

# STATE OF NEW YORK

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S. 7505

A. 9505

## SENATE - ASSEMBLY

January 22, 2020

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

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

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

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

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

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

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

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

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

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

PART A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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;



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.

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

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

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

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

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

#### PART B

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

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

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

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

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

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

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

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

§ 4. This act shall take effect immediately.

#### PART C

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

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

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

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

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 incapaciti-  
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 incapaciti-  
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.



## 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.



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

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

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

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

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

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

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

## PART H

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

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

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

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

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

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

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

§ 4. This act shall take effect immediately.

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.



## 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

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

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

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

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

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

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

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

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

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

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

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 igible 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

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

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

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

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

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

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

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

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



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.



## PART O

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

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

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

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

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

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

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

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

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

#### PART P

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

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

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

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

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

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

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

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

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

§ 3. This act shall take effect immediately.

PART Q

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

§ 120.65 Domestic violence.

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

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

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

Domestic violence is a class A misdemeanor.

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

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

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

PART R

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

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

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

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.

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

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

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

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

(c) The task force shall:

(1) study mass shooting incidents;

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

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

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

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

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

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

#### PART S

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

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



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

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

#### PART T

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

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

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

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

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

PART U

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

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

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

PART V

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.

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

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

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

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

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

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

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

§ 4. This act shall take effect immediately.

#### PART X

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

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

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



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.

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

## PART BB

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

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

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

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

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

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

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

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

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

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

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 state 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.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 8. This act shall take effect immediately.

#### PART FF

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

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



York and New Jersey shall not be subject to change pursuant to subdivision eleven of section seventeen of this chapter.

§ 2. This act shall take effect immediately.

#### PART GG

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

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

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

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

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

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

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

#### PART HH

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

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

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 design-  
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



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

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

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

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

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

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

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

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

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

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

§ 2. This act shall take effect immediately.

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,  
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:

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

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

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

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

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

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



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

§ 6. This act shall take effect immediately.

PART 00

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### PART PP

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

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

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

#### PART QQ

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

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

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 palities.

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 subdi-  
45 vision 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



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

§ 4. This act shall take effect immediately.

#### PART SS

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

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

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

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

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

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

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

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

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

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

PART TT

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

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

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

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:

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

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

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

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

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

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;



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

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

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

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

#### PART UU

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### PART VV

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

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

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).

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

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

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

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



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).

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

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

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

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

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

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

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

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

General Government:

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

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

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

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

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

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

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

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

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

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

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

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

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

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).

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

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

Mental Hygiene:

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

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

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

Public Protection:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Transportation:

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



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

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

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

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

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

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

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

Miscellaneous:

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

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

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

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

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

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

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

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

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

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

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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-~~

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

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

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

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

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

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

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

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

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

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

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

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

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



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 there-  
11 of 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-



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

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

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

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

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

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

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

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

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

1 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.

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

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

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

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

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

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

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



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.