equipment and
45 machinery, the creation or improvement of security systems, and labora-
46 tory equipment and other state costs associated with such capital
47 projects, the director of the budget is hereby authorized to enter into
48 one or more service contracts with the dormitory authority and the urban
49 development corporation, none of which shall exceed thirty years in
50 duration, upon such terms and conditions as the director of the budget
51 and the dormitory authority and the urban development corporation agree,
52 so as to annually provide to the dormitory authority and the urban
53 development corporation, in the aggregate, a sum not to exceed the prin-
54 cipal, interest, and related expenses required for such bonds and notes.
55 Any service contract entered into pursuant to this section shall provide
56 that the obligation of the state to pay the amount therein provided

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

9 § 39. Subdivision (b) of section 11 of chapter 329 of the laws of
10 1991, amending the state finance law and other laws relating to the
11 establishment of the dedicated highway and bridge trust fund, as amended
12 by section 1 of part K of chapter 39 of the laws of 2019, is amended to
13 read as follows:

14 (b) Any service contract or contracts for projects authorized pursuant
15 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
16 14-k of the transportation law, and entered into pursuant to subdivision
17 (a) of this section, shall provide for state commitments to provide
18 annually to the thruway authority a sum or sums, upon such terms and
19 conditions as shall be deemed appropriate by the director of the budget,
20 to fund, or fund the debt service requirements of any bonds or any obli-
21 gations of the thruway authority issued to fund or to reimburse the
22 state for funding such projects having a cost not in excess of [~~ten~~
23 ~~billion eight hundred five million seven hundred seventy eight thousand~~
24 eleven billion two hundred eighty-three million five hundred seventy-
25 five thousand dollars [~~\$10,805,778,000~~] \$11,283,575,000 cumulatively by
26 the end of fiscal year [~~2019-20~~] 2020-21.

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

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

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

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

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

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

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

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

26 1. Notwithstanding any other provision of law to the contrary, the
27 authority, the dormitory authority and the urban development corporation
28 are hereby authorized to issue bonds or notes in one or more series for
29 the purpose of financing peace bridge projects and capital costs of
30 state and local highways, parkways, bridges, the New York state thruway,
31 Indian reservation roads, and facilities, and transportation infrastruc-
32 ture projects including aviation projects, non-MTA mass transit
33 projects, and rail service preservation projects, including work appur-
34 tenant and ancillary thereto. The aggregate principal amount of bonds
35 authorized to be issued pursuant to this section shall not exceed [~~four~~
36 ~~billion six hundred forty-eight million~~] six billion nine hundred
37 forty-two million four hundred sixty-three thousand dollars
38 [~~\$4,648,000,000~~] \$6,942,463,000, excluding bonds issued to fund one or
39 more debt service reserve funds, to pay costs of issuance of such bonds,
40 and to refund or otherwise repay such bonds or notes previously issued.
41 Such bonds and notes of the authority, the dormitory authority and the
42 urban development corporation shall not be a debt of the state, and the
43 state shall not be liable thereon, nor shall they be payable out of any
44 funds other than those appropriated by the state to the authority, the
45 dormitory authority and the urban development corporation for principal,
46 interest, and related expenses pursuant to a service contract and such
47 bonds and notes shall contain on the face thereof a statement to such
48 effect. Except for purposes of complying with the internal revenue code,
49 any interest income earned on bond proceeds shall only be used to pay
50 debt service on such bonds.

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

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

1 housing programs, the agency shall have the power and is hereby author-
2 ized from time to time to issue negotiable housing program bonds and
3 notes in such principal amount as shall be necessary to provide suffi-
4 cient funds for the repayment of amounts disbursed (and not previously
5 reimbursed) pursuant to law or any prior year making capital appropri-
6 ations or reappropriations for the purposes of the housing program;
7 provided, however, that the agency may issue such bonds and notes in an
8 aggregate principal amount not exceeding [~~six billion two hundred ninety~~
9 ~~million five hundred ninety-nine thousand~~] six billion five hundred
10 thirty-one million five hundred twenty-three thousand dollars
11 [~~\$6,290,599,000~~] \$6,531,523,000, plus a principal amount of bonds issued
12 to fund the debt service reserve fund in accordance with the debt
13 service reserve fund requirement established by the agency and to fund
14 any other reserves that the agency reasonably deems necessary for the
15 security or marketability of such bonds and to provide for the payment
16 of fees and other charges and expenses, including underwriters'
17 discount, trustee and rating agency fees, bond insurance, credit
18 enhancement and liquidity enhancement related to the issuance of such
19 bonds and notes. No reserve fund securing the housing program bonds
20 shall be entitled or eligible to receive state funds apportioned or
21 appropriated to maintain or restore such reserve fund at or to a partic-
22 ular level, except to the extent of any deficiency resulting directly or
23 indirectly from a failure of the state to appropriate or pay the agreed
24 amount under any of the contracts provided for in subdivision four of
25 this section.

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

30 1. Notwithstanding the provisions of any other law to the contrary,
31 the dormitory authority and the urban development corporation are hereby
32 authorized to issue bonds or notes in one or more series for the purpose
33 of funding project costs undertaken by or on behalf of special act
34 school districts, state-supported schools for the blind and deaf,
35 approved private special education schools, non-public schools, communi-
36 ty centers, day care facilities, residential camps, day camps, and other
37 state costs associated with such capital projects. The aggregate princi-
38 pal amount of bonds authorized to be issued pursuant to this section
39 shall not exceed one hundred [~~thirty~~] fifty-five million dollars
40 [~~\$130,000,000~~] \$155,000,000, excluding bonds issued to fund one or more
41 debt service reserve funds, to pay costs of issuance of such bonds, and
42 bonds or notes issued to refund or otherwise repay such bonds or notes
43 previously issued. Such bonds and notes of the dormitory authority and
44 the urban development corporation shall not be a debt of the state, and
45 the state shall not be liable thereon, nor shall they be payable out of
46 any funds other than those appropriated by the state to the dormitory
47 authority and the urban development corporation for principal, interest,
48 and related expenses pursuant to a service contract and such bonds and
49 notes shall contain on the face thereof a statement to such effect.
50 Except for purposes of complying with the internal revenue code, any
51 interest income earned on bond proceeds shall only be used to pay debt
52 service on such bonds.

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

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

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

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

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

42 1-a. "Business day". Any day of the year which is not a Saturday,
43 Sunday or legal holiday in the state of New York and not a day on which
44 banks are authorized or obligated to be closed in the city of New York.

45 § 48. Paragraph a of subdivision 4 of section 57 of the state finance
46 law, as amended by section 39 of part JJ of chapter 56 of the laws of
47 2010, is amended to read as follows:

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

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

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

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

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

4 Make a report to the legislature prior to the convening of its annual
5 session, containing a complete statement of every fund of the state
6 including every fund under the supervision or control of any department
7 or any officer or division, bureau, commission, board or other organiza-
8 tion therein from whatever source derived and whether or not deposited
9 in the treasury, other than the funds of moneyed corporations or private
10 bankers in liquidation or rehabilitation, together with a citation of
11 the statute authorizing the creation or establishment of each such fund,
12 all balances of money and receipts and disbursements during the preced-
13 ing fiscal year presented in accordance with the accounting principles,
14 policies, and legislative intent, including but not limited to refunds
15 of appropriation, set forth in a budget bill enacted in accordance with
16 Article VII of the State Constitution, a statement of each object of
17 disbursement, the funds, if any, from which paid or to be paid, a sched-
18 ule by month of the investments of cash not needed for day to day oper-
19 ations including but not limited to total investment income, the average
20 daily invested balance and related yields for each fund, and a statement
21 of all claims against the state presented to him where no provision or
22 an insufficient provision for the payment thereof has been made by law,
23 with the facts relating thereto and his opinion thereon, and suggesting
24 plans for the improvement and management of the public resources, and
25 containing such other information and recommendations relating to the
26 fiscal affairs of the state, as in his judgment should be communicated
27 to the legislature, provided that:

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

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

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

51 § 2-b. Additional definitions. As used in subdivisions nine and nine-a
52 of section eight of this article, the following terms shall have the
53 following meanings:

54 1. "Refund of appropriation". Receipt of refunds, rebates, reimburse-
55 ments, credits, repayments, and/or disallowances, as defined herein, the
56 office of the state comptroller shall credit the refunded, rebated,

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

4 2. "Refunds". Funds received to the state resulting from the overpay-
5 ment of monies.

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

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

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

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

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

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

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

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