

STATE OF NEW YORK

S. 2505--A

A. 3005--A

SENATE - ASSEMBLY

January 20, 2021

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

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

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 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 55 of the laws of 1992, amending the tax law and other laws relat-

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

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ing to taxes, surcharges, fees and funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the expiration thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 55 of the laws of 2018, amending the criminal procedure law relating to the pre-criminal proceeding settlements in the City of New York, in relation to the effectiveness thereof (Part A); to amend the executive law, the criminal procedure law, the domestic relations law, the family court act, the general business law, the insurance law, the labor law, the public

health law, the social services law, and the state finance law, in relation to establishing the New York state office to end domestic and gender-based violence (Part B); to amend the penal law, in relation to establishing the crime of domestic violence (Part C); to amend the family court act, the criminal procedure law, and the domestic relations law, in relation to authorizing the court to require a person subject to an order of protection to pay reasonable costs for repairing damages caused by that person to the premises of a person protected by such order (Part D); to amend the judiciary law and the executive law, in relation to reports of domestic violence data (Part E); to amend the domestic relations law, in relation to the custody of children (Part F); Intentionally omitted (Part G); to amend the family court act and the education law, in relation to removing the term incorrigible (Part H); to amend the election law, in relation to authorizing judges and their immediate family members to apply for confidentiality of voter registration records (Part I); to amend the criminal procedure law, in relation to the electronic appearance of a defendant (Part J); to amend the executive law, the criminal procedure law, the general municipal law, the public authorities law and the civil service law, in relation to police officers; and to repeal certain provisions of the executive law and the civil service law, relating thereto (Part K); to amend the executive law, in relation to monitoring compliance with executive order two hundred three (Part L); in relation to the closure of correctional facilities; and providing for the repeal of such provisions upon the expiration thereof (Part M); to amend the penal law, in relation to the purchase and disposal of firearms, rifles and shotguns (Part N); to amend the executive law, in relation to the reporting of firearms seized or recovered by law enforcement (Part O); to amend chapter 268 of the laws of 1996, amending the education law and the state finance law relating to providing a recruitment incentive and retention program for certain active members of the New York army national guard, New York air national guard, and New York naval militia, in relation to the effectiveness of such chapter (Part P); to amend election law, in relation to expanding the application period for an absentee ballot request (Part Q); to amend the election law, in relation to establishing a deadline for county boards to process and mail requested absentee ballots (Part R); to amend the election law, in relation to expanding polling site hours of operation during early voting (Part S); to amend the election law, in relation to expediting the absentee ballot counting process (Part T); to amend the election law, in relation to establishing a uniform process to ensure the timely administration of recounts (Part U); to amend the workers' compensation law, in relation to allowing the New York state insurance fund to enter into agreements with private insurance providers to cover out-of-state work (Part V); to amend the workers' compensation law and the insurance law, in relation to diversifying the New York state insurance fund's investment authority (Part W); to amend the workers' compensation law and the insurance law, in relation to specifying methods of calculating deposits and reserves for the aggregate trust fund and reserves of the state insurance fund (Part X); to amend the alcoholic beverage control law, in relation to temporary permits; to amend chapter 396 of the laws of 2010, relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof; and to repeal certain provisions of such law relating thereto (Part Y); 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 Z); to amend the civil practice law and rules and the state finance law, in relation to the rate of interest to be paid on judgment and accrued claims (Part AA); to amend the state finance law and the public authorities law, in relation to enacting the "New York medical supplies act" (Part BB); to amend the civil service law, in relation to ceasing reimbursement of the Medicare income related monthly adjustment amounts (IRMAA) to high income state retirees (Part CC); 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 DD); to amend the civil service law, in relation to capping the standard medicare premium charge (Part EE); to amend the state technology law and the state finance law, in relation to authorizing comprehensive technology service contracts (Part FF); to amend the state finance law, in relation to posting the names of individuals who are authorized to sign state contracts and eliminating unfavorable terms in state contracts (Part GG); to amend the public officers law, in relation to allowing the exchange of any record or personal information between and among agencies of the state (Part HH); to amend the general business law, in relation to enacting the "New York data accountability and transparency act" (Part II); to amend the general business law, in relation to disclosures for the use of voice recognition features in internet-capable devices (Part JJ); to amend the state finance law, in relation to video lottery terminal aid (Part KK); to amend the state finance law and the tax law, in relation to reducing aid and incentives for municipalities base level grants (Part LL); to amend the general municipal law, in relation to authorized investments for local governments (Part MM); to amend the general municipal law, in relation to enhancing flexibility within the county-wide shared services initiative; and to repeal certain provisions of the general municipal law relating thereto (Part NN); to amend chapter 308 of the laws of 2012, amending the general municipal law relating to providing local governments greater contract flexibility and cost savings by permitting certain shared purchasing among political subdivisions, in relation to the effectiveness thereof (Part OO); to amend the county law, the correction law, the executive law, the judiciary law, the criminal procedure law and the education law, in relation to authorizing shared county jails (Part PP); to provide for the administration of certain funds and accounts related to the 2021-2022 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 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 New York state urban development corporation act, in relation to authorizing the dormitory authority of the state of New York and the urban development corporation to enter into line of credit facilities, and in relation to state-supported debt issued during the 2022 fiscal year; to amend the state finance law, in relation to payments of bonds; to amend the state finance law, in relation to the mental health services fund; to amend the public health law, in relation to secured hospital project bonds; to repeal paragraph c of subdivision 5 of section 89-b of the state finance law relating to the dedicated highway and bridge trust fund; to repeal subdivision (j) of section 92-dd of the state finance law relating to the HCRA resources fund; to repeal subdivision 3-a of the public health law relating to eligible secured hospital borrower; and providing for the repeal of certain provisions upon expiration thereof (Part QQ); to amend chapter 83 of the laws of 1995 amending the state finance law and other laws relating to bonds, notes and revenues, in relation to the effectiveness of certain provisions thereof (Part RR); to amend chapter 1 of the laws of 2005, amending the state finance law relating to restricting contacts in the procurement process and the recording of contacts relating thereto, in relation to the effectiveness thereof; and to amend the state finance law, in relation to procurement contracts (Part SS); to amend the civil service law, in relation to authorizing the president of the civil service commission to establish an amnesty period to identify dependents who are ineligible for health benefits (Part TT); and to amend the state finance law, in relation to creating the COVID-19 extraordinary relief fund (Part UU)

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

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state public protection and general govern-
3 ment budget for the 2021-2022 state fiscal year. Each component is whol-
4 ly contained within a Part identified as Parts A through UU. The effec-
5 tive date for each particular provision contained within such Part is
6 set forth in the last section of such Part. Any provision in any section
7 contained within a Part, including the effective date of the Part, which
8 makes a reference to a section "of this act", when used in connection
9 with that particular component, shall be deemed to mean and refer to the
10 corresponding section of the Part in which it is found. Section three of
11 this act sets forth the general effective date of this act.

12

PART A

13 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the
14 correction law relating to the psychological testing of candidates, as
15 amended by section 1 of part A of chapter 55 of the laws of 2020, is
16 amended to read as follows:

1 § 2. This act shall take effect on the one hundred eightieth day after
2 it shall have become a law and shall remain in effect until September 1,
3 [~~2021~~] 2023.

4 § 2. Section 3 of chapter 428 of the laws of 1999, amending the execu-
5 tive law and the criminal procedure law relating to expanding the
6 geographic area of employment of certain police officers, as amended by
7 section 2 of part A of chapter 55 of the laws of 2020, is amended to
8 read as follows:

9 § 3. This act shall take effect on the first day of November next
10 succeeding the date on which it shall have become a law, and shall
11 remain in effect until the first day of September, [~~2021~~] 2023, when it
12 shall expire and be deemed repealed.

13 § 3. Section 3 of chapter 886 of the laws of 1972, amending the
14 correction law and the penal law relating to prisoner furloughs in
15 certain cases and the crime of absconding therefrom, as amended by
16 section 3 of part A of chapter 55 of the laws of 2020, is amended to
17 read as follows:

18 § 3. This act shall take effect 60 days after it shall have become a
19 law and shall remain in effect until September 1, [~~2021~~] 2023.

20 § 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
21 50, 53 and 54 of the laws of 1987, the correction law, the penal law and
22 other chapters and laws relating to correctional facilities, as amended
23 by section 4 of part A of chapter 55 of the laws of 2020, is amended to
24 read as follows:

25 § 20. This act shall take effect immediately except that section thir-
26 teen of this act shall expire and be of no further force or effect on
27 and after September 1, [~~2021~~] 2023 and shall not apply to persons
28 committed to the custody of the department after such date, and provided
29 further that the commissioner of corrections and community supervision
30 shall report each January first and July first during such time as the
31 earned eligibility program is in effect, to the chairmen of the senate
32 crime victims, crime and correction committee, the senate codes commit-
33 tee, the assembly correction committee, and the assembly codes commit-
34 tee, the standards in effect for earned eligibility during the prior
35 six-month period, the number of inmates subject to the provisions of
36 earned eligibility, the number who actually received certificates of
37 earned eligibility during that period of time, the number of inmates
38 with certificates who are granted parole upon their first consideration
39 for parole, the number with certificates who are denied parole upon
40 their first consideration, and the number of individuals granted and
41 denied parole who did not have earned eligibility certificates.

42 § 5. Subdivision (q) of section 427 of chapter 55 of the laws of 1992,
43 amending the tax law and other laws relating to taxes, surcharges, fees
44 and funding, as amended by section 5 of part A of chapter 55 of the laws
45 of 2020, is amended to read as follows:

46 (q) the provisions of section two hundred eighty-four of this act
47 shall remain in effect until September 1, [~~2021~~] 2023 and be applicable
48 to all persons entering the program on or before August 31, [~~2021~~] 2023.

49 § 6. Section 10 of chapter 339 of the laws of 1972, amending the
50 correction law and the penal law relating to inmate work release,
51 furlough and leave, as amended by section 6 of part A of chapter 55 of
52 the laws of 2020, is amended to read as follows:

53 § 10. This act shall take effect 30 days after it shall have become a
54 law and shall remain in effect until September 1, [~~2021~~] 2023, and
55 provided further that the commissioner of correctional services shall
56 report each January first, and July first, to the chairman of the senate

1 crime victims, crime and correction committee, the senate codes commit-
2 tee, the assembly correction committee, and the assembly codes commit-
3 tee, the number of eligible inmates in each facility under the custody
4 and control of the commissioner who have applied for participation in
5 any program offered under the provisions of work release, furlough, or
6 leave, and the number of such inmates who have been approved for partic-
7 ipation.

8 § 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994,
9 relating to certain provisions which impact upon expenditure of certain
10 appropriations made by chapter 50 of the laws of 1994, enacting the
11 state operations budget, as amended by section 7 of part A of chapter 55
12 of the laws of 2020, is amended to read as follows:

13 (c) sections forty-one and forty-two of this act shall expire Septem-
14 ber 1, [~~2021~~] 2023; provided, that the provisions of section forty-two
15 of this act shall apply to inmates entering the work release program on
16 or after such effective date; and

17 § 8. Subdivision h of section 74 of chapter 3 of the laws of 1995,
18 amending the correction law and other laws relating to the incarceration
19 fee, as amended by section 8 of part A of chapter 55 of the laws of
20 2020, is amended to read as follows:

21 h. Section fifty-two of this act shall be deemed to have been in full
22 force and effect on and after April 1, 1995; provided, however, that the
23 provisions of section 189 of the correction law, as amended by section
24 fifty-five of this act, subdivision 5 of section 60.35 of the penal law,
25 as amended by section fifty-six of this act, and section fifty-seven of
26 this act shall expire September 1, [~~2021~~] 2023, when upon such date the
27 amendments to the correction law and penal law made by sections fifty-
28 five and fifty-six of this act shall revert to and be read as if the
29 provisions of this act had not been enacted; provided, however, that
30 sections sixty-two, sixty-three and sixty-four of this act shall be
31 deemed to have been in full force and effect on and after March 1, 1995
32 and shall be deemed repealed April 1, 1996 and upon such date the
33 provisions of subsection (e) of section 9110 of the insurance law and
34 subdivision 2 of section 89-d of the state finance law shall revert to
35 and be read as set out in law on the date immediately preceding the
36 effective date of sections sixty-two and sixty-three of this act;

37 § 9. Subdivision (c) of section 49 of subpart A of part C of chapter
38 62 of the laws of 2011, amending the correction law and the executive
39 law relating to merging the department of correctional services and
40 division of parole into the department of corrections and community
41 supervision, as amended by section 9 of part A of chapter 55 of the laws
42 of 2020, is amended to read as follows:

43 (c) that the amendments to subdivision 9 of section 201 of the
44 correction law as added by section thirty-two of this act shall remain
45 in effect until September 1, [~~2021~~] 2023, when it shall expire and be
46 deemed repealed;

47 § 10. Subdivision (aa) of section 427 of chapter 55 of the laws of
48 1992, amending the tax law and other laws relating to taxes, surcharges,
49 fees and funding, as amended by section 10 of part A of chapter 55 of
50 the laws of 2020, is amended to read as follows:

51 (aa) the provisions of sections three hundred eighty-two, three
52 hundred eighty-three and three hundred eighty-four of this act shall
53 expire on September 1, [~~2021~~] 2023;

54 § 11. Section 12 of chapter 907 of the laws of 1984, amending the
55 correction law, the New York city criminal court act and the executive
56 law relating to prison and jail housing and alternatives to detention

1 and incarceration programs, as amended by section 11 of part A of chap-
2 ter 55 of the laws of 2020, is amended to read as follows:

3 § 12. This act shall take effect immediately, except that the
4 provisions of sections one through ten of this act shall remain in full
5 force and effect until September 1, [~~2021~~] 2023 on which date those
6 provisions shall be deemed to be repealed.

7 § 12. Subdivision (p) of section 406 of chapter 166 of the laws of
8 1991, amending the tax law and other laws relating to taxes, as amended
9 by section 12 of part A of chapter 55 of the laws of 2020, is amended to
10 read as follows:

11 (p) The amendments to section 1809 of the vehicle and traffic law made
12 by sections three hundred thirty-seven and three hundred thirty-eight of
13 this act shall not apply to any offense committed prior to such effec-
14 tive date; provided, further, that section three hundred forty-one of
15 this act shall take effect immediately and shall expire November 1, 1993
16 at which time it shall be deemed repealed; sections three hundred
17 forty-five and three hundred forty-six of this act shall take effect
18 July 1, 1991; sections three hundred fifty-five, three hundred fifty-
19 six, three hundred fifty-seven and three hundred fifty-nine of this act
20 shall take effect immediately and shall expire June 30, 1995 and shall
21 revert to and be read as if this act had not been enacted; section three
22 hundred fifty-eight of this act shall take effect immediately and shall
23 expire June 30, 1998 and shall revert to and be read as if this act had
24 not been enacted; section three hundred sixty-four through three hundred
25 sixty-seven of this act shall apply to claims filed on or after such
26 effective date; sections three hundred sixty-nine, three hundred seven-
27 ty-two, three hundred seventy-three, three hundred seventy-four, three
28 hundred seventy-five and three hundred seventy-six of this act shall
29 remain in effect until September 1, [~~2021~~] 2023, at which time they
30 shall be deemed repealed; provided, however, that the mandatory
31 surcharge provided in section three hundred seventy-four of this act
32 shall apply to parking violations occurring on or after said effective
33 date; and provided further that the amendments made to section 235 of
34 the vehicle and traffic law by section three hundred seventy-two of this
35 act, the amendments made to section 1809 of the vehicle and traffic law
36 by sections three hundred thirty-seven and three hundred thirty-eight of
37 this act and the amendments made to section 215-a of the labor law by
38 section three hundred seventy-five of this act shall expire on September
39 1, [~~2021~~] 2023 and upon such date the provisions of such subdivisions
40 and sections shall revert to and be read as if the provisions of this
41 act had not been enacted; the amendments to subdivisions 2 and 3 of
42 section 400.05 of the penal law made by sections three hundred seventy-
43 seven and three hundred seventy-eight of this act shall expire on July
44 1, 1992 and upon such date the provisions of such subdivisions shall
45 revert and shall be read as if the provisions of this act had not been
46 enacted; the state board of law examiners shall take such action as is
47 necessary to assure that all applicants for examination for admission to
48 practice as an attorney and counsellor at law shall pay the increased
49 examination fee provided for by the amendment made to section 465 of the
50 judiciary law by section three hundred eighty of this act for any exam-
51 ination given on or after the effective date of this act notwithstanding
52 that an applicant for such examination may have prepaid a lesser fee for
53 such examination as required by the provisions of such section 465 as of
54 the date prior to the effective date of this act; the provisions of
55 section 306-a of the civil practice law and rules as added by section
56 three hundred eighty-one of this act shall apply to all actions pending

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

16 § 13. Subdivision 8 of section 1809 of the vehicle and traffic law, as
17 amended by section 13 of part A of chapter 55 of the laws of 2020, is
18 amended to read as follows:

19 8. The provisions of this section shall only apply to offenses commit-
20 ted on or before September first, two thousand [~~twenty-one~~]
21 twenty-three.

22 § 14. Section 6 of chapter 713 of the laws of 1988, amending the vehi-
23 cle and traffic law relating to the ignition interlock device program,
24 as amended by section 14 of part A of chapter 55 of the laws of 2020, is
25 amended to read as follows:

26 § 6. This act shall take effect on the first day of April next
27 succeeding the date on which it shall have become a law; provided,
28 however, that effective immediately, the addition, amendment or repeal
29 of any rule or regulation necessary for the implementation of the fore-
30 going sections of this act on their effective date is authorized and
31 directed to be made and completed on or before such effective date and
32 shall remain in full force and effect until the first day of September,
33 [~~2021~~] 2023 when upon such date the provisions of this act shall be
34 deemed repealed.

35 § 15. Paragraph a of subdivision 6 of section 76 of chapter 435 of the
36 laws of 1997, amending the military law and other laws relating to vari-
37 ous provisions, as amended by section 15 of part A of chapter 55 of the
38 laws of 2020, is amended to read as follows:

39 a. sections forty-three through forty-five of this act shall expire
40 and be deemed repealed on September 1, [~~2021~~] 2023;

41 § 16. Section 4 of part D of chapter 412 of the laws of 1999, amending
42 the civil practice law and rules and the court of claims act relating to
43 prisoner litigation reform, as amended by section 16 of part A of chap-
44 ter 55 of the laws of 2020, is amended to read as follows:

45 § 4. This act shall take effect 120 days after it shall have become a
46 law and shall remain in full force and effect until September 1, [~~2021~~]
47 2023, when upon such date it shall expire.

48 § 17. Subdivision 2 of section 59 of chapter 222 of the laws of 1994,
49 constituting the family protection and domestic violence intervention
50 act of 1994, as amended by section 17 of part A of chapter 55 of the
51 laws of 2020, is amended to read as follows:

52 2. Subdivision 4 of section 140.10 of the criminal procedure law as
53 added by section thirty-two of this act shall take effect January 1,
54 1996 and shall expire and be deemed repealed on September 1, [~~2021~~]
55 2023.

1 § 18. Section 5 of chapter 505 of the laws of 1985, amending the crim-
2 inal procedure law relating to the use of closed-circuit television and
3 other protective measures for certain child witnesses, as amended by
4 section 18 of part A of chapter 55 of the laws of 2020, is amended to
5 read as follows:

6 § 5. This act shall take effect immediately and shall apply to all
7 criminal actions and proceedings commenced prior to the effective date
8 of this act but still pending on such date as well as all criminal
9 actions and proceedings commenced on or after such effective date and
10 its provisions shall expire on September 1, [~~2021~~] 2023, when upon such
11 date the provisions of this act shall be deemed repealed.

12 § 19. Subdivision d of section 74 of chapter 3 of the laws of 1995,
13 enacting the sentencing reform act of 1995, as amended by section 19 of
14 part A of chapter 55 of the laws of 2020, is amended to read as follows:

15 d. Sections one-a through twenty, twenty-four through twenty-eight,
16 thirty through thirty-nine, forty-two and forty-four of this act shall
17 be deemed repealed on September 1, [~~2021~~] 2023;

18 § 20. Section 2 of chapter 689 of the laws of 1993, amending the crim-
19 inal procedure law relating to electronic court appearance in certain
20 counties, as amended by section 20 of part A of chapter 55 of the laws
21 of 2020, is amended to read as follows:

22 § 2. This act shall take effect immediately, except that the
23 provisions of this act shall be deemed to have been in full force and
24 effect since July 1, 1992 and the provisions of this act shall expire
25 September 1, [~~2021~~] 2023 when upon such date the provisions of this act
26 shall be deemed repealed.

27 § 21. Section 3 of chapter 688 of the laws of 2003, amending the exec-
28 utive law relating to enacting the interstate compact for adult offender
29 supervision, as amended by section 21 of part A of chapter 55 of the
30 laws of 2020, is amended to read as follows:

31 § 3. This act shall take effect immediately, except that section one
32 of this act shall take effect on the first of January next succeeding
33 the date on which it shall have become a law, and shall remain in effect
34 until the first of September, [~~2021~~] 2023, upon which date this act
35 shall be deemed repealed and have no further force and effect; provided
36 that section one of this act shall only take effect with respect to any
37 compacting state which has enacted an interstate compact entitled
38 "Interstate compact for adult offender supervision" and having an iden-
39 tical effect to that added by section one of this act and provided
40 further that with respect to any such compacting state, upon the effec-
41 tive date of section one of this act, section 259-m of the executive law
42 is hereby deemed REPEALED and section 259-mm of the executive law, as
43 added by section one of this act, shall take effect; and provided
44 further that with respect to any state which has not enacted an inter-
45 state compact entitled "Interstate compact for adult offender super-
46 vision" and having an identical effect to that added by section one of
47 this act, section 259-m of the executive law shall take effect and the
48 provisions of section one of this act, with respect to any such state,
49 shall have no force or effect until such time as such state shall adopt
50 an interstate compact entitled "Interstate compact for adult offender
51 supervision" and having an identical effect to that added by section one
52 of this act in which case, with respect to such state, effective imme-
53 diately, section 259-m of the executive law is deemed repealed and
54 section 259-mm of the executive law, as added by section one of this
55 act, shall take effect.

1 § 22. Section 8 of part H of chapter 56 of the laws of 2009, amending
2 the correction law relating to limiting the closing of certain correc-
3 tional facilities, providing for the custody by the department of
4 correctional services of inmates serving definite sentences, providing
5 for custody of federal prisoners and requiring the closing of certain
6 correctional facilities, as amended by section 22 of part A of chapter
7 55 of the laws of 2020, is amended to read as follows:

8 § 8. This act shall take effect immediately; provided, however that
9 sections five and six of this act shall expire and be deemed repealed
10 September 1, [~~2021~~] 2023.

11 § 23. Section 3 of part C of chapter 152 of the laws of 2001, amending
12 the military law relating to military funds of the organized militia, as
13 amended by section 23 of part A of chapter 55 of the laws of 2020, is
14 amended to read as follows:

15 § 3. This act shall take effect immediately; provided however that the
16 amendments made to subdivision 1 of section 221 of the military law by
17 section two of this act shall expire and be deemed repealed September 1,
18 [~~2021~~] 2023.

19 § 24. Section 5 of chapter 554 of the laws of 1986, amending the
20 correction law and the penal law relating to providing for community
21 treatment facilities and establishing the crime of absconding from the
22 community treatment facility, as amended by section 24 of part A of
23 chapter 55 of the laws of 2020, is amended to read as follows:

24 § 5. This act shall take effect immediately and shall remain in full
25 force and effect until September 1, [~~2021~~] 2023, and provided further
26 that the commissioner of correctional services shall report each January
27 first and July first during such time as this legislation is in effect,
28 to the chairmen of the senate crime victims, crime and correction
29 committee, the senate codes committee, the assembly correction commit-
30 tee, and the assembly codes committee, the number of individuals who are
31 released to community treatment facilities during the previous six-month
32 period, including the total number for each date at each facility who
33 are not residing within the facility, but who are required to report to
34 the facility on a daily or less frequent basis.

35 § 25. Section 2 of part F of chapter 55 of the laws of 2018, amending
36 the criminal procedure law relating to pre-criminal proceeding settle-
37 ments in the city of New York, as amended by section 25 of part A of
38 chapter 55 of the laws of 2020, is amended to read as follows:

39 § 2. This act shall take effect immediately and shall remain in full
40 force and effect until March 31, [~~2021~~] 2023, when it shall expire and
41 be deemed repealed.

42 § 26. This act shall take effect immediately, provided however that
43 section twenty-five of this act shall be deemed to have been in full
44 force and effect on and after March 31, 2021.

45 PART B

46 Section 1. The article heading of article 21 of the executive law, as
47 added by chapter 463 of the laws of 1992, is amended to read as follows:

48 ARTICLE 21

49 NEW YORK STATE OFFICE [~~FOR~~

50 ~~THE PREVENTION OF~~] TO END

51 DOMESTIC AND GENDER-BASED VIOLENCE

52 § 2. Section 575 of the executive law, as added by chapter 463 of the
53 laws of 1992, paragraph (e) of subdivision 3 as amended and subdivision
54 9 as added by chapter 368 of the laws of 1997, paragraph (1) of subdivi-

1 sion 3 as added by chapter 339 of the laws of 2011, paragraph (m) of
2 subdivision 3 as added, paragraph (n) of subdivision 3 as relettered,
3 and paragraph (b) of subdivision 4 as amended by chapter 204 of the laws
4 of 2020, subdivision 4 as amended by section 1 and subdivision 10 as
5 added by section 3 of part A of chapter 491 of the laws of 2012, subdivi-
6 sions 7 and 8 as added by chapter 396 of the laws of 1994, and para-
7 graph (d) of subdivision 10 as amended by chapter 248 of the laws of
8 2017, is amended to read as follows:

9 § 575. New York state office [~~for the prevention of~~] to end domestic
10 and gender-based violence. 1. Establishment of office. There is hereby
11 established within the executive department the "New York state office
12 [~~for the prevention of~~] to end domestic and gender-based violence",
13 hereinafter in this section referred to as the "office".

14 2. Duties and responsibilities. The office shall advise the governor
15 and the legislature on the most effective ways for state government to
16 respond to the problem of domestic and gender-based violence. In
17 fulfilling this responsibility, the office shall consult with experts,
18 service providers and representative organizations in the field of
19 domestic and gender-based violence and shall act as an advocate for
20 domestic and gender-based violence victims and survivor-centered
21 programs.

22 3. Definitions. For the purposes of this section the following terms
23 shall have the following meanings:

24 (a) "Domestic violence" means a pattern of behavior used by an indi-
25 vidual to establish and maintain power and control over their intimate
26 partner. Such behavior includes abusive and coercive tactics, threats
27 and actions that may or may not rise to the level of criminal behavior,
28 including, but not limited to, physical, emotional, financial, and sexu-
29 al abuse.

30 (b) "Gender-based violence" means threats to harm, or actual harms
31 committed against a person or persons based on actual or perceived sex,
32 gender, sexual orientation, gender identity or expression or other such
33 sex/gender related characteristics. "Gender-based violence" shall
34 include, but not be limited to, domestic violence; sexual violence;
35 human trafficking; reproductive coercion and violence; stalking; and
36 child-abuse as connected to gender-based violence. "Gender-based
37 violence" shall not include actions taken by a person in self-defense
38 against an act or series of acts of gender-based violence.

39 4. Activities. In addition, the office shall develop and implement
40 policies and programs designed to assist victims of domestic and
41 gender-based violence and their families, and to provide education and
42 prevention, training and technical assistance. Such domestic and
43 gender-based violence-related activities shall include, but not be
44 limited to:

- 45 (a) Serving as a clearinghouse for information and materials;
46 (b) Developing and coordinating community outreach and public educa-
47 tion throughout the state;
48 (c) Developing and delivering training to professionals, including but
49 not limited to professionals in the fields of:
50 (i) domestic and gender-based violence;
51 (ii) health and mental health;
52 (iii) social and human services;
53 (iv) public education;
54 (v) law enforcement and criminal justice;
55 (vi) alcohol and substance abuse[~~r~~];
56 (d) Developing and promoting school-based prevention programs;

1 (e) Providing technical assistance to state and local government
2 bodies and other agencies and to private businesses and not-for-profit
3 corporations, on effective survivor-centered policies and responses to
4 domestic and gender-based violence, including development of [~~a~~] model
5 [~~domestic violence~~] policies [~~, pursuant to subdivisions seven, eight and~~
6 ~~nine of this section~~];

7 (f) Promoting and facilitating interagency cooperation among state
8 agencies and intergovernmental cooperation between different levels of
9 government in the state in the delivery and/or funding of survivor-cen-
10 tered services;

11 (g) Operating, in collaboration with survivors, state coalitions, and
12 other stakeholders, as an advocate for [~~domestic violence services and~~]
13 victims and for survivor-centered domestic and gender-based violence
14 services, including periodic solicitation of input from survivors and
15 service providers regarding successes, challenges, and needs;

16 (h) Undertaking program and services needs assessments on its own
17 initiative or at the request of the governor, the legislature or service
18 providers;

19 (i) Examining the relationship between domestic and gender-based
20 violence and other problems and making recommendations for effective
21 policy response;

22 (j) Collecting data, conducting research, and holding public hearings;

23 (k) Making periodic reports to the governor and the legislature recom-
24 mending policy and program directions and reviewing the activities of
25 the office;

26 (l) [~~Developing~~] Working with stakeholders in developing and promoting
27 [~~senior center based~~] gender-based violence prevention programs;

28 (m) [~~promoting best practices for abusive partner intervention~~] Inves-
29 tigating, establishing and promoting best practices for accountability
30 for those who harm their intimate partners;

31 (n) Administering grant funds appropriated and made available to
32 support compliance with article one hundred twenty-nine-b of the educa-
33 tion law; and undertaking such actions, duties, and responsibilities as
34 may be necessary to serve the purpose of article one hundred twenty-
35 nine-b of the education law;

36 (o) Any other activities including the making of and promulgation of
37 rules and regulations deemed necessary to [~~facilitate the prevention of~~]
38 end domestic and gender-based violence within the scope and purview of
39 this article which are not otherwise inconsistent with any other
40 provisions of law.

41 [~~4~~] 5. Advisory council. (a) An advisory council is hereby estab-
42 lished to make recommendations on domestic and gender-based violence
43 related issues and effective strategies [~~for the prevention of~~] to end
44 domestic and gender-based violence, to assist in the development of
45 appropriate policies and priorities for effective intervention, public
46 education and advocacy, and to facilitate and assure communication and
47 coordination of efforts among state agencies and between different
48 levels of government, state, federal, and municipal, [~~for the prevention~~
49 ~~of~~] to end domestic and gender-based violence.

50 (b) The advisory council shall consist of nine members and seventeen
51 ex-officio members. Each member shall be appointed to serve for a term
52 of three years and shall continue in office until a successor appointed
53 member is made. A member appointed to fill a vacancy shall be appointed
54 for the unexpired term of the member he or she is to succeed. All of the
55 members shall be individuals with expertise in the area of domestic and
56 gender-based violence. Three members shall be appointed by the governor,

1 two members shall be appointed upon the recommendation of the temporary
2 president of the senate, two members shall be appointed upon the recom-
3 mendation of the speaker of the assembly, one member shall be appointed
4 upon the recommendation of the minority leader of the senate, and one
5 member shall be appointed upon the recommendation of the minority leader
6 of the assembly. The ex-officio members of the advisory board shall
7 consist of the director of the office, who shall chair the council, and
8 the following members or their designees: the commissioner of the office
9 of temporary and disability assistance; the commissioner of the depart-
10 ment of health; the commissioner of the education department; the
11 commissioner of the office of mental health; the commissioner of the
12 office of [~~alcoholism and substance abuse~~] addiction services and
13 supports; the commissioner of the division of criminal justice services;
14 the superintendent of the division of state police; the director of the
15 office of probation and correctional alternatives; the commissioner of
16 the office of children and family services; the director of the office
17 of victim services; the chief administrative judge of the office of
18 court administration; the commissioner of the department of labor; the
19 director of the state office for the aging; the commissioner of the
20 department of corrections and community supervision; the commissioner of
21 homes and community renewal; the chief executive officer of the New York
22 state coalition against domestic violence; and the executive director of
23 the New York state coalition against sexual assault.

24 (c) The advisory council shall meet as often as deemed necessary by
25 the chair but in no event less than two times per year.

26 (d) The members of the advisory council shall receive no salary or
27 other compensation for their services but shall be entitled to
28 reimbursement for actual and necessary expenses incurred in the perform-
29 ance of their duties within amounts made available by appropriation
30 therefor subject to the approval of the director of the budget. The
31 ex-officio members of the advisory council shall receive no additional
32 compensation for their services on the advisory council above the salary
33 they receive from the respective departments or divisions that employ
34 them.

35 [~~5-~~] 6. Executive director. (a) The governor shall appoint an execu-
36 tive director of the office who shall serve at the pleasure of the
37 governor.

38 (b) The executive director shall receive an annual salary fixed by the
39 governor within the amounts appropriated specifically therefor and shall
40 be entitled to reimbursement for reasonable expenses incurred in
41 connection with the performance of the director's duties.

42 (c) The director of the office, with the approval of the governor, may
43 accept as agent of the state any grant, including federal grants, or any
44 gift or donation for any of the purposes of this article. Any moneys so
45 received may be expended by the office to effectuate any purpose of this
46 article, subject to the applicable provisions of the state finance law.

47 (d) The executive director shall appoint staff and perform such other
48 functions to ensure the efficient operation of the office.

49 [~~6-~~] 7. Assistance of other agencies. The office may request and shall
50 receive in a timely manner from any department, division, board, bureau,
51 commission or agency of the state, such information and assistance as
52 shall enable it to properly carry out its powers and duties pursuant to
53 this article.

54 [~~7. Model domestic violence policy for counties. (a) The office shall~~
55 ~~convene a task force of county level municipal officials, municipal~~
56 ~~police and members of the judiciary, or their representatives, and~~

~~1 directors of domestic violence programs, including representatives from
2 a statewide advocacy organization for the prevention of domestic
3 violence, to develop a model domestic violence policy for counties. For
4 the purposes of this subdivision, "county" shall have the same meaning
5 as such term is defined in section three of the county law, except that
6 the city of New York shall be deemed to be one county. The office shall
7 give due consideration to the recommendations of the governor, the
8 temporary president of the senate and the speaker of the assembly for
9 participation by any person on the task force, and shall make reasonable
10 efforts to assure regional balance in membership.~~

~~11 (b) The purpose of the model policy shall be to provide consistency
12 and coordination by and between county agencies and departments, includ-
13 ing criminal justice agencies and the judiciary, and, as appropriate, by
14 municipalities or other jurisdictions within the county and other
15 governmental agencies and departments, by assuring that best practices,
16 policies, protocols and procedures are used to address the issue of
17 domestic violence, and to secure the safety of the victim including, but
18 not limited to:~~

~~19 (i) response, investigation and arrest policies by police agencies;~~

~~20 (ii) response by other criminal justice agencies, including disposi-
21 tion of domestic violence complaints, the provision of information and
22 orders of protection;~~

~~23 (iii) response by human services and health agencies, including iden-
24 tification, assessment, intervention and referral policies and responses
25 to victims and the perpetrators of domestic violence;~~

~~26 (iv) training and appropriate and relevant measures for periodic eval-
27 uation of community efforts; and~~

~~28 (v) other issues as shall be appropriate and relevant for the task
29 force to develop such policy.~~

~~30 (c) Such model policy shall be reviewed by the task force to assure
31 consistency with existing law and shall be made the subject of public
32 hearings convened by the office throughout the state at places and at
33 times which are convenient for attendance by the public, after which the
34 policy shall be reviewed by the task force and amended as necessary to
35 reflect concerns raised at the hearings. If approved by the task force,
36 such model policy shall be provided as approved with explanation of its
37 provisions to the governor and the legislature not later than two years
38 after the effective date of this subdivision. Notification of the avail-
39 ability of such model domestic violence policy shall be made by the
40 office to every county in the state, and copies of the policy shall be
41 made available to them upon request.~~

~~42 (d) The office in consultation with the task force, providers of
43 service, the advisory council and others, including representatives of a
44 statewide advocacy organization for the prevention domestic violence,
45 shall provide technical support, information and encouragement to coun-
46 ties to implement the provisions of the model policy on domestic
47 violence.~~

~~48 (e) Nothing contained in this subdivision shall be deemed to prevent
49 the governing body of a county from designating a local advisory commit-
50 tee to investigate the issues, work with providers of domestic violence
51 programs and other interested parties, and to aid in the implementation
52 of the policy required by this subdivision. Such governing body or advi-
53 sory committee may request and shall receive technical assistance from
54 the office for the development of such a policy. Implementation of the
55 model domestic violence policy may take place in a form considered~~

~~1 appropriate by the governing body of a county, including guidelines,
2 regulations and local laws.~~

~~3 (f) The office shall survey county governments within four years of
4 the effective date of this subdivision to determine the level of compli-
5 ance with the model domestic violence policy, and shall take such steps
6 as shall be necessary to aid county governments in the implementation of
7 such policy.]~~

8 State domestic violence policy. [~~(a) The office shall survey every
9 state agency to determine any activities, programs, rules, regulations,
10 guidelines or statutory requirements that have a direct or indirect
11 bearing on the state's efforts and abilities to address the issue of
12 domestic violence including, but not limited to, the provision of
13 services to victims and their families. Within two years of the effec-
14 tive date of this subdivision, the office shall compile such information
15 and provide a report, with appropriate comments and recommendations, to
16 the governor and the legislature. For the purposes of this subdivision,
17 "state agency" shall have the same meaning as such term is defined in
18 section two-a of the state finance law.~~

~~19 (b) Within three years of the effective date of this subdivision the
20 office shall recommend a state domestic violence policy consistent with
21 statute and best practice, policies, procedures and protocols to the
22 governor and the legislature. The purpose of such model policy shall be
23 to provide consistency and coordination by and between state agencies
24 and departments to address the issue of domestic violence. In developing
25 such model policy, the office shall consult with a statewide advocacy
26 organization for the prevention of domestic violence, and shall assure
27 that the advisory council reviews all data and recommendations and shall
28 not submit such model policy until approved by the advisory council.
29 Such recommendations shall be provided exclusive of any study or report
30 the office is required to undertake pursuant to a chapter of the laws of
31 nineteen hundred ninety four, entitled "the family protection and domes-
32 tic violence intervention act of 1994".~~

33 ~~(a)]~~ No state agency shall promulgate a rule pursuant to the state
34 administrative procedure act, or adopt a guideline or other procedure,
35 including a request for proposals, directly or indirectly affecting the
36 provision of services to victims of domestic and gender-based violence,
37 or the provision of services by residential or non-residential domestic
38 violence programs, as such terms are defined in section four hundred
39 fifty-nine-a of the social services law, or establish a grant program
40 directly or indirectly affecting such victims of domestic or gender-
41 based violence or providers of service, without first consulting the
42 office, which shall provide all comments in response to such rules,
43 guidelines or procedures in writing directly to the chief executive
44 officer of such agency, to the administrative regulations review commit-
45 tee and to the appropriate committees of the legislature having juris-
46 diction of the subject matter addressed within two weeks of receipt
47 thereof, provided that failure of the office to respond as required
48 herein shall not otherwise impair the ability of such state agency to
49 promulgate a rule. This paragraph shall not apply to an appropriation
50 which finances a contract with a not-for-profit organization which has
51 been identified for a state agency without the use of a request for
52 proposals.

53 9. [~~Model domestic violence employee awareness and assistance policy.
54 (a) The office shall convene a task force including members of the busi-
55 ness community, employees, employee organizations, representatives from
56 the department of labor and the empire state development corporation,~~

~~1 and directors of domestic violence programs, including representatives
2 of statewide advocacy organizations for the prevention of domestic
3 violence, to develop a model domestic violence employee awareness and
4 assistance policy for businesses.~~

~~5 The office shall give due consideration to the recommendations of the
6 governor, the temporary president of the senate, and the speaker of the
7 assembly for participation by any person on the task force, and shall
8 make reasonable efforts to assure regional balance in membership.~~

~~9 (b) The purpose of the model employee awareness and assistance policy
10 shall be to provide businesses with the best practices, policies, proto-
11 cols and procedures in order that they ascertain domestic violence
12 awareness in the workplace, assist affected employees, and provide a
13 safe and helpful working environment for employees currently or poten-
14 tially experiencing the effects of domestic violence. The model plan
15 shall include but not be limited to:~~

~~16 (i) the establishment of a definite corporate policy statement recog-
17 nizing domestic violence as a workplace issue as well as promoting the
18 need to maintain job security for those employees currently involved in
19 domestic violence disputes;~~

~~20 (ii) policy and service publication requirements, including posting
21 said policies and service availability pamphlets in break rooms, on
22 bulletin boards, restrooms and other communication methods;~~

~~23 (iii) a listing of current domestic violence community resources such
24 as shelters, crisis intervention programs, counseling and case manage-
25 ment programs, legal assistance and advocacy opportunities for affected
26 employees;~~

~~27 (iv) measures to ensure workplace safety including, where appropriate,
28 designated parking areas, escort services and other affirmative safe-
29 guards;~~

~~30 (v) training programs and protocols designed to educate employees and
31 managers in how to recognize, approach and assist employees experiencing
32 domestic violence, including both victims and batterers; and~~

~~33 (vi) other issues as shall be appropriate and relevant for the task
34 force in developing such model policy.~~

~~35 (c) Such model policy shall be reviewed by the task force to assure
36 consistency with existing law and shall be made the subject of public
37 hearings convened by the office throughout the state at places and at
38 times which are convenient for attendance by the public, after which the
39 policy shall be reviewed by the task force and amended as necessary to
40 reflect concerns raised at the hearings. If approved by the task force,
41 such model policy shall be provided as approved with explanation of its
42 provisions to the governor and the legislature not later than one year
43 after the effective date of this subdivision. The office shall make
44 every effort to notify businesses of the availability of such model
45 domestic violence employee awareness and assistance policy.~~

~~46 (d) The office in consultation with the task force, providers of
47 services, the advisory council, the department of labor, the empire
48 state development corporation, and representatives of statewide advocacy
49 organizations for the prevention of domestic violence, shall provide
50 technical support, information, and encouragement to businesses to
51 implement the provisions of the model domestic violence employee aware-
52 ness and assistance policy.~~

~~53 (e) Nothing contained in this subdivision shall be deemed to prevent
54 businesses from adopting their own domestic violence employee awareness
55 and assistance policy.~~

~~(f) The office shall survey businesses within four years of the effective date of this section to determine the level of model policy adoption amongst businesses and shall take steps necessary to promote the further adoption of such policy.~~

10.] Fatality review team. (a) There shall be established within the office a fatality review team for the purpose of analyzing, in conjunction with local representation, the domestic violence-related death or near death of individuals, with the goal of:

(i) examining the trends and patterns of domestic violence-related fatalities in New York state;

(ii) educating the public, service providers, and policymakers about domestic violence fatalities and strategies for intervention and prevention; and

(iii) recommending policies, practices, procedures, and services to reduce fatalities due to domestic violence.

(b) A domestic violence-related death or near death shall mean any death or near death caused by a family or household member as defined in section eight hundred twelve of the family court act or section 530.11 of the criminal procedure law, except that there shall be no review of the death or near death of a child for those cases in which the office of children and family services is required to issue a fatality report in accordance with subdivision five of section twenty of the social services law.

(c) The team shall review deaths or near deaths in cases that have been adjudicated and have received a final judgment and that are not under investigation.

(d) Members of a domestic violence fatality review team shall be appointed by the executive director, [~~in consultation with the advisory council,~~] and shall include, but not be limited to, one representative from the office of children and family services, the office of temporary and disability assistance, the division of criminal justice services, the state police, the department of health, the office of court administration, the office of probation and correctional alternatives, the department of corrections and community supervision, the office of victim services, at least one representative from local law enforcement, a county prosecutor's office, a local social services district, a member of the judiciary, and a domestic violence services program approved by the office of children and family services. A domestic violence fatality review team may also include representatives from sexual assault services programs, public health, mental health and substance abuse agencies, hospitals, clergy, local school districts, local divisions of probation, local offices of the department of corrections and community supervision, the office of the medical examiner or coroner, any local domestic violence task force, coordinating council or other interagency entity that meets regularly to support a coordinated community response to domestic violence, any other program that provides services to domestic violence victims, or any other person necessary to the work of the team, including survivors of domestic violence.

(e) The team shall identify potential cases and shall select which deaths or near deaths will be reviewed each year. Localities may request that the team conduct a review of a particular death or near death.

(f) The team shall work with officials and organizations within the community where the death or near death occurred to conduct each review.

(g) Team members shall serve without compensation but are entitled to be reimbursed for travel expenses to the localities where a fatality review will be conducted and members who are full-time salaried officers

1 or employees of the state or of any political subdivision of the state
2 are entitled to their regular compensation.

3 (h) To the extent consistent with federal law, upon request the team
4 shall be provided client-identifiable information and records necessary
5 for the investigation of a domestic violence-related death or near death
6 incident, including, but not limited to:

7 (i) records maintained by a local social services district;

8 (ii) law enforcement records, except where the provision of such
9 records would interfere with an ongoing law enforcement investigation or
10 identify a confidential source or endanger the safety or welfare of an
11 individual;

12 (iii) court records;

13 (iv) probation and parole records;

14 (v) records from domestic violence residential or non-residential
15 programs;

16 (vi) records from any relevant service provider, program or organiza-
17 tion; and

18 (vii) all other relevant records in the possession of state and local
19 officials or agencies provided, however, no official or agency shall be
20 required to provide information or records concerning a person charged,
21 investigated or convicted in such death or near death in violation of
22 such person's attorney-client privilege.

23 (i) Any information or records otherwise sealed, confidential and
24 privileged in accordance with state law which are provided to the team
25 shall remain sealed, confidential, and privileged as otherwise provided
26 by law. All records received, meetings conducted, reports and records
27 made and maintained and all books and papers obtained by the team shall
28 be confidential and shall not be open or made available, except by court
29 order or as set forth in paragraphs (k) and (l) of this subdivision.

30 (j) Any person who releases or permits the release of any information
31 protected under paragraph (i) of this subdivision to persons or agencies
32 not authorized to receive such information shall be guilty of a class A
33 misdemeanor.

34 (k) Team members and persons who present information to the team shall
35 not be questioned in any civil or criminal proceeding regarding any
36 opinions formed as a result of a meeting of the team. Nothing in this
37 section shall be construed to prevent a person from testifying as to
38 information which is obtained independently of the team or information
39 which is public.

40 (l) Team members are not liable for damages or other relief in any
41 action brought by reason of the reasonable and good faith performance of
42 a duty, function, or activity of the team.

43 (m) Consistent with all federal and state confidentiality protections,
44 the team may provide recommendations to any individual or entity for
45 appropriate actions to improve a community's response to domestic
46 violence.

47 (n) The team shall periodically submit a cumulative report to the
48 governor and the legislature incorporating the aggregate data and a
49 summary of the general findings and recommendations resulting from the
50 domestic violence fatality reviews completed pursuant to this subdivi-
51 sion. The cumulative report shall thereafter be made available to the
52 public, consistent with federal and state confidentiality protections.

53 § 3. Subdivision 6 of section 530.11 of the criminal procedure law, as
54 amended by chapter 663 of the laws of 2019, is amended to read as
55 follows:

1 6. Notice. Every police officer, peace officer or district attorney
2 investigating a family offense under this article shall advise the
3 victim of the availability of a shelter or other services in the commu-
4 nity, and shall immediately give the victim written notice of the legal
5 rights and remedies available to a victim of a family offense under the
6 relevant provisions of this chapter and the family court act. Such
7 notice shall be prepared, at minimum, in plain English, Spanish, Chinese
8 and Russian and if necessary, shall be delivered orally, and shall
9 include but not be limited to the information contained in the following
10 statement:

11 "Are you the victim of domestic violence? If you need help now, you
12 can call 911 for the police to come to you. You can also call a domestic
13 violence hotline. You can have a confidential talk with an advocate at
14 the hotline about help you can get in your community including: where
15 you can get treatment for injuries, where you can get shelter, where you
16 can get support, and what you can do to be safe. The New York State
17 24-hour Domestic & Sexual Violence Hotline number is (insert the state-
18 wide multilingual 800 number). They can give you information in many
19 languages. If you are deaf or hard of hearing, call 711.

20 This is what the police can do:

21 They can help you and your children find a safe place such as a family
22 or friend's house or a shelter in your community.

23 You can ask the officer to take you or help you and your children get
24 to a safe place in your community.

25 They can help connect you to a local domestic violence program.

26 They can help you get to a hospital or clinic for medical care.

27 They can help you get your personal belongings.

28 They must complete a report discussing the incident. They will give
29 you a copy of this police report before they leave the scene. It is
30 free.

31 They may, and sometimes must, arrest the person who harmed you if you
32 are the victim of a crime. The person arrested could be released at any
33 time, so it is important to plan for your safety.

34 If you have been abused or threatened, this is what you can ask the
35 police or district attorney to do:

36 File a criminal complaint against the person who harmed you.

37 Ask the criminal court to issue an order of protection for you and
38 your child if the district attorney files a criminal case with the
39 court.

40 Give you information about filing a family offense petition in your
41 local family court.

42 You also have the right to ask the family court for an order of
43 protection for you and your children.

44 This is what you can ask the family court to do:

45 To have your family offense petition filed the same day you go to
46 court.

47 To have your request heard in court the same day you file or the next
48 day court is open.

49 Only a judge can issue an order of protection. The judge does that as
50 part of a criminal or family court case against the person who harmed
51 you. An order of protection in family court or in criminal court can
52 say:

53 That the other person have no contact or communication with you by
54 mail, phone, computer or through other people.

55 That the other person stay away from you and your children, your home,
56 job or school.

1 That the other person not assault, harass, threaten, strangle, or
2 commit another family offense against you or your children.

3 That the other person turn in their firearms and firearms licenses,
4 and not get any more firearms.

5 That you have temporary custody of your children.

6 That the other person pay temporary child support.

7 That the other person not harm your pets or service animals.

8 If the family court is closed because it is night, a weekend, or a
9 holiday, you can go to a criminal court to ask for an order of
10 protection.

11 If you do not speak English or cannot speak it well, you can ask the
12 police, the district attorney, or the criminal or family court to get
13 you an interpreter who speaks your language. The interpreter can help
14 you explain what happened.

15 You can get the forms you need to ask for an order of protection at
16 your local family court (insert addresses and contact information for
17 courts). You can also get them online: www.NYCourts.gov/forms.

18 You do not need a lawyer to ask for an order of protection.

19 You have a right to get a lawyer in the family court. If the family
20 court finds that you cannot afford to pay for a lawyer, it must get you
21 one for free.

22 If you file a complaint or family court petition, you will be asked to
23 swear to its truthfulness because it is a crime to file a legal document
24 that you know is false."

25 The division of criminal justice services in consultation with the
26 state office [~~for the prevention of~~] to end domestic and gender-based
27 violence shall prepare the form of such written notice consistent with
28 provisions of this section and distribute copies thereof to the appro-
29 priate law enforcement officials pursuant to subdivision nine of section
30 eight hundred forty-one of the executive law.

31 Additionally, copies of such notice shall be provided to the chief
32 administrator of the courts to be distributed to victims of family
33 offenses through the criminal court at such time as such persons first
34 come before the court and to the state department of health for distrib-
35 ution to all hospitals defined under article twenty-eight of the public
36 health law. No cause of action for damages shall arise in favor of any
37 person by reason of any failure to comply with the provisions of this
38 subdivision except upon a showing of gross negligence or willful miscon-
39 duct.

40 § 4. Subparagraph (i) of paragraph (b) of subdivision 3 of section 15
41 of the domestic relations law, as amended by chapter 35 of the laws of
42 2017, is amended to read as follows:

43 (i) provide notification to each minor party of his or her rights,
44 including but not limited to, rights in relation to termination of the
45 marriage, child and spousal support, domestic violence services and
46 access to public benefits and other services, which notification shall
47 be developed by the office of court administration, in consultation with
48 the office [~~for the prevention of~~] to end domestic and gender-based
49 violence;

50 § 5. Section 214-b of the executive law, as amended by chapter 432 of
51 the laws of 2015, is amended to read as follows:

52 § 214-b. Family offense intervention. The superintendent shall, for
53 all members of the state police including new and veteran officers,
54 develop, maintain and disseminate, in consultation with the state office
55 [~~for the prevention of~~] to end domestic and gender-based violence, writ-
56 ten policies and procedures consistent with article eight of the family

1 court act and applicable provisions of the criminal procedure and domes-
2 tic relations laws, regarding the investigation of and intervention in
3 incidents of family offenses. Such policies and procedures shall make
4 provision for education and training in the interpretation and enforce-
5 ment of New York's family offense laws, including but not limited to:

6 (a) intake and recording of victim statements, and the prompt trans-
7 lation of such statements if made in a language other than English, in
8 accordance with subdivision (c) of this section, on a standardized
9 "domestic violence incident report form" promulgated by the state divi-
10 sion of criminal justice services in consultation with the superinten-
11 dent and with the state office [~~for the prevention of~~ to end domestic
12 and gender-based violence, and the investigation thereof so as to ascer-
13 tain whether a crime has been committed against the victim by a member
14 of the victim's family or household as such terms are defined in section
15 eight hundred twelve of the family court act and section 530.11 of the
16 criminal procedure law;

17 (b) the need for immediate intervention in family offenses including
18 the arrest and detention of alleged offenders, pursuant to subdivision
19 four of section 140.10 of the criminal procedure law, and notifying
20 victims of their rights, in their native language, if identified as
21 other than English, in accordance with subdivision (c) of this section,
22 including but not limited to immediately providing the victim with the
23 written notice provided in subdivision six of section 530.11 of the
24 criminal procedure law and subdivision five of section eight hundred
25 twelve of the family court act.

26 (c) The superintendent, in consultation with the division of criminal
27 justice services and the office [~~for the prevention of~~ to end domestic
28 and gender-based violence shall determine the languages in which such
29 translation required by subdivision (a) of this section, and the notifi-
30 cation required pursuant to subdivision (b) of this section, shall be
31 provided. Such determination shall be based on the size of the New York
32 state population that speaks each language and any other relevant
33 factor. Such written notice required pursuant to subdivision (b) of this
34 section shall be made available to all state police officers in the
35 state.

36 § 6. Subdivision 1 of section 221-a of the executive law, as amended
37 by chapter 492 of the laws of 2015, is amended to read as follows:

38 1. The superintendent, in consultation with the division of criminal
39 justice services, office of court administration, and the office [~~for~~
40 ~~the prevention of~~ to end domestic and gender-based violence, shall
41 develop a comprehensive plan for the establishment and maintenance of a
42 statewide computerized registry of all orders of protection issued
43 pursuant to articles four, five, six, eight and ten of the family court
44 act, section 530.12 of the criminal procedure law and, insofar as they
45 involve victims of domestic violence as defined by section four hundred
46 fifty-nine-a of the social services law, section 530.13 of the criminal
47 procedure law and sections two hundred forty and two hundred fifty-two
48 of the domestic relations law, and orders of protection issued by courts
49 of competent jurisdiction in another state, territorial or tribal juris-
50 diction, special orders of conditions issued pursuant to subparagraph
51 (i) or (ii) of paragraph (o) of subdivision one of section 330.20 of the
52 criminal procedure law insofar as they involve a victim or victims of
53 domestic violence as defined by subdivision one of section four hundred
54 fifty-nine-a of the social services law or a designated witness or
55 witnesses to such domestic violence, and all warrants issued pursuant to
56 sections one hundred fifty-three and eight hundred twenty-seven of the

1 family court act, and arrest and bench warrants as defined in subdivi-
2 sions twenty-eight, twenty-nine and thirty of section 1.20 of the crimi-
3 nal procedure law, insofar as such warrants pertain to orders of
4 protection or temporary orders of protection; provided, however, that
5 warrants issued pursuant to section one hundred fifty-three of the fami-
6 ly court act pertaining to articles three and seven of such act and
7 section 530.13 of the criminal procedure law shall not be included in
8 the registry. The superintendent shall establish and maintain such
9 registry for the purposes of ascertaining the existence of orders of
10 protection, temporary orders of protection, warrants and special orders
11 of conditions, and for enforcing the provisions of paragraph (b) of
12 subdivision four of section 140.10 of the criminal procedure law.

13 § 7. The opening paragraph of subdivision 15 of section 837 of the
14 executive law, as amended by chapter 432 of the laws of 2015, is amended
15 to read as follows:

16 Promulgate, in consultation with the superintendent of state police
17 and the state office [~~for the prevention of~~] to end domestic and
18 gender-based violence, and in accordance with paragraph (f) of subdivi-
19 sion three of section eight hundred forty of this article, a standard-
20 ized "domestic violence incident report form" for use by state and local
21 law enforcement agencies in the reporting, recording and investigation
22 of all alleged incidents of domestic violence, regardless of whether an
23 arrest is made as a result of such investigation. Such form shall be
24 prepared in multiple parts, one of which shall be immediately provided
25 to the victim, and shall include designated spaces for: the recordation
26 of the results of the investigation by the law enforcement agency and
27 the basis for any action taken; the recordation of a victim's allega-
28 tions of domestic violence; the age and gender of the victim and the
29 alleged offender or offenders; and immediately thereunder a space on
30 which the victim may sign and verify such victim's allegations. Such
31 form shall also include, but not be limited to spaces to identify:

32 § 8. Paragraph (f) of subdivision 3 of section 840 of the executive
33 law, as amended by chapter 432 of the laws of 2015, is amended to read
34 as follows:

35 (f) Develop, maintain and disseminate, in consultation with the state
36 office [~~for the prevention of~~] to end domestic and gender-based
37 violence, written policies and procedures consistent with article eight
38 of the family court act and applicable provisions of the criminal proce-
39 dure and domestic relations laws, regarding the investigation of and
40 intervention by new and veteran police officers in incidents of family
41 offenses. Such policies and procedures shall make provisions for educa-
42 tion and training in the interpretation and enforcement of New York's
43 family offense laws, including but not limited to:

44 (1) intake and recording of victim statements, and the prompt trans-
45 lation of such statements if made in a language other than English, in
46 accordance with subparagraph three of this paragraph, on a standardized
47 "domestic violence incident report form" promulgated by the division of
48 criminal justice services in consultation with the superintendent of
49 state police, representatives of local police forces and the state
50 office [~~for the prevention of~~] to end domestic and gender-based
51 violence, and the investigation thereof so as to ascertain whether a
52 crime has been committed against the victim by a member of the victim's
53 family or household as such terms are defined in section eight hundred
54 twelve of the family court act and section 530.11 of the criminal proce-
55 dure law; and

1 (2) the need for immediate intervention in family offenses including
2 the arrest and detention of alleged offenders, pursuant to subdivision
3 four of section 140.10 of the criminal procedure law, and notifying
4 victims of their rights, in their native language, if identified as
5 other than English, in accordance with subparagraph three of this para-
6 graph, including but not limited to immediately providing the victim
7 with the written notice required in subdivision six of section 530.11 of
8 the criminal procedure law and subdivision five of section eight hundred
9 twelve of the family court act;

10 (3) determine, in consultation with the superintendent of state police
11 and the office [~~for the prevention of~~ to end domestic and gender-based
12 violence, the languages in which such translation required by subpara-
13 graph one of this paragraph, and the notification required by subpara-
14 graph two of this paragraph, shall be provided. Such determination shall
15 be based on the size of the New York state population that speaks each
16 language and any other relevant factor. Such written notice required
17 pursuant to subparagraph two of this paragraph shall be made available
18 to all local law enforcement agencies throughout the state. Nothing in
19 this paragraph shall prevent the council from using the determinations
20 made by the superintendent of state police pursuant to subdivision (c)
21 of section two hundred fourteen-b of this chapter;

22 § 9. The opening paragraph of paragraph 2 of subdivision (b) of
23 section 153-c of the family court act, as added by chapter 367 of the
24 laws of 2015, is amended to read as follows:

25 Development of a pilot program. A plan for a pilot program pursuant to
26 this section shall be developed by the chief administrator of the courts
27 or his or her delegate in consultation with one or more local programs
28 providing assistance to victims of domestic violence, the office [~~for~~
29 ~~the prevention of~~ to end domestic and gender-based violence, and attor-
30 neys who represent family offense petitions. The plan shall include, but
31 is not limited to:

32 § 10. Paragraph 2 of subdivision (a) of section 249-b of the family
33 court act, as added by chapter 476 of the laws of 2009, is amended to
34 read as follows:

35 2. provide for the development of training programs with the input of
36 and in consultation with the state office [~~for the prevention of~~ to end
37 domestic and gender-based violence. Such training programs must include
38 the dynamics of domestic violence and its effect on victims and on chil-
39 dren, and the relationship between such dynamics and the issues consid-
40 ered by the court, including, but not limited to, custody, visitation
41 and child support. Such training programs along with the providers of
42 such training must be approved by the office of court administration
43 following consultation with and input from the state office for the
44 prevention of domestic violence; and

45 § 11. The closing paragraph of subdivision 5 of section 812 of the
46 family court act, as amended by chapter 663 of the laws of 2019, is
47 amended to read as follows:

48 The division of criminal justice services in consultation with the
49 state office [~~for the prevention of~~ to end domestic and gender-based
50 violence shall prepare the form of such written notice consistent with
51 the provisions of this section and distribute copies thereof to the
52 appropriate law enforcement officials pursuant to subdivision nine of
53 section eight hundred forty-one of the executive law. Additionally,
54 copies of such notice shall be provided to the chief administrator of
55 the courts to be distributed to victims of family offenses through the
56 family court at such time as such persons first come before the court

1 and to the state department of health for distribution to all hospitals
2 defined under article twenty-eight of the public health law. No cause of
3 action for damages shall arise in favor of any person by reason of any
4 failure to comply with the provisions of this subdivision except upon a
5 showing of gross negligence or willful misconduct.

6 § 12. Subdivision 3 of section 403 of the general business law, as
7 amended by chapter 715 of the laws of 2019, is amended to read as
8 follows:

9 3. The advisory committee shall advise the secretary on all matters
10 relating to this article, and on such other matters as the secretary
11 shall request. In advising the secretary on matters concerning profes-
12 sional education or curriculum, inclusive of the maintenance of cultural
13 and ethnic awareness within the prescribed curriculum in regard to hair
14 types, including, but not limited to, curl pattern, hair strand thick-
15 ness, and volume of hair, the advisory committee shall, to the extent
16 practicable, consult with the state education department. The advisory
17 committee is directed, in consultation with the department of state, the
18 New York state office [~~for the prevention of~~] to end domestic and
19 gender-based violence and an advocacy group recognized by the federal
20 department of health and human services, which has the ability to coor-
21 dinate statewide and with local communities on programming and educa-
22 tional materials related to the prevention and intervention of domestic
23 violence in New York state, to develop, provide for and integrate aware-
24 ness training on domestic violence and sexual assault for all prospec-
25 tive students seeking to be licensed under this article. Further, on a
26 voluntary basis for those seeking to renew their license as provided for
27 in this article to develop and provide access to educational material
28 for domestic violence and sexual assault awareness.

29 § 13. Section 408-b of the general business law, as amended by chapter
30 71 of the laws of 2020, is amended to read as follows:

31 § 408-b. Domestic violence and sexual assault awareness education. The
32 department shall ensure that domestic violence and sexual assault aware-
33 ness education courses are made available to all licensees and appli-
34 cants for a license or renewal pursuant to this article and that such
35 courses are offered through the department's website. The department, in
36 consultation with the office [~~for the prevention of~~] to end domestic and
37 gender-based violence and advocacy groups recognized by the federal
38 department of health and human services or the federal department of
39 justice, which have the ability to coordinate statewide and with local
40 communities on programming and educational materials related to the
41 prevention and intervention of domestic violence or sexual assault in
42 New York state, shall develop and provide access to domestic violence
43 and sexual assault awareness education courses appropriate for those
44 licensed under this article.

45 § 14. Subsections (f) and (g) and paragraph 8 of subsection (h) of
46 section 2612 of the insurance law, subsection (f) as amended by chapter
47 246 of the laws of 2005, subsection (g) as added by chapter 361 of the
48 laws of 2006, and paragraph 8 of subsection (h) as added by section 2 of
49 part E of chapter 491 of the laws of 2012, are amended to read as
50 follows:

51 (f) If any person covered by an insurance policy issued to another
52 person as the policyholder delivers to the insurer that issued the poli-
53 cy, at its home office, a valid order of protection against the policy-
54 holder, issued by a court of competent jurisdiction in this state, the
55 insurer shall be prohibited for the duration of the order from disclos-
56 ing to the policyholder the address and telephone number of the insured,

1 or of any person or entity providing covered services to the insured. If
2 a child is the covered person, the right established by this subsection
3 may be asserted by, and shall also extend to, the parent or guardian of
4 the child. The superintendent, in consultation with the commissioner of
5 health and the office of children and family services and the office
6 [~~for the prevention of~~] to end domestic and gender-based violence, shall
7 promulgate rules to guide and enable insurers to guard against the
8 disclosure of the address and location of an insured who is a victim of
9 domestic violence.

10 (g) If any person covered by a group insurance policy delivers to the
11 insurer that issued the policy, at its home office, a valid order of
12 protection against another person covered by the group policy, issued by
13 a court of competent jurisdiction in this state, the insurer shall be
14 prohibited for the duration of the order from disclosing to the person
15 against whom the valid order of protection was issued the address and
16 telephone number of the insured person covered by the order of
17 protection, or of any person or entity providing covered services to the
18 insured person covered by the order of protection. If a child is the
19 covered person, the right established by this subsection may be asserted
20 by, and shall also extend to, the parent or guardian of the child. The
21 superintendent, in consultation with the commissioner of health, the
22 office of children and family services and the office [~~for the~~
23 ~~prevention of~~] to end domestic and gender-based violence, shall promul-
24 gate rules to guide and enable insurers to guard against the disclosure
25 of the address and location of an insured who is a victim of domestic
26 violence.

27 (8) The superintendent, in consultation with the commissioner of
28 health, the office of children and family services and the office [~~for~~
29 ~~the prevention of~~] to end domestic and gender-based violence, shall
30 promulgate rules to guide health insurers in guarding against the
31 disclosure of the information protected pursuant to this subsection.

32 § 15. Section 10-a of the labor law, as added by chapter 527 of the
33 laws of 1995, is amended to read as follows:

34 § 10-a. Domestic violence policy. The commissioner shall study the
35 issue of employees separated from employment due to acts of domestic
36 violence as referred to in and qualified by section four hundred fifty-
37 nine-a of the social services law. The commissioner shall consult with
38 the New York state office [~~for the prevention of~~] to end domestic and
39 gender-based violence and its advisory council, the department of social
40 services, the division of women and members of the public in preparing
41 such study. Such study shall include a review of case histories in
42 which unemployment compensation was sought and an analysis of the poli-
43 cies in other states. A copy of such study shall be transmitted to the
44 temporary president of the senate and the speaker of the assembly on or
45 before January fifteenth, nineteen hundred ninety-six and shall contain
46 policy recommendations.

47 § 16. Section 10-b of the labor law, as added by chapter 368 of the
48 laws of 1997, is amended to read as follows:

49 § 10-b. Domestic violence employee awareness and assistance. The
50 commissioner shall assist the office [~~for the prevention of~~] to end
51 domestic and gender-based violence in the creation, approval and dissem-
52 ination of the model domestic violence employee awareness and assistance
53 policy as further defined in subdivision nine of section five hundred
54 seventy-five of the executive law. Upon completion and approval of the
55 model plan as outlined in subdivision nine of section five hundred

1 seventy-five of the executive law, the commissioner shall assist in the
2 promotion of the model policy to businesses in New York state.

3 § 17. Section 2137 of the public health law, as added by chapter 163
4 of the laws of 1998, is amended to read as follows:

5 § 2137. Domestic violence recognition. The department shall, in
6 consultation with the office [~~for the prevention of~~] to end domestic and
7 gender-based violence and statewide organizations and community based
8 organizations, develop a protocol for the identification and screening
9 of victims of domestic violence who may either be a protected individual
10 or a contact as used in this title.

11 § 18. Subdivision 2 of section 2803-p of the public health law, as
12 added by chapter 271 of the laws of 1997, is amended to read as follows:

13 2. Every hospital having maternity and newborn services shall provide
14 information concerning family violence to parents of newborn infants at
15 any time prior to the discharge of the mother. Such information shall
16 also be provided by every diagnostic and treatment center offering
17 prenatal care services to women upon an initial prenatal care visit.
18 The commissioner shall, in consultation with the state office [~~for the~~
19 ~~prevention of~~] to end domestic and gender-based violence and the depart-
20 ment of social services, prepare, produce and transmit such notice to
21 such facilities in quantities sufficient to comply with the requirements
22 of this section. Such notice shall contain information which shall
23 include but not be limited to the effects of family violence and the
24 services available to women and children experiencing family violence.

25 Such information shall be in clear and concise language readily
26 comprehensible. Nothing in this section shall preclude a facility from
27 providing the notice required by this section as an addendum to, or in
28 connection with, any other information required to be provided by any
29 other provision of law, rule or regulation.

30 § 19. Subdivision 3 of section 2805-z of the public health law, as
31 amended by chapter 37 of the laws of 2020, is amended to read as
32 follows:

33 3. The commissioner shall promulgate such rules and regulations as may
34 be necessary and proper to carry out effectively the provisions of this
35 section. Prior to promulgating such rules and regulations, the commis-
36 sioner shall consult with the office [~~for the prevention of~~] to end
37 domestic and gender-based violence and other such persons as the commis-
38 sioner deems necessary to develop a model policy for hospitals to
39 utilize in complying with this section and to identify the domestic
40 violence or victim assistance organizations operating in each hospital's
41 geographic area, a list of which the commissioner shall provide to
42 hospitals with the model policy.

43 § 20. The opening paragraph of subdivision (g) of section 17 of the
44 social services law, as added by chapter 280 of the laws of 2002, is
45 amended to read as follows:

46 require participation of all employees of a child protective service
47 in a training course which has been developed by the office [~~for the~~
48 ~~prevention of~~] to end domestic and gender-based violence in conjunction
49 with the office of children and family services whose purpose is to
50 develop an understanding of the dynamics of domestic violence and its
51 connection to child abuse and neglect. Such course shall:

52 § 21. Subdivision 1 of section 111-v of the social services law, as
53 added by chapter 398 of the laws of 1997, is amended to read as follows:

54 1. The department, in consultation with appropriate agencies including
55 but not limited to the New York state office [~~for the prevention of~~] to
56 end domestic and gender-based violence, shall by regulation prescribe

1 and implement safeguards on the confidentiality, integrity, accuracy,
2 access, and the use of all confidential information and other data
3 handled or maintained, including data obtained pursuant to section one
4 hundred eleven-o of this article and including such information and data
5 maintained in the automated child support enforcement system. Such
6 information and data shall be maintained in a confidential manner
7 designed to protect the privacy rights of the parties and shall not be
8 disclosed except for the purpose of, and to the extent necessary to,
9 establish paternity, or establish, modify or enforce an order of
10 support.

11 § 22. Subdivisions 1, 2 and 3 of section 349-a of the social services
12 law, as added by section 36 of part B of chapter 436 of the laws of
13 1997, are amended to read as follows:

14 1. The department, after consultation with the office [~~for the~~
15 ~~prevention of~~] to end domestic and gender-based violence and statewide
16 domestic violence advocacy groups, shall by regulation establish
17 requirements for social services districts to notify all applicants and,
18 upon recertification, recipients, of procedures for protection from
19 domestic violence and the availability of services. Such notice shall
20 inform applicants and recipients that the social services district will
21 make periodic inquiry regarding the existence of domestic violence
22 affecting the individual. Such notice shall also inform individuals
23 that response to these inquiries is voluntary and confidential;
24 provided, however, that information regarding neglect or abuse of chil-
25 dren will be reported to child protective services.

26 2. Such inquiry shall be performed utilizing a universal screening
27 form to be developed by the department after consultation with the
28 office [~~for the prevention of~~] to end domestic and gender-based violence
29 and statewide domestic violence advocacy groups. An individual may
30 request such screening at any time, and any individual who at any time
31 self identifies as a victim of domestic violence shall be afforded the
32 opportunity for such screening.

33 3. An individual indicating the presence of domestic violence, as a
34 result of such screening, shall be promptly referred to a domestic
35 violence liaison who meets training requirements established by the
36 department, after consultation with the office [~~for the prevention of~~]
37 to end domestic and gender-based violence and statewide domestic
38 violence advocacy groups.

39 § 23. The opening paragraph of subdivision 2 and the opening paragraph
40 of subdivision 3 of section 427-a of the social services law, as added
41 by chapter 452 of the laws of 2007, are amended to read as follows:

42 Any social services district interested in implementing a differential
43 response program shall apply to the office of children and family
44 services for permission to participate. The criteria for a social
45 services district to participate will be determined by the office of
46 children and family services after consultation with the office [~~for the~~
47 ~~prevention of~~] to end domestic and gender-based violence, however the
48 social services district's application must include a plan setting forth
49 the following:

50 The criteria for determining which cases may be placed in the assess-
51 ment track shall be determined by the local department of social
52 services, in conjunction with the office of children and family services
53 and after consultation with the office [~~for the prevention of~~] to end
54 domestic and gender-based violence. Provided, however, that reports
55 including any of the following allegations shall not be included in the
56 assessment track of a differential response program:

1 § 24. Subdivision (a) of section 483-cc of the social services law, as
2 amended by chapter 368 of the laws of 2015, is amended to read as
3 follows:

4 (a) As soon as practicable after a first encounter with a person who
5 reasonably appears to a law enforcement agency, district attorney's
6 office, or an established provider of social or legal services desig-
7 nated by the office of temporary and disability assistance, the office
8 [~~for the prevention of~~] to end domestic and gender-based violence or the
9 office of victim services to be a human trafficking victim, that law
10 enforcement agency or district attorney's office shall notify the office
11 of temporary and disability assistance and the division of criminal
12 justice services that such person may be eligible for services under
13 this article or, in the case of an established provider of social or
14 legal services, shall notify the office of temporary and disability
15 assistance and the division of criminal justice services if such victim
16 consents to seeking services pursuant to this article.

17 § 25. Subdivision (a) of section 483-ee of the social services law, as
18 amended by chapter 413 of the laws of 2016, is amended to read as
19 follows:

20 (a) There is established an interagency task force on trafficking in
21 persons, which shall consist of the following members or their desig-
22 nees: (1) the commissioner of the division of criminal justice services;
23 (2) the commissioner of the office of temporary and disability assist-
24 ance; (3) the commissioner of health; (4) the commissioner of the office
25 of mental health; (5) the commissioner of labor; (6) the commissioner of
26 the office of children and family services; (7) the commissioner of the
27 office of alcoholism and substance abuse services; (8) the director of
28 the office of victim services; (9) the executive director of the office
29 [~~for the prevention of~~] to end domestic and gender-based violence; and
30 (10) the superintendent of the division of state police; and the follow-
31 ing additional members, who shall be promptly appointed by the governor,
32 each for a term of two years, provided that such person's membership
33 shall continue after such two year term until a successor is appointed
34 and provided, further, that a member may be reappointed if again recom-
35 mended in the manner specified in this subdivision: (11) two members,
36 who shall be appointed on the recommendation of the temporary president
37 of the senate; (12) two members, who shall be appointed on the recommen-
38 dation of the speaker of the assembly; (13) two members, who shall be
39 appointed on the recommendation of the not-for-profit organization in
40 New York state that receives the largest share of funds, appropriated by
41 and through the state budget, for providing services to victims of human
42 trafficking, as shall be identified annually in writing by the director
43 of the budget; and (14) one member, who shall be appointed on the recom-
44 mendation of the president of the New York state bar association; and
45 others as may be necessary to carry out the duties and responsibilities
46 under this section. The task force will be co-chaired by the commission-
47 ers of the division of criminal justice services and the office of
48 temporary and disability assistance, or their designees. It shall meet
49 as often as is necessary, but no less than three times per year, and
50 under circumstances as are appropriate to fulfilling its duties under
51 this section. All members shall be provided with written notice reason-
52 ably in advance of each meeting with date, time and location of such
53 meeting.

54 § 26. Subdivision 3 of section 97-yyy of the state finance law, as
55 added by chapter 634 of the laws of 2002, is amended to read as follows:

1 3. Moneys of the fund, following appropriation by the legislature and
2 allocation by the director of the budget, shall be available for the
3 purpose of funding expenses of the office [~~for the prevention of~~] to end
4 domestic and gender-based violence for educational and prevention
5 programs undertaken pursuant to article twenty-one of the executive law.

6 § 27. This act shall take effect immediately; provided however that
7 section nineteen of this act shall take effect on the same date and in
8 the same manner as section 2 of chapter 733 of the laws of 2019, as
9 amended, takes effect; and provided further that the amendments to
10 subdivision (a) of section 483-ee of the social services law made by
11 section twenty-five of this act shall not affect the repeal of such
12 subdivision and shall be deemed repealed therewith.

13 PART C

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

16 § 120.65 Domestic violence.

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

18 1. commits a serious offense as defined in paragraph (b) of subdivi-
19 sion seventeen of section 265.00 of this chapter and the person against
20 whom the offense is committed is a member of the same family or house-
21 hold as defined in subdivision one of section 530.11 of the criminal
22 procedure law; or

23 2. commits the crime of assault in the third degree as defined in
24 subdivisions one and two of section 120.00 of this article, or reckless
25 endangerment in the second degree as defined in section 120.20 of this
26 article, or criminal obstruction of breathing or blood circulation as
27 defined in section 121.11 of this article, or forcible touching as
28 defined in section 130.52 of this title, or sexual abuse in the second
29 degree as defined in section 130.60 of this title, or sexual abuse in
30 the third degree as defined in section 130.55 of this title, or unlawful
31 imprisonment in the second degree as defined in section 135.05 of this
32 title and the person against whom the offense is committed is a current
33 or former spouse, parent, or guardian of the person committing the
34 offense; a person with whom the person committing the offense shares a
35 child in common; a person who is cohabiting with or has cohabited with
36 the person committing the offense as a spouse, parent, or guardian, or a
37 person similarly situated to a spouse, parent, or guardian of the
38 victim.

39 Domestic violence is a class A misdemeanor.

40 § 2. Subdivision 17 of section 265.00 of the penal law is amended by
41 adding a new paragraph (d) to read as follows:

42 (d) domestic violence as defined by subdivision one of section 120.65
43 of this chapter.

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

46 PART D

47 Section 1. Paragraph 2 of subdivision (j) and subdivision (k) of
48 section 446 of the family court act, paragraph 2 of subdivision (j) as
49 added and subdivision (k) as amended by chapter 261 of the laws of 2020,
50 are amended to read as follows:

51 2. For purposes of this subdivision, "connected device" shall mean any
52 device, or other physical object that is capable of connecting to the

1 internet, directly or indirectly, and that is assigned an internet
2 protocol address or bluetooth address; [~~and~~]

3 (k) to pay the reasonable costs of repairing damages caused by the
4 respondent to a premises owned or occupied by the protected party;

5 (l) to make rent or mortgage payments on the premises owned or occu-
6 piated by the protected party;

7 (m) to pay the reasonable costs of relocation for the protected party,
8 including but not limited to security deposits, utility deposits, moving
9 services and first and last month's rent, provided that this responsi-
10 bility does not entitle the respondent access to the protected party's
11 address or location; and

12 (n) to observe such other conditions as are necessary to further the
13 purposes of protection. The court may also award custody of the child,
14 during the term of the order of protection to either parent, or to an
15 appropriate relative within the second degree. Nothing in this section
16 gives the court power to place or board out any child or to commit a
17 child to an institution or agency. In making orders of protection, the
18 court shall so act as to insure that in the care, protection, discipline
19 and guardianship of the child his religious faith shall be preserved and
20 protected.

21 § 2. Paragraph 2 of subdivision (k) and subdivision (l) of section 551
22 of the family court act, paragraph 2 of subdivision (k) as added and
23 subdivision (l) as amended by chapter 261 of the laws of 2020, are
24 amended to read as follows:

25 2. For purposes of this subdivision, "connected device" shall mean any
26 device, or other physical object that is capable of connecting to the
27 internet, directly or indirectly, and that is assigned an internet
28 protocol address or bluetooth address; [~~and~~]

29 (l) to pay the reasonable costs of repairing damages caused by the
30 respondent to a premises owned or occupied by the protected party;

31 (m) to make rent or mortgage payments on the premises owned or occu-
32 piated by the protected party;

33 (n) to pay the reasonable costs of relocation for the protected party,
34 including but not limited to security deposits, utility deposits, moving
35 services and first and last month's rent, provided that this responsi-
36 bility does not entitle the respondent access to the protected party's
37 address or location; and

38 (o) to observe such other conditions as are necessary to further the
39 purposes of protection.

40 § 3. Paragraph 2 of subdivision (k) and subdivision (l) of section 656
41 of the family court act, paragraph 2 of subdivision (k) as added and
42 subdivision (l) as amended by chapter 261 of the laws of 2020, are
43 amended to read as follows:

44 2. For purposes of this subdivision, "connected device" shall mean any
45 device, or other physical object that is capable of connecting to the
46 internet, directly or indirectly, and that is assigned an internet
47 protocol address or bluetooth address; [~~and~~]

48 (l) to pay the reasonable costs of repairing damages caused by the
49 respondent to a premises owned or occupied by the protected party;

50 (m) to make rent or mortgage payments on the premises owned or occu-
51 piated by the protected party;

52 (n) to pay the reasonable costs of relocation for the protected party,
53 including but not limited to security deposits, utility deposits, moving
54 services and first and last month's rent, provided that this responsi-
55 bility does not entitle the respondent access to the protected party's
56 address or location; and

1 (o) to observe such other conditions as are necessary to further the
2 purposes of protection.

3 § 4. Paragraph 2 of subdivision (k) and subdivision (l) of section 842
4 of the family court act, paragraph 2 of subdivision (k) as added and
5 subdivision (l) as amended by chapter 261 of the laws of 2020, are
6 amended to read as follows:

7 2. For purposes of this subdivision, "connected device" shall mean any
8 device, or other physical object that is capable of connecting to the
9 internet, directly or indirectly, and that is assigned an internet
10 protocol address or bluetooth address; ~~[and]~~

11 (l) to pay the reasonable costs of repairing damages caused by the
12 respondent to a premises owned or occupied by the protected party;

13 (m) to make rent or mortgage payments on the premises owned or occu-
14 piated by the protected party;

15 (n) to pay the reasonable costs of relocation for the protected party,
16 including but not limited to security deposits, utility deposits, moving
17 services and first and last month's rent, provided that this responsi-
18 bility does not entitle the respondent access to the protected party's
19 address or location; and

20 (o) to observe such other conditions as are necessary to further the
21 purposes of protection.

22 § 5. Clause (B) of subparagraph 8 of paragraph (a) of subdivision 1 of
23 section 530.12 of the criminal procedure law, as added by chapter 261 of
24 the laws of 2020, is amended and three new subparagraphs 9, 10 and 11
25 are added to read as follows:

26 (B) For purposes of this subparagraph, "connected device" shall mean
27 any device, or other physical object that is capable of connecting to
28 the internet, directly or indirectly, and that is assigned an internet
29 protocol address or bluetooth address~~[.];~~

30 (9) to pay the reasonable costs of repairing damages caused by the
31 defendant to a premises owned or occupied by the protected party;

32 (10) to make rent or mortgage payments on the premises owned or occu-
33 piated by the protected party; and

34 (11) to pay the reasonable costs of relocation for the protected
35 party, including but not limited to security deposits, utility deposits,
36 moving services and first and last month's rent, provided that this
37 responsibility does not entitle the respondent access to the protected
38 party's address or location.

39 § 6. Paragraphs (e) and (f) of subdivision 5 of section 530.12 of the
40 criminal procedure law, paragraph (e) as amended and paragraph (f) as
41 added by chapter 261 of the laws of 2020, are amended and three new
42 paragraphs (g), (h) and (i) are added to read as follows:

43 (e) to permit a designated party to enter the residence during a spec-
44 ified period of time in order to remove personal belongings not in issue
45 in this proceeding or in any other proceeding or action under this chap-
46 ter, the family court act or the domestic relations law; ~~[ex]~~

47 (f) (i) to refrain from remotely controlling any connected devices
48 affecting the home, vehicle or property of the person protected by the
49 order.

50 (ii) For purposes of this paragraph, "connected device" shall mean any
51 device, or other physical object that is capable of connecting to the
52 internet, directly or indirectly, and that is assigned an internet
53 protocol address or bluetooth address~~[.];~~

54 (g) to pay the reasonable costs of repairing damages caused by the
55 respondent to a premises owned or occupied by the protected party;

1 (h) to make rent or mortgage payments on the premises owned or occu-
2 pi ed by the protected party; or

3 (i) to pay the reasonable costs of relocation for the protected party,
4 including but not limited to security deposits, utility deposits, moving
5 services and first and last month's rent, provided that this responsi-
6 bility does not entitle the respondent access to the protected party's
7 address or location;

8 § 7. Subdivision 1 of section 530.13 of the criminal procedure law is
9 amended by adding three new paragraphs (e), (f) and (g) to read as
10 follows:

11 (e) to pay the reasonable costs of repairing damages caused by the
12 respondent to a premises owned or occupied by the protected party;

13 (f) to make rent or mortgage payments on the premises owned or occu-
14 pi ed by the protected party; or

15 (g) to pay the reasonable costs of relocation for the protected party,
16 including but not limited to security deposits, utility deposits, moving
17 services and first and last month's rent, provided that this responsi-
18 bility does not entitle the respondent access to the protected party's
19 address or location;

20 § 8. Subparagraph 2 of paragraph (d) of subdivision 4 of section
21 530.13 of the criminal procedure law, as added by chapter 261 of the
22 laws of 2020, is amended and three new paragraphs (e), (f) and (g) are
23 added to read as follows:

24 2. For purposes of this paragraph, "connected device" shall mean any
25 device, or other physical object that is capable of connecting to the
26 internet, directly or indirectly, and that is assigned an internet
27 protocol address or bluetooth address[~~+~~];

28 (e) to pay the reasonable costs of repairing damages caused by the
29 defendant to a premises owned or occupied by the protected party;

30 (f) to make rent or mortgage payments on the premises owned or occu-
31 pi ed by the protected party; and

32 (g) to pay the reasonable costs of relocation for the protected party,
33 including but not limited to security deposits, utility deposits, moving
34 services and first and last month's rent, provided that this responsi-
35 bility does not entitle the respondent access to the protected party's
36 address or location.

37 § 9. Clause (ii) of subparagraph 9 and subparagraph 10 of paragraph a
38 of subdivision 3 of section 240 of the domestic relations law, as
39 amended by chapter 261 of the laws of 2020, are amended to read as
40 follows:

41 (ii) For purposes of this subparagraph, "connected device" shall mean
42 any device, or other physical object that is capable of connecting to
43 the internet, directly or indirectly, and that is assigned an internet
44 protocol address or bluetooth address; [~~and~~]

45 (10) to pay the reasonable costs of repairing damages caused by the
46 respondent to a premises owned or occupied by the protected party;

47 (11) to make rent or mortgage payments on the premises owned or occu-
48 pi ed by the protected party;

49 (12) to pay the reasonable costs of relocation for the protected
50 party, including but not limited to security deposits, utility deposits,
51 moving services and first and last month's rent, provided that this
52 responsibility does not entitle the respondent access to the protected
53 party's address or location; and

54 (13) to observe such other conditions as are necessary to further the
55 purposes of protection.

1 § 10. Subparagraph 2 of paragraph (i) and paragraph (j) of subdivision
2 1 of section 252 of the domestic relations law, as amended by chapter
3 261 of the laws of 2020, are amended to read as follows:

4 (2) For purposes of this paragraph, "connected device" shall mean any
5 device, or other physical object that is capable of connecting to the
6 internet, directly or indirectly, and that is assigned an internet
7 protocol address or bluetooth address; [~~and~~]

8 (j) to pay the reasonable costs of repairing damages caused by the
9 respondent to a premises owned or occupied by the protected party; and

10 (k) to make rent or mortgage payments on the premises owned or occu-
11 piated by the protected party;

12 (l) to pay the reasonable costs of relocation for the protected party,
13 including but not limited to security deposits, utility deposits, moving
14 services and first and last month's rent, provided that this responsi-
15 bility does not entitle the respondent access to the protected party's
16 address or location; and

17 (m) to observe such other conditions as are necessary to further the
18 purposes of protection.

19 § 11. This act shall take effect immediately.

20 PART E

21 Section 1. Subdivision 5 of section 216 of the judiciary law, as added
22 by section 5 of part UU of chapter 56 of the laws of 2020, is amended to
23 read as follows:

24 5. The chief administrator of the courts, in conjunction with the
25 division of criminal justice services, shall collect data and report
26 every six months regarding pretrial release and detention. Such data and
27 report shall contain information categorized by gender, racial and
28 ethnic background; regarding the nature of the criminal offenses,
29 including the top charge of each case; whether an order of protection
30 was issued for a family offense; the number and type of charges in each
31 defendant's criminal record; the number of individuals released on
32 recognizance; the number of individuals released on non-monetary condi-
33 tions, including the conditions imposed; the number of individuals
34 committed to the custody of a sheriff prior to trial; the rates of fail-
35 ure to appear and rearrest; the outcome of such cases or dispositions;
36 the length of the pretrial detention stay and any other such information
37 as the chief administrator and the division of criminal justice services
38 may find necessary and appropriate. Such report shall aggregate the data
39 collected by county; court, including city, town and village courts; and
40 judge. The data shall be disaggregated in order to protect the identity
41 of individual defendants. The report shall be released publicly and
42 published on the websites of the office of court administration and the
43 division of criminal justice services. The first report shall be
44 published twelve months after this subdivision shall have become a law,
45 and shall include data from the first six months following the enactment
46 of this section. Reports for subsequent periods shall be published every
47 six months thereafter.

48 § 2. Section 216 of the judiciary law is amended by adding a new
49 subdivision 6 to read as follows:

50 6. The chief administrator of the courts shall prepare a report each
51 month related to persons charged with a felony or misdemeanor offense
52 where the defendant and the person alleged to be the victim of such
53 crime were members of the same family or household as defined in subdi-
54 vision one of section 530.11 of the criminal procedure law. Such report

1 shall contain information on the number of cases within each county,
2 categorized by felony and misdemeanor, in which the court issued an
3 order of protection for a family offense. The reports shall be provided
4 each month to the division of criminal justice services and the office
5 for the prevention of domestic violence.

6 § 3. Section 837-u of the executive law, as added by section 6 of part
7 UU of chapter 56 of the laws of 2020, is amended to read as follows:

8 § 837-u. The division of criminal justice services, in conjunction
9 with the chief administrator of the courts, shall collect data and
10 report annually regarding pretrial release and detention. Such data and
11 report shall contain information categorized by gender, racial and
12 ethnic background; regarding the nature of the criminal offenses,
13 including the top charge of each case; whether an order of protection
14 was issued for a family offense; the number and type of charges in each
15 defendant's criminal record; the number of individuals released on
16 recognizance; the number of individuals released on non-monetary condi-
17 tions, including the conditions imposed; the number of individuals
18 committed to the custody of a sheriff prior to trial; the rates of fail-
19 ure to appear and rearrest; the outcome of such cases or dispositions;
20 whether the defendant was represented by counsel at every court appear-
21 ance regarding the defendant's securing order; the length of the
22 pretrial detention stay and any other such information as the chief
23 administrator and the division of criminal justice services may find
24 necessary and appropriate. Such annual report shall aggregate the data
25 collected by county; court, including city, town and village courts; and
26 judge. The data shall be disaggregated in order to protect the identity
27 of individual defendants. The report shall be released publicly and
28 published on the websites of the office of court administration and the
29 division of criminal justice services. The first report shall be
30 published eighteen months after this section shall have become a law,
31 and shall include data from the first twelve months following the enact-
32 ment of this section. Reports for subsequent years shall be published
33 annually on or before that date thereafter.

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

36 PART F

37 Section 1. Subdivision 1 of section 240 of the domestic relations law
38 is amended by adding a new paragraph (k) to read as follows:

39 (k) In determining the best interests of the child, the court shall
40 not: (1) consider the sex, sexual orientation, gender identity or gender
41 expression of the parties; or (2) prohibit a party from undergoing
42 gender reassignment.

43 § 2. This act shall take effect immediately.

44 PART G

45 Intentionally omitted

46 PART H

47 Section 1. Subdivisions (a) and (c) of section 712 of the family court
48 act, as amended by section 1 of part K of chapter 56 of the laws of
49 2019, are amended to read as follows:

1 (a) "Person in need of supervision". A person less than eighteen years
2 of age: (i) who does not attend school in accordance with the provisions
3 of part one of article sixty-five of the education law; (ii) who is
4 [~~incorrigible,~~] ungovernable or habitually disobedient and beyond the
5 lawful control of a parent or other person legally responsible for such
6 child's care, or other lawful authority; (iii) who violates the
7 provisions of: (1) section 221.05; or (2) 230.00 of the penal law; (iv)
8 or who appears to be a sexually exploited child as defined in paragraph
9 (a), (c) or (d) of subdivision one of section four hundred forty-seven-a
10 of the social services law, but only if the child consents to the filing
11 of a petition under this article.

12 (c) "Fact-finding hearing". A hearing to determine whether the
13 respondent did the acts alleged to show that he or she violated a law or
14 is [~~incorrigible,~~] ungovernable or habitually disobedient and beyond the
15 control of his or her parents, guardian or legal custodian.

16 § 2. Paragraph (i) of subdivision (a) of section 732 of the family
17 court act, as amended by section 9 of part G of chapter 58 of the laws
18 of 2010, is amended to read as follows:

19 (i) the respondent is an habitual truant or is [~~incorrigible,~~] ungo-
20 vernable, or habitually disobedient and beyond the lawful control of his
21 or her parents, guardian or lawful custodian, or has been the victim of
22 sexual exploitation as defined in subdivision one of section four
23 hundred forty-seven-a of the social services law, and specifying the
24 acts on which the allegations are based and the time and place they
25 allegedly occurred. Where habitual truancy is alleged or the petitioner
26 is a school district or local educational agency, the petition shall
27 also include the steps taken by the responsible school district or local
28 educational agency to improve the school attendance and/or conduct of
29 the respondent;

30 § 3. Section 773 of the family court act, as amended by chapter 920 of
31 the laws of 1982, is amended to read as follows:

32 § 773. Petition for transfer [~~for incorrigibility~~]. Any institution,
33 society or agency in which a person was placed under section seven
34 hundred fifty-six of this article may petition to the court which made
35 the order of placement for transfer of that person to a society or agen-
36 cy, governed or controlled by persons of the same religious faith or
37 persuasion as that of the child, where practicable, or, if not practica-
38 ble, to some other suitable institution, or to some other suitable
39 institution on the ground that [~~such person~~]

40 (a) [~~is incorrigible and that his or her~~] the presence of such person
41 is seriously detrimental to the welfare of the applicant institution,
42 society, agency or other persons in its care, or

43 (b) after placement by the court, such person was released on parole
44 or probation from such institution, society or agency and a term or
45 condition of the release was willfully violated. The petition shall be
46 verified by an officer of the applicant institution, society or agency
47 and shall specify the act or acts bringing the person within this
48 section.

49 § 4. Subdivision (h) of section 1012 of the family court act, as added
50 by chapter 1015 of the laws of 1972, is amended to read as follows:

51 (h) "Impairment of emotional health" and "impairment of mental or
52 emotional condition" includes a state of substantially diminished
53 psychological or intellectual functioning in relation to, but not limit-
54 ed to, such factors as failure to thrive, control of aggressive or self-
55 destructive impulses, ability to think and reason, or acting out or
56 misbehavior, [~~including incorrigibility,~~] ungovernability or habitual

1 truancy; provided, however, that such impairment must be clearly attrib-
2 utable to the unwillingness or inability of the respondent to exercise a
3 minimum degree of care toward the child.

4 § 5. Section 4111 of the education law is amended to read as follows:

5 § 4111. Arrest of truants. Any attendance officer may arrest without
6 warrant anywhere within the state any Indian child between six and
7 sixteen years of age, found away from his home and who is then a truant
8 from instruction upon which he is lawfully required to attend within the
9 districts of which such attendance officer has jurisdiction. He shall
10 forthwith deliver a child so arrested either to the person in parental
11 relation to the child, or to the teacher of the school from which said
12 child is then a truant, or in case of habitual [~~or incorrigible~~]
13 truants, shall bring them before a magistrate for commitment to a school
14 for delinquents, as provided in section forty-one hundred twelve of this
15 article.

16 § 6. Section 4707 of the education law is amended to read as follows:

17 § 4707. Children admitted to such school. Children not more than
18 eighteen nor less than eight years of age may be admitted to or received
19 in such school, either (1) upon the application of the parents or guard-
20 ians having the legal custody or control of such children, accompanied
21 by the written consent of such parents or guardians, or (2) upon commit-
22 ment thereto as truants [~~or incorrigible pupils as provided in section~~
23 ~~thirty-two hundred fourteen of this chapter,~~] or (3) upon commitment
24 thereto as juvenile delinquents as provided by law, provided that chil-
25 dren convicted of crime shall not be committed to such school. Children
26 who have no homes or who are without proper parental control or who are
27 under improper guardianship may be sent to and received in such school,
28 in the same manner and under the same authority as in case of other
29 children who are improperly provided for at home.

30 § 7. Subdivision 2 of section 4807 of the education law is amended to
31 read as follows:

32 2. Truants[~~, incorrigible pupils~~] or children coming within any of the
33 descriptions mentioned in section thirty-two hundred fourteen of this
34 chapter upon commitment thereto either by the school authorities or by a
35 court having jurisdiction thereof.

36 § 8. Section 4809 of the education law, as amended by chapter 550 of
37 the laws of 1978, is amended to read as follows:

38 § 4809. Transfer of pupils. The board of managers shall have full
39 power to transfer to other institutions any child [~~committed by a court~~
40 ~~found to be incorrigible, not amenable to proper discipline and training~~
41 ~~of the school, or mentally retarded, in the manner and by the methods~~
42 ~~prescribed and set forth in the penal law]~~ if a court grants a petition
43 for transfer pursuant to section seven hundred seventy-three of the
44 family court act.

45 § 9. This act shall take effect immediately.

46 PART I

47 Section 1. Subdivision 1 of section 5-508 of the election law is
48 amended by adding two new paragraphs (c) and (d) to read as follows:

49 (c) "Judge" means the same as such term is defined in section twenty-
50 six of the general construction law, provided further that it shall
51 include individuals who have retired from such position.

52 (d) "Immediate family of judge" means the persons legally married to a
53 judge, persons formerly married to a judge regardless of whether they
54 still reside in the same household, the parent, child, sibling of a

1 judge, and any other person who regularly resides or has regularly
2 resided in the same household as a judge.

3 § 2. Subdivision 2 of section 5-508 of the election law, as amended by
4 chapter 396 of the laws of 2017, is amended to read as follows:

5 2. Upon application made to the supreme court, county court, or family
6 court, in the county wherein a victim of domestic violence, judge, or
7 the immediate family of a judge, is registered pursuant to this article,
8 the court may issue an order requiring that any registration record kept
9 or maintained in accordance with this article and any other records with
10 respect to such an individual be kept separate and apart from other such
11 records and not be made available for inspection or copying by the
12 public or any other person, except election officials acting within the
13 course and scope of their official duties and only as pertinent and
14 necessary in connection therewith.

15 § 3. Section 5-508 of the election law is amended by adding a new
16 subdivision 3 to read as follows:

17 3. Any person who qualifies for confidentiality of registration
18 records pursuant to the provisions of this section may also omit their
19 home address from public display where it is otherwise required by the
20 provisions of this chapter by writing "OMITTED" in its place and, where
21 required, notifying the county board of elections.

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

24 PART J

25 Section 1. Subdivision 1 of section 182.20 of the criminal procedure
26 law, as amended by chapter 332 of the laws of 2009, is amended to read
27 as follows:

28 1. Notwithstanding any other provision of law and except as provided
29 in section 182.30 of this article, the court, in its discretion, may
30 dispense with the personal appearance of the defendant, except an
31 appearance at a hearing or trial, and conduct an electronic appearance
32 in connection with a criminal action pending in [~~Albany, Bronx, Broome,~~
33 ~~Erie, Kings, New York, Niagara, Oneida, Onondaga, Ontario, Orange,~~
34 ~~Putnam, Queens, Richmond, St. Lawrence, Tompkins, Chautauqua, Cattarau-~~
35 ~~gus, Clinton, Essex, Montgomery, Rensselaer, Warren, Westchester,~~
36 ~~Suffolk, Herkimer or Franklin]~~ any county, provided that the chief
37 administrator of the courts has authorized the use of electronic appear-
38 ance and the defendant, after consultation with counsel, consents on the
39 record. Such consent shall be required at the commencement of each elec-
40 tronic appearance to such electronic appearance.

41 § 2. This act shall take effect immediately, provided, however, that
42 the amendments to subdivision 1 of section 182.20 of the criminal proce-
43 dure law made by section one of this act shall not affect the repeal of
44 such section and shall be deemed repealed therewith.

45 PART K

46 Section 1. Short title. This act shall be known and may be cited as
47 the "New York state professional policing act of 2021".

48 § 2. Legislative findings and declaration. It is hereby declared to
49 be the policy of this state to promote professional police services and
50 to ensure that persons appointed to the position of police officer are
51 held to standards that will ensure that their interactions with all
52 individuals are appropriate and ensure that the rights of all parties

1 are respected. Law enforcement agencies and the police officers they
2 employ interact with many persons, including individuals who are not
3 residents of their jurisdiction. Ensuring that all New York law enforce-
4 ment agencies and police officers are held to a similar professional
5 standard is a matter of substantial state concern.

6 § 3. Subdivision 1-a of section 53 of the executive law, as added by
7 chapter 104 of the laws of 2020, is amended to read as follows:

8 1-a. receive and investigate complaints from any source, or upon his
9 or her own initiative, concerning allegations of corruption, fraud, use
10 of excessive force, criminal activity, conflicts of interest or abuse by
11 any police officer in a covered agency and promptly inform the division
12 of criminal justice services, in the form and manner as prescribed by
13 the division, of such allegations and the progress of investigations
14 related thereto. Nothing in this subdivision shall require the division
15 of criminal justice services to take action or prevent the division of
16 criminal justice from taking action authorized pursuant to subdivision
17 four of section eight hundred forty-five of this chapter in the time and
18 manner determined by the commissioner of the division of criminal
19 justice services.

20 § 4. Subdivision 3 of section 75 of the executive law is amended by
21 adding a new paragraph (b-1) to read as follows:

22 (b-1) promptly inform the division of criminal justice services, in
23 the form and manner prescribed by the division, of such allegations and
24 the progress of investigations related thereto. Nothing in this para-
25 graph shall require the division of criminal justice services to take
26 action or prevent the division of criminal justice from taking action
27 authorized pursuant to subdivision four of section eight hundred forty-
28 five of this chapter in the time and manner determined by the commis-
29 sioner of the division of criminal justice services;

30 § 5. Paragraph (c) of subdivision 5 of section 75 of the executive
31 law, as added by chapter 104 of the laws of 2020, is amended to read as
32 follows:

33 (c) The head of any covered agency shall advise the governor, the
34 temporary president of the senate, the speaker of the assembly, the
35 minority leader of the senate [~~and~~], the minority leader of the assembly
36 and the division of criminal justice services within ninety days of the
37 issuance of a report by the law enforcement misconduct investigative
38 office as to the remedial action that the agency has taken in response
39 to any recommendation for such action contained in such report.

40 § 6. Subdivision 4 of section 837 of the executive law is amended by
41 adding a new paragraph (e-1) to read as follows:

42 (e-1) Collect demographic data with respect to persons appointed as a
43 police officer, including but not limited to racial and gender charac-
44 teristics; and

45 § 7. Subdivisions 1 and 5 of section 839 of the executive law, subdivi-
46 sion 1 as added by chapter 399 of the laws of 1972, subdivision 5 as
47 amended by chapter 459 of the laws of 1975 and such section as renum-
48 bered by chapter 603 of the laws of 1973, are amended to read as
49 follows:

50 1. There is hereby created within the division a municipal police
51 training council composed of [~~eight~~] ten members, who shall be selected
52 as follows:

53 (a) [~~three~~] one shall be appointed by the governor who shall be a
54 full-time faculty member of a college or university who teaches in the
55 area of criminal justice or police science;

1 (b) [~~two~~] one shall be appointed by the governor from a list of at
2 least [~~six~~] three nominees submitted by the New York state sheriffs'
3 association, who shall be incumbent sheriffs in the state having at
4 least two years of service on the law enforcement training committee of
5 such association or having other specialized experience in connection
6 with police training which, in the opinion of the chairman of such law
7 enforcement training committee, provides the sheriff with at least an
8 equivalent background in the field of police training; and

9 (c) [~~two~~] one shall be appointed by the governor from a list of at
10 least [~~six~~] three nominees submitted by the New York state association
11 of chiefs of police, who shall be incumbent chiefs of police or commis-
12 sioners of police of a municipality in the state having at least two
13 years of service on the police training committee of such association or
14 having other specialized experience in connection with police training
15 which, in the opinion of the chairman of such training committee,
16 provides the chief of police or commissioner of police with at least an
17 equivalent background in the field of police training; and

18 (d) one shall be the commissioner of police of the city of New York or
19 a member of his department, designated by such commissioner and approved
20 by the governor[~~-~~]; and

21 (e) one shall be the superintendent of the state police; and

22 (f) one shall be appointed by the governor who shall be an incumbent
23 chief of police or commissioner of police from a municipality in the
24 state with a police department consisting of more than one hundred offi-
25 cers; and

26 (g) one shall be appointed by the governor who shall be an incumbent
27 sheriff in the state from an agency with more than one hundred deputy
28 sheriffs; and

29 (h) one shall be appointed by the governor who shall be a represen-
30 tative of victims of crime; and

31 (i) one shall be appointed by the governor who shall be a represen-
32 tative from a community with high numbers of police and community inter-
33 actions; and

34 (j) one shall be appointed by the governor who shall be an incumbent
35 executive from a peace officer employing agency or municipality.

36 5. The council shall meet at least four times in each year. Special
37 meetings may be called by the chairman and shall be called by him at the
38 request of the governor or upon the written request of [~~five~~] six
39 members of the council. The council may establish its own requirements
40 as to quorum and its own procedures with respect to the conduct of its
41 meetings and other affairs; provided, however, that all recommendations
42 made by the council to the governor pursuant to subdivision one of
43 section eight hundred forty of this chapter shall require the affirma-
44 tive vote of [~~five~~] six members of the council.

45 § 8. Paragraph (h) of subdivision 1 of section 840 of the executive
46 law is REPEALED.

47 § 9. Subdivision 2 of section 840 of the executive law, as amended by
48 chapter 66 of the laws of 1973, is amended to read as follows:

49 2. The council shall promulgate, and may from time to time amend, such
50 rules and regulations prescribing height, weight [~~and~~], physical fitness
51 and psychological requirements for eligibility of persons for provi-
52 sional or permanent appointment in the competitive class of the civil
53 service as police officers of any county, city, town, village or police
54 district as it deems necessary and proper for the efficient performance
55 of police duties.

1 § 10. Section 840 of the executive law is amended by adding a new
2 subdivision 2-b to read as follows:

3 2-b. The council shall promulgate, and may from time to time amend,
4 such rules and regulations prescribing background investigations for
5 eligibility of persons for provisional or permanent appointment in the
6 competitive class of the civil service as police officers of any county,
7 city, town, village or police district as it deems necessary and proper
8 for the efficient performance of police duties, which requirements shall
9 be incorporated by the law enforcement accreditation council as part of
10 the mandatory accreditation pursuant to this chapter.

11 § 11. Subdivision 4 of section 845 of the executive law, as added by
12 chapter 491 of the laws of 2010, is amended to read as follows:

13 4. Upon the failure or refusal to comply with the requirements of
14 subdivision two of this section, [~~the commissioner may apply to the~~
15 ~~supreme court for an order directed to the person responsible requiring~~
16 ~~compliance. Upon such application the court may issue such order as may~~
17 ~~be just, and a failure to comply with the order of the court shall be a~~
18 ~~contempt of court and punishable as such] or upon information indicating
19 that a report made pursuant to subdivision two of this section does not
20 accurately reflect the circumstances pertaining to an officer who has
21 ceased to serve, the commissioner may update the central registry of
22 police and peace officers to accurately reflect the information required
23 by subdivision two of this section. The commissioner may consider reli-
24 able hearsay evidence in making a determination to update the central
25 registry of police and peace officers. An agency responsible for compli-
26 ance with subdivision two of this section or an individual affected by
27 such reporting, may apply to a court, pursuant to the provisions of
28 article seventy-eight of the civil practice law and rules, upon a
29 dispute concerning the accuracy of the information maintained on the
30 central registry of police and peace officers.~~

31 § 12. Paragraph (c) of subdivision 1 of section 846-h of the executive
32 law, as added by chapter 521 of the laws of 1988, is amended and new
33 paragraph (d) is added to read as follows:

34 (c) The council shall recommend rules and regulations establishing
35 [~~an~~] a voluntary accreditation process that encourages and provides law
36 enforcement agencies with a voluntary opportunity to demonstrate that
37 they meet the model standards developed by the council. The accredi-
38 tation process shall provide that applications for accreditation shall
39 be submitted by the chief law enforcement officer of the agency so
40 applying only upon the approval of the chief elected officer, or if
41 there is no chief elected officer, by the local governing body. Such
42 model standards and rules and regulations shall be transmitted to the
43 temporary president of the senate, the speaker of the assembly, every
44 law enforcement agency, mayor and appropriate town and county official
45 in the state on or before April first, nineteen hundred eighty-nine. The
46 rules and regulations in final form shall be transmitted to the governor
47 on or after June first, nineteen hundred eighty-nine and shall be effec-
48 tive following their approval by the governor. Accreditation of hiring
49 practices only shall, however, be mandatory for agencies employing
50 police officers defined in paragraphs (b), (c), (d), (e), (f), (j), (k),
51 (l), (o), (p), (s) and (u) of subdivision thirty-four of section 1.20 of
52 the criminal procedure law only after the council promulgates rules and
53 regulations solely for the purpose of ensuring hiring practices protect
54 the integrity of the department which may promulgate requirements
55 related to hiring, background checks, verification of good moral charac-
56 ter and the reporting of misconduct to the division.

1 (d) The council may revoke, or withhold the granting of, the accredi-
2 tation status of an agency for failure to adhere to mandatory accredi-
3 tation standards listed in paragraph (c) of this subdivision, or for any
4 agency that has voluntarily adopted additional accreditation standards,
5 such accreditation may be revoked as to such agency for such standards.

6 § 13. Subdivisions 2, 4 and 5 of section 846-h of the executive law,
7 as added by chapter 521 of the laws of 1988, are amended to read as
8 follows:

9 2. (a) The law enforcement agency accreditation council shall consist
10 of:

- 11 (i) [~~Three~~] Two incumbent sheriffs of the state;
12 (ii) [~~Three~~] Two incumbent chiefs of police;
13 (iii) One incumbent deputy sheriff;
14 (iv) One incumbent police officer;
15 (v) The superintendent of state police;
16 (vi) The commissioner of police of the city of New York;
17 (vii) One incumbent chief executive officer of a county of the state;
18 (viii) One incumbent mayor of a city or village of the state;
19 (ix) One incumbent chief executive officer of a town of the state;
20 (x) One member of a statewide labor organization representing police
21 officers as that term is defined in subdivision thirty-four of section
22 1.20 of the criminal procedure law;
23 (xi) One full-time faculty member of a college or university who
24 teaches in the area of criminal justice or police science; [~~and~~]
25 (xii) Two members appointed pursuant to subparagraph (ix) of paragraph
26 (c) of this subdivision.
27 (xiii) One incumbent chief of police or commissioner of police from a
28 municipality in the state with a police department consisting of more
29 than one hundred officers;
30 (xiv) One incumbent sheriff in the state from an agency with more than
31 one hundred deputy sheriffs;
32 (xv) One representative of victims of crime; and
33 (xvi) One representative from a community with high numbers of police
34 an community interactions.

35 (b) With the exception of the superintendent of state police and the
36 commissioner of police of the city of New York, each member of the coun-
37 cil shall be appointed by the governor to serve a [~~two-year~~] two-year
38 term. Any member appointed by the governor may be reappointed for addi-
39 tional terms.

40 (c) The governor shall make appointments to the council as follows:

- 41 (i) Each member who is an incumbent sheriff of the state shall be
42 chosen from a list of two eligible persons submitted by the New York
43 state sheriffs' association;
44 (ii) Each member who is an incumbent chief of police shall be chosen
45 from a list of two eligible persons submitted by the New York state
46 association of chiefs of police;
47 (iii) The member who is an incumbent deputy sheriff shall be chosen
48 from a list of two eligible persons submitted jointly by the New York
49 state sheriffs' association and the New York state deputy sheriffs'
50 association, inc.;
51 (iv) The member who is an incumbent police officer shall be chosen
52 from a list of two eligible persons submitted jointly by the New York
53 state association of chiefs of police and a statewide labor organization
54 representing police officers as that term is defined in subdivision
55 thirty-four of section 1.20 of the criminal procedure law;

1 (v) The member who is an incumbent chief executive officer of a county
2 of the state shall be chosen from a list of two eligible persons submit-
3 ted by the New York state association of counties;

4 (vi) The member who is an incumbent mayor of a city or village of the
5 state shall be chosen from a list of two eligible persons submitted by
6 the New York state conference of mayors;

7 (vii) The member who is an incumbent chief executive officer of a town
8 of the state shall be chosen from a list of two eligible persons submit-
9 ted by the association of towns of the state of New York;

10 (viii) The governor may appoint any eligible person to be a member who
11 is an active member of a statewide labor organization representing
12 police officers; and

13 (ix) The temporary president of the senate and the speaker of the
14 assembly shall each nominate one member as provided in subparagraph
15 (xii) of paragraph (a) of this subdivision.

16 (d) In making such appointments, the governor shall select individuals
17 from municipalities that are representative, to the extent possible, of
18 the varying sizes of communities and law enforcement agencies in the
19 state.

20 (e) Any member chosen to fill a vacancy, including a vacancy in the
21 chairperson, created otherwise than by expiration of term shall be
22 appointed by the governor for the unexpired term of the member he is to
23 succeed. Any such vacancy shall be filled in the same manner as the
24 original appointment.

25 (f) Any member who shall cease to hold the position which qualified
26 him for such appointment shall cease to be a member of the council.

27 4. The governor shall designate from among the members of the council
28 a chairperson who shall serve at the pleasure of the governor. During a
29 vacancy of the chairperson the commissioner of the division of criminal
30 justice services shall serve as the temporary chairperson.

31 5. The law enforcement agency accreditation council shall meet at
32 least four times in a year. Special meetings may be called by the chair-
33 person and shall be called by him at the request of the governor or upon
34 the written request of [~~nine~~] ten members of the council. The council
35 may establish its own quorum rules and procedures with respect to the
36 conduct of its meetings and other affairs not inconsistent with law;
37 provided, however, that all recommendations made by the council to the
38 governor as provided in paragraph (c) of subdivision one of this section
39 shall require the affirmative vote of ten members of the council.

40 § 14. Paragraphs (b), (c), (d), (e), (f), (j), (k), (l), (o), (p), (s)
41 and (u) of subdivision 34 of section 1.20 of the criminal procedure law,
42 paragraph (e) as amended by chapter 662 of the laws of 1972, paragraph
43 (f) as amended by chapter 22 of the laws of 1974, paragraph (j) as
44 amended by chapter 858 of the laws of 1972, paragraph (k) as separately
45 amended by chapters 282 and 877 of the laws of 1974, paragraph (l) as
46 added by chapter 282 of the laws of 1974, paragraph (o) as amended by
47 chapter 599 of the laws of 2000, paragraph (p) as amended by chapter 476
48 of the laws of 2018, paragraph (s) as added by chapter 424 of the laws
49 of 1998 and paragraph (u) as added by chapter 558 of the laws of 2005,
50 are amended to read as follows:

51 (b) Sheriffs, under-sheriffs and deputy sheriffs of counties outside
52 of New York City where such department meets the mandatory accreditation
53 requirements pursuant to section eight hundred forty-six-h of the execu-
54 tive law;

55 (c) A sworn officer of an authorized county or county parkway police
56 department where such department meets the mandatory accreditation

1 requirements pursuant to section eight hundred forty-six-h of the execu-
2 tive law;

3 (d) A sworn officer of an authorized police department or force of a
4 city, town, village or police district where such department or force
5 meets the mandatory accreditation requirements pursuant to section eight
6 hundred forty-six-h of the executive law;

7 (e) A sworn officer of an authorized police department of an authority
8 or a sworn officer of the state regional park police in the office of
9 parks and recreation where such department or force meets the mandatory
10 accreditation requirements pursuant to section eight hundred forty-six-h
11 of the executive law;

12 (f) A sworn officer of the capital police force of the office of
13 general services where such force meets the mandatory accreditation
14 requirements pursuant to section eight hundred forty-six-h of the execu-
15 tive law;

16 (j) A sworn officer of the division of law enforcement in the depart-
17 ment of environmental conservation where such division meets the manda-
18 tory accreditation requirements pursuant to section eight hundred
19 forty-six-h of the executive law;

20 (k) A sworn officer of a police force of a public authority created by
21 an interstate compact where such force meets the mandatory accreditation
22 requirements pursuant to section eight hundred forty-six-h of the execu-
23 tive law;

24 (l) Long Island railroad police[+] where such department or force
25 meets the mandatory accreditation requirements pursuant to section eight
26 hundred forty-six-h of the executive law;

27 (o) A sworn officer of the water-supply police employed by the city of
28 New York, appointed to protect the sources, works, and transmission of
29 water supplied to the city of New York, and to protect persons on or in
30 the vicinity of such water sources, works, and transmission[+] where
31 such department or force meets the mandatory accreditation requirements
32 pursuant to section eight hundred forty-six-h of the executive law;

33 (p) Persons appointed as railroad police officers pursuant to section
34 eighty-eight of the railroad law[+] where such department or force meets
35 the mandatory accreditation requirements pursuant to section eight
36 hundred forty-six-h of the executive law;

37 (s) A university police officer appointed by the state university
38 pursuant to paragraph 1 of subdivision two of section three hundred
39 fifty-five of the education law[+] where such department or force meets
40 the mandatory accreditation requirements pursuant to section eight
41 hundred forty-six-h of the executive law;

42 (u) Persons appointed as Indian police officers pursuant to section
43 one hundred fourteen of the Indian law[+] where such department or force
44 meets the mandatory accreditation requirements pursuant to section eight
45 hundred forty-six-h of the executive law;

46 § 15. The opening paragraph of paragraph (b) and paragraph (c) of
47 subdivision 1 and paragraph a of subdivision 2 of section 209-q of the
48 general municipal law, the opening paragraph of paragraph (b) and para-
49 graph (c) of subdivision 1 as amended by chapter 551 of the laws of 2001
50 and paragraph a of subdivision 2 as amended by chapter 435 of the laws
51 of 1997, are amended to read as follows:

52 [A] Unless otherwise determined by the commissioner of the division of
53 criminal justice services, a certificate attesting to satisfactory
54 completion of an approved municipal police basic training program
55 awarded by the executive director of the municipal police training coun-
56 cil pursuant to this subdivision shall remain valid:

1 (c) As used in this subdivision, the term "interruption" shall mean a
2 period of separation from employment as a police officer or peace offi-
3 cer who has an equivalency certificate for police officer training or an
4 approved course for state university of New York public safety officers
5 issued in accordance with subdivision three of section eight hundred
6 forty-one of the executive law, by reason of such officer's leave of
7 absence, resignation or removal, other than removal for cause where the
8 certificate is permanently invalid.

9 a. The term "police officer", as used in this section, shall mean a
10 [~~member of a police force or other organization of a municipality or a~~
11 ~~detective or rackets investigator employed by the office of the district~~
12 ~~attorney in any county located in a city of one million or more persons~~
13 ~~who is responsible for the prevention or detection of crime and the~~
14 ~~enforcement of the general criminal laws of the state, but shall not~~
15 ~~include any person serving as such solely by virtue of his occupying any~~
16 ~~other office or position, nor shall such term include a sheriff or~~
17 ~~under sheriff, the sheriff or deputy sheriff of the city of New York,~~
18 ~~commissioner of police, deputy or assistant commissioner of police,~~
19 ~~chief of police, deputy or assistant chief of police or any person~~
20 ~~having an equivalent title who is appointed or employed by a county,~~
21 ~~city, town, village or police district to exercise equivalent superviso-~~
22 ~~ry authority] person defined as a police officer pursuant to subdivision
23 thirty-four of section 1.20 of the criminal procedure law who is
24 appointed or employed by a county, city, town, village or police
25 district.~~

26 § 16. Paragraph (a-1) of subdivision 4 of section 1279 of the public
27 authorities law, as added by chapter 104 of the laws of 2020, is amended
28 to read as follows:

29 (a-1) to receive and investigate complaints from any source, or upon
30 his or her own initiative, concerning allegations of corruption, fraud,
31 use of excessive force, criminal activity, conflicts of interest or
32 abuse by any police officer under the jurisdiction of the office of the
33 metropolitan transportation authority and promptly inform the division
34 of criminal justice services, in the form and manner as prescribed by
35 the division, of such allegations and the progress of investigations
36 related thereto. Nothing in this paragraph shall require the division of
37 criminal justice services to take action or prevent the division of
38 criminal justice services from taking action authorized pursuant to
39 subdivision four of section eight hundred forty-five of the executive
40 law in the time and manner determined by the commissioner of the divi-
41 sion of criminal justice services.

42 § 17. Paragraphs (c) and (d) of subdivision 1 of section 58 of the
43 civil service law, as amended by chapter 244 of the laws of 2013, are
44 amended to read as follows:

45 (c) he or she satisfies the height, weight [~~and~~], physical and psycho-
46 logical fitness requirements prescribed by the municipal police training
47 council pursuant to the provisions of section eight hundred forty of the
48 executive law; and

49 (d) he or she is of good moral character as determined by a background
50 investigation standard promulgated by the municipal police training
51 council pursuant to the provisions of section eight hundred forty of the
52 executive law or pursuant to the mandatory accreditation standards
53 pursuant to section eight hundred forty-six-h of the executive law.

54 § 18. Subdivision 5 of section 58 of the civil service law is REPEALED
55 and subdivision 6 is renumbered subdivision 5.

1 § 19. This act shall take effect on the one hundred eightieth day
2 after it shall have become a law; provided however the amendments to
3 paragraph (c) of subdivision 1 of section 846-h of the executive law
4 made by section twelve of this act and the amendments to subdivision 34
5 of section 1.20 of the criminal procedure law made by section fourteen
6 of this act pertaining to the required accreditation of police agencies
7 shall take effect three years after such effective date; and provided
8 further that if chapter 104 of the laws of 2020 shall not have taken
9 effect on or before such date then sections three, four, five and
10 sixteen of this act shall take effect on the same date and in the same
11 manner as such chapter of the laws of 2020, takes effect.

12

PART L

13 Section 1. Section 63 of the executive law is amended by adding a new
14 subdivision 17 to read as follows:

15 17. (a) Any local government entity which has a police agency operat-
16 ing with police officers as defined under section 1.20 of the criminal
17 procedure law that fails to transmit to the director of the division of
18 the budget the certification required by executive order number two
19 hundred three issued on June twelfth, two thousand twenty and titled
20 "New York State Police Reform and Reinvention Collaborative" on or
21 before April first, two thousand twenty-one shall, upon request of the
22 governor or the director of the division of the budget, be required to
23 install a monitor, to oversee operations of such police agency, until
24 such time that the required certification is submitted to the director
25 of the division of the budget. Such monitor shall be appointed by the
26 attorney general, in consultation with the governor, at the expense of
27 the police agency or responsible local government. The certification
28 filed with the director of the division of the budget must affirm that
29 such local government has complied with the process set forth in execu-
30 tive order number two hundred three by adopting a local law or resol-
31 ution that includes its plan to adopt and implement the recommendations
32 resulting from its review and consultation with the community to improve
33 such police force deployments, strategies, policies, procedures, and
34 practices for the purposes of addressing the particular needs of the
35 communities served by such police agency and promote community engage-
36 ment to foster trust, fairness, and legitimacy, and to address any
37 racial bias and disproportionate policing of communities of color.

38 (b) The appointment of a monitor, pursuant to paragraph (a) of this
39 subdivision, shall be imposed in addition to any withholding of appro-
40 priated state or federal funds by the director of the division of the
41 budget in accordance with the authority granted in any appropriations
42 bill enacted for such fiscal years in which such withholding of funds
43 occurs, as directed by executive order number two hundred three.

44 § 2. This act shall take effect immediately.

45

PART M

46 Section 1. Notwithstanding the provisions of sections 79-a and 79-b of
47 the correction law, the governor is authorized to close correctional
48 facilities of the department of corrections and community supervision,
49 as he determines to be necessary for the cost-effective and efficient
50 operation of the correctional system, provided that the governor
51 provides at least 90 days' notice prior to any such closures to the
52 temporary president of the senate and the speaker of the assembly.

1 § 2. This act shall take effect immediately and shall be deemed to
2 have been in full force and effect on and after April 1, 2021 and shall
3 expire and be deemed repealed March 31, 2023.

4 PART N

5 Section 1. Section 265.17 of the penal law, as amended by chapter 1
6 of the laws of 2013, is amended to read as follows:

7 § 265.17 Criminal purchase or disposal of a weapon.

8 A person is guilty of criminal purchase or disposal of a weapon when:

9 1. Knowing that he or she is prohibited by law from possessing a
10 firearm, rifle or shotgun because of a prior conviction or because of
11 some other disability which would render him or her ineligible to
12 lawfully possess a firearm, rifle or shotgun in this state, or he or she
13 being the subject of an outstanding warrant of arrest issued upon the
14 alleged commission of a felony or serious offense, such person purchases
15 or otherwise acquires a firearm, rifle or shotgun from another person;
16 or

17 2. Knowing that it would be unlawful for another person to possess a
18 firearm, rifle or shotgun, or knowing that another person is the subject
19 of an outstanding warrant of arrest issued upon the alleged commission
20 of a felony or serious offense, he or she purchases or otherwise
21 acquires a firearm, rifle or shotgun for, on behalf of, or for the use
22 of such other person; or

23 3. Knowing that another person is prohibited by law from possessing a
24 firearm, rifle or shotgun because of a prior conviction or because of
25 some other disability which would render him or her ineligible to
26 lawfully possess a firearm, rifle or shotgun in this state, or knowing
27 that another person is the subject of an outstanding warrant of arrest
28 issued upon the alleged commission of a felony or serious offense, a
29 person disposes of a firearm, rifle or shotgun to such other person.

30 Criminal purchase or disposal of a weapon is a class D felony.

31 § 2. This act shall take effect July 1, 2021.

32 PART O

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

36 4. The superintendent of the division of state police shall establish
37 and maintain within the division a criminal gun clearinghouse as a
38 central repository of information regarding all guns seized, forfeited,
39 found or otherwise coming into the possession of any state or local law
40 enforcement agency which are believed to have been used in the commis-
41 sion of a crime. The superintendent of the division of state police
42 shall adopt and promulgate regulations prescribing reporting procedures
43 for such state or local law enforcement agencies, including the form for
44 reporting such information. In addition to any other information which
45 the superintendent of the division of state police may require, the form
46 shall require (a) the serial number or other identifying information on
47 the gun, if available and (b) a brief description of the circumstances
48 under which the gun came into the possession of the law enforcement
49 agency, including the crime which was or may have been committed with
50 the gun. Whenever a state or local law enforcement agency seizes or
51 recovers a gun that was unlawfully possessed, recovered from a crime
52 scene, or is reasonably believed to have been used in or associated with

1 the commission of a crime, or is otherwise recovered by such agency as
2 an abandoned or discarded gun, such agency shall report such seized or
3 recovered gun to the criminal gun clearinghouse as soon as practicable,
4 but in no case more than twenty-four hours after such agency has taken
5 possession of such gun. Every report made to the criminal gun clearing-
6 house shall result in the submission of a request to the national trac-
7 ing center of the bureau of alcohol, tobacco, firearms and explosives to
8 initiate a trace of such gun and the bureau of alcohol, tobacco,
9 firearms and explosives shall be directed to provide the gun trace
10 results to the superintendent of the division of state police and to the
11 law enforcement agency that submitted the clearinghouse report.

12 ~~5. [In any case where a state or local law enforcement agency investi-~~
13 ~~gates the commission of a crime in this state and a specific gun is~~
14 ~~known to have been used in such crime, such agency shall submit a~~
15 ~~request to the national tracing center of the United States Department~~
16 ~~of Treasury, bureau of alcohol, tobacco and firearms to trace the move-~~
17 ~~ment of such gun and such federal agency shall be requested to provide~~
18 ~~the superintendent of the division of state police and the local law~~
19 ~~enforcement agency with the results of such a trace. This subdivision~~
20 ~~shall not apply where the source of a gun is already known to a local~~
21 ~~law enforcement agency.]~~

22 All state and local law enforcement agencies
23 shall participate in the bureau of alcohol, tobacco, firearms and
24 explosives collective data sharing program for the purpose of sharing
25 gun trace data among all law enforcement agencies in the state on a
26 reciprocal basis.

27 6. (a) Whenever a state or local law enforcement agency seizes or
28 recovers a gun that was unlawfully possessed, recovered from the scene
29 of a crime, or is reasonably believed to have been used in or associ-
30 ated with the commission of a crime, or is otherwise recovered by such
31 agency as an abandoned or discarded gun, such agency shall arrange for
32 every such gun that is determined to be of a type that is eligible for
33 national integrated ballistic information network data entry and corre-
34 lation to be test-fired as soon as practicable, and the results of such
35 test-firing shall be submitted forthwith to the national integrated
36 ballistic information network to determine whether such gun is associ-
37 ated or related to a crime, criminal event, or any individual associated
38 or related to a crime or criminal event or reasonably believed to be
39 associated or related to a crime or criminal event.

40 (b) Whenever a state or local law enforcement agency seizes or recov-
41 ers any ammunition cartridge case from the scene of a crime that is of a
42 type that is eligible for national integrated ballistic information
43 network data entry and correlation, or otherwise has reason to believe
44 that any seized or recovered ammunition cartridge case that is of a type
45 that is eligible for national integrated ballistic information network
46 data entry and correlation is related to or associated with the commis-
47 sion of a crime or the unlawful discharge of a gun, such agency shall,
48 as soon as practicable, arrange for the ballistics information to be
49 submitted to the national integrated ballistic information network.

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

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

56 § 2. This act shall take effect July 1, 2021.

57 PART P

1 Section 1. Section 5 of chapter 268 of the laws of 1996, amending the
2 education law and the state finance law relating to providing a recruit-
3 ment incentive and retention program for certain active members of the
4 New York army national guard, New York air national guard, and New York
5 naval militia, as amended by section 1 of part E of chapter 57 of the
6 laws of 2016, is amended to read as follows:

7 § 5. This act shall take effect January 1, 1997 and shall expire and
8 be deemed repealed September 1, [~~2021~~] 2026; provided that any person
9 who has begun to receive the benefits of this act prior to its expira-
10 tion and repeal shall be entitled to continue to receive the benefits of
11 this act after its expiration and repeal until completion of a baccalau-
12 reate degree or cessation of status as an active member, whichever
13 occurs first.

14 § 2. This act shall take effect immediately.

15 PART Q

16 Section 1. Paragraph (d) of subdivision 2 of section 8-400 of the
17 election law, as separately amended by chapters 97 and 104 of the laws
18 of 2010, is amended to read as follows:

19 (d) The board of elections shall mail an absentee ballot to every
20 qualified voter otherwise eligible for such a ballot, who requests such
21 an absentee ballot from such board of elections in writing in a letter,
22 telefax indicating the address, phone number and the telefax number from
23 which the writing is sent or other written instrument, which is signed
24 by the voter and received by the board of elections not earlier than the
25 [~~thirtieth~~] forty-fifth day nor later than the seventh day before the
26 election for which the ballot is first requested and which states the
27 address where the voter is registered and the address to which the
28 ballot is to be mailed; provided, however, a military voter may request
29 a military ballot or voter registration application or an absentee
30 ballot application in a letter as provided in subdivision three of
31 section 10-106 of this chapter; and provided further, a special federal
32 voter may request a special federal ballot or voter registration appli-
33 cation or an absentee ballot application in a letter as provided in
34 paragraph d of subdivision one of section 11-202 of this chapter. The
35 board of elections shall enclose with such ballot a form of application
36 for absentee ballot if the applicant is registered with such board of
37 elections.

38 § 2. This act shall take effect immediately.

39 PART R

40 Section 1. Section 8-406 of the election law, as amended by chapter
41 296 of the laws of 1988, is amended to read as follows:

42 § 8-406. Absentee ballots, delivery of. If the board shall find that
43 the applicant is a qualified voter of the election district containing
44 [~~his~~] the applicant's residence as stated in [~~his~~] the applicant's
45 statement and that [~~his~~] the applicant's statement is sufficient, it
46 shall, as soon as practicable after it shall have determined [~~his~~] the
47 applicant's right thereto, and within four business days of receiving
48 the application, or, where the application was received between the
49 tenth day and not later than the seventh day before the election, within
50 twenty-four hours, mail to [~~him~~] the applicant at an address designated
51 by [~~him~~] the applicant, or deliver to [~~him~~] the applicant, or to any
52 person designated for such purpose in writing by [~~him~~] the applicant, at

1 the office of the board, such an absentee voter's ballot or set of
 2 ballots and an envelope therefor. If the ballot or ballots are to be
 3 sent outside of the United States to a country other than Canada or
 4 Mexico, such ballot or ballots shall be sent by air mail. However, if an
 5 applicant who is eligible for an absentee ballot is a resident of a
 6 facility operated or licensed by, or under the jurisdiction of, the
 7 department of mental hygiene, or a resident of a facility defined as a
 8 nursing home or residential health care facility pursuant to subdivi-
 9 sions two and three of section two thousand eight hundred one of the
 10 public health law, or a resident of a hospital or other facility oper-
 11 ated by the Veteran's Administration of the United States, such absentee
 12 ballot need not be so mailed or delivered to any such applicant but, may
 13 be delivered to the voter in the manner prescribed by section 8-407 of
 14 this ~~chapter~~ title if such facility is located in the county or city
 15 in which such voter is eligible to vote.

16 § 2. This act shall take effect immediately.

17 PART S

18 Section 1. Paragraphs (a), (b) and (c) of subdivision 4 of section
 19 8-600 of the election law, as added by chapter 6 of the laws of 2019,
 20 are amended to read as follows:

21 (a) Polls shall be open for early voting for at least eight hours
 22 between seven o'clock in the morning and ~~eight~~ nine o'clock in the
 23 evening each week day during the early voting period.

24 (b) At least one polling place for early voting shall remain open
 25 until ~~eight~~ nine o'clock in the evening on at least ~~two~~ three week
 26 days in each calendar week during the early voting period. If polling
 27 places for early voting are limited to voters from certain areas pursu-
 28 ant to subdivision three of this section, polling places that remain
 29 open until ~~eight~~ nine o'clock shall be designated such that any person
 30 entitled to vote early may vote until ~~eight~~ nine o'clock in the even-
 31 ing on at least ~~two~~ three week days during the early voting period.

32 (c) Polls shall be open for early voting for at least ~~five~~ ten hours
 33 between nine o'clock in the morning and ~~six~~ nine o'clock in the even-
 34 ing on each Saturday, Sunday and legal holiday during the early voting
 35 period.

36 § 2. This act shall take effect immediately.

37 PART T

38 Section 1. Subdivision 1 of section 9-209 of the election law, as
 39 amended by chapter 104 of the laws of 2010, is amended to read as
 40 follows:

41 1. (a) The board of elections shall designate itself or such of its
 42 employees as it shall deem appropriate as a set of poll clerks to exam-
 43 ine, cast and canvass such ballots, and fix a time and place for their
 44 meeting for such ~~[purpose, provided that such meeting shall be no more~~
 45 ~~than fourteen days after a general or special election and no more than~~
 46 ~~eight days after a primary election at which such ballots are voted.]~~
 47 purposes. Starting forty days prior to the day of the election, such
 48 poll clerks shall examine and determine the validity of absentee ballot
 49 envelopes as they are received by the board of elections. Such examina-
 50 tion shall occur every business day prior to the day of the election,
 51 or, upon bipartisan agreement, on such other schedule as determined by

1 the board, provided that the board post when such examinations shall
2 occur on its website.

3 (b) Beginning four hours before the close of polls on the election
4 day, board of elections employees shall begin to prepare and canvass
5 valid absentee ballots received prior to such date for canvassing by
6 hand or central scanner. Such preparation shall include, but not be
7 limited to, reviewing the voter history record for each voter who
8 submitted an absentee ballot to reflect any instance of early voting by
9 such voters, opening absentee ballot affirmation envelopes, removing
10 ballots from absentee ballot affirmation envelopes, stacking absentee
11 ballots, and inserting ballots into a central scanner or other vote
12 counting device. Any ballots prepared and canvassed during this period
13 shall be secured in the same manner as voted ballots cast during early
14 voting or on election day. All absentee ballots not set aside to be
15 cured by the voter pursuant to this section and received prior to
16 election day shall be canvassed on election day.

17 (c) No unofficial tabulations of election results shall be printed or
18 viewed in any manner until after the close of polls on election day at
19 which time such tabulations shall be added into the election night
20 canvass totals.

21 (d) Board of elections employees shall follow all relevant provisions
22 of this article for canvassing, processing, recording, and announcing
23 results of voting and securing ballots, scanners, and other election
24 materials. Such canvass may occur at the offices of the board of
25 elections, or such other location designated by the board of elections.

26 (e) In canvassing such ballots, the board shall take all measures
27 necessary to ensure the privacy of voters and non-public release of
28 election results prior to the close of polls on election day.

29 (f) The board may designate additional sets of poll clerks and if it
30 designates more than one such set shall apportion among all such sets
31 the election districts from which such ballots have been received,
32 provided that all such ballots from a single election district shall be
33 assigned to a single set of clerks, and that each such set shall be
34 divided equally between representatives of the two major political
35 parties. Each such set of clerks shall be deemed a central board of
36 inspectors for purposes of this section.

37 [~~(b)~~] (g) At least five days prior to the time fixed for [~~such~~] a
38 meeting to examine or cast and canvass absentee ballots subsequent to
39 the day of the election, the board shall send notice by first class mail
40 to each candidate, political party, and independent body entitled to
41 have had watchers present at the polls in any election district in the
42 board's jurisdiction. Such notice shall state the time and place fixed
43 by the board for such canvass.

44 [~~(a)~~] (h) Each such candidate, political party, and independent body
45 shall be entitled to appoint such number of watchers to attend upon each
46 central board of inspectors as such candidate, political party, or inde-
47 pendent body was entitled to appoint at such election in any one
48 election district for which such central board of inspectors is desig-
49 nated to act.

50 § 2. Section 9-209 of the election law is amended by adding three new
51 subdivisions 4, 5 and 6 to read as follows:

52 4. If the board of elections manually canvasses ballots, it shall
53 review the ballot to determine its validity consistent with section
54 9-112 of this article. In cases where the express intent of the voter
55 is unambiguous, any stray marks or writing shall not be a basis for
56 voiding an absentee ballot. If the absentee ballots are tabulated by an

1 optical scan voting system, then a review of the absentee ballot shall
2 not occur.

3 5. If an affidavit ballot was cast by a voter on the day of election
4 and it is determined he or she also submitted an absentee ballot, such
5 affidavit shall be left aside, unopened.

6 6. The state board of elections shall promulgate rules or regulations
7 necessary for the implementation of these provisions including, but not
8 be limited to, (i) ensuring that voters who submitted an absentee ballot
9 and thereafter voted in person during the early voting period do not
10 have their absentee ballot canvassed in the election; (ii) ballots shall
11 be subject to the requirements of voter privacy; and (iii) any individ-
12 ual who has previously requested an absentee ballot shall be required to
13 vote on an affidavit ballot to ensure that duplicate votes are not
14 recorded.

15 § 3. Clause (A) of subparagraph (i) of paragraph (a) of subdivision 2
16 of section 9-209 of the election law, as amended by chapter 308 of the
17 laws of 2011, is amended to read as follows:

18 (A) If a person whose name is on an envelope as a voter has already
19 voted in person at such election, or if his or her name and residence as
20 stated on the envelope are not on a registration poll record, or the
21 computer generated list of registered voters or the list of special
22 presidential voters, or if there is no name on the envelope, or if the
23 envelope is not sealed, such envelope shall be laid aside unopened;
24 provided, however, that if the envelope is not sealed, such voter shall
25 receive notice pursuant to paragraph (a) of subdivision three of this
26 section.

27 § 4. Paragraph c of subdivision 3 of section 5-506 of the election
28 law, as amended by section 6 of part XX of chapter 55 of the laws of
29 2019, is amended to read as follows:

30 c. The computer generated registration list prepared for each election
31 in each election district shall be prepared in a manner which meets or
32 exceeds standards for clarity and speed of production established by the
33 state board of elections, shall be in a form approved by such board,
34 shall include the names of all voters eligible to vote in such election
35 and shall be in alphabetical order, except that, at a primary election,
36 the names of the voters enrolled in each political party may be placed
37 in a separate part of the list or in a separate list, as the board of
38 elections in its discretion, may determine. Such list shall contain,
39 adjacent to each voter's name, or in a space so designated, at least the
40 following: street address, date of birth, party enrollment, year of
41 registration, a computer reproduced facsimile of the voter's signature
42 or an indication that the voter is unable to sign his or her name, a
43 place for the voter to sign his or her name at such election and a place
44 for the inspectors to mark the voting machine number, the public counter
45 number if any, or the number of any paper ballots given the voter. Such
46 list shall also include a notation indicating if such voter was provided
47 an absentee ballot for the applicable election. The format for such
48 notation shall be promulgated by the state board of elections and used
49 uniformly in computer generated registration lists.

50 § 5. Subdivision 1 of section 4-128 of the election law, as amended by
51 section 2 of part XX of chapter 55 of the laws of 2019, is amended to
52 read as follows:

53 1. The board of elections of each county shall provide the requisite
54 number of official and facsimile ballots, two cards of instruction to
55 voters in the form prescribed by the state board of elections, at least
56 one copy of the instruction booklet for inspectors, a sufficient number

1 of maps, street finders or other descriptions of all of the polling
2 places and election districts within the political subdivision in which
3 the polling place is located to enable the election inspectors and poll
4 clerks to determine the correct election district and polling place for
5 each street address within the political subdivision in which the poll-
6 ing place is located, distance markers, tally sheets and return blanks,
7 pens, pencils, or other appropriate marking devices, envelopes for the
8 ballots of voters whose registration poll records are not in the ledger
9 or whose names are not in the computer generated registration list,
10 envelopes for the absentee ballots of voters who have elected to vote by
11 machine to be voided, envelopes for returns, identification buttons,
12 badges or emblems for the inspectors and clerks in the form prescribed
13 by the state board of elections and such other articles of stationery as
14 may be necessary for the proper conduct of elections, except that when a
15 town, city or village holds an election not conducted by the board of
16 elections, the clerk of such town, city or village, shall provide such
17 official and facsimile ballots and the necessary blanks, supplies and
18 stationery for such election.

19 § 6. Section 8-302 of the election law is amended by adding two new
20 subdivisions 2-b and 3-d to read as follows:

21 2-b. If on election day or during early voting a voter's name appears
22 in the ledger or computer generated registration list with a notation
23 indicating that the voter was provided an absentee ballot, such voter
24 shall be permitted to cast his or her vote on the voting machine if the
25 voter surrenders his or her absentee ballot and affirmation oath envel-
26 ope to the inspector and such absentee ballot is marked "VOTED IN
27 PERSON" and placed by the inspector in an envelope designated for this
28 purpose.

29 3-d. If on election day or during early voting a voter's name appears
30 in the ledger or computer generated registration list with a notation
31 indicating that the voter was provided an absentee ballot and such voter
32 is unable to surrender his or her ballot and affirmation oath envelope
33 pursuant to subdivision two-b of this section, such voter shall only be
34 entitled to vote by affidavit ballot.

35 § 7. Section 16-106 of the election law is amended by adding a new
36 subdivision 4-a to read as follows:

37 4-a. In order to obtain any order for temporary or preliminary injunc-
38 tive relief or an impound order halting or altering the canvassing of
39 absentee or affidavit ballots as provided for in section 9-209 of this
40 chapter, in addition to the criteria in article sixty-three of the civil
41 practice law and rules, the petitioner must show, by clear and convinc-
42 ing evidence, that, because of procedural irregularities or other facts
43 arising during the election, the petitioner will be irreparably harmed
44 absent such relief. For purposes of this section, allegations that
45 opinion polls or testimonial evidence that an election will be within
46 the margin of the recount as specified in paragraph (a) of subdivision
47 four of section 9-208 of this chapter are insufficient to show irrepara-
48 ble harm to a petitioner by clear and convincing evidence.

49 § 8. Subdivision 20 of section 17-130 of the election law is amended
50 to read as follows:

51 20. Intentionally opens an absentee voter's envelope or examines the
52 contents thereof after the receipt of the envelope by the board of
53 elections and before the close of the polls at the election except as
54 provided for in section 9-209 of this chapter; or,

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

1

PART U

2 Section 1. Paragraphs (a), (b) and (c) of subdivision 4 of section
3 9-208 of the election law, as added by section 1 of part JJ of chapter
4 55 of the laws of 2020, are amended to read as follows:

5 (a) [~~The~~] Based on the results of the canvass three days following the
6 deadline for receipt of absentee ballots, the board of elections or a
7 bipartisan committee appointed by the board shall conduct a full manual
8 recount of all ballots for a particular contest:

9 i. Where the margin of victory is twenty votes or less; or

10 ii. Where the margin of victory is 0.5% or less; or

11 iii. In a contest where one million or more ballots have been cast and
12 the margin of victory is less than 5,000 votes.

13 (b) For the purposes of this section, the term margin of victory shall
14 mean the margin between all votes cast in the entire contest [~~following~~
15 ~~the recanvass of votes~~] based on the current results of the canvass
16 three days following the deadline for receipt of absentee ballots.

17 (c) Where the contest involves portions of two or more counties, the
18 margin of victory shall be determined by the state board of elections
19 based on the [~~most recent recanvass results~~] current results of the
20 canvass three days following the deadline for the receipt of absentee
21 ballots for the contest submitted by the boards of elections of the
22 counties involved.

23 § 2. Subdivision 4 of section 9-208 of the election law is amended by
24 adding a new paragraph (e) to read as follows:

25 (e) Any manual recount shall begin by two days after the date required
26 by law and be completed within five days.

27 § 3. This act shall take effect immediately.

28

PART V

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

31 1-a. a. The purposes of the state insurance fund are hereby enlarged
32 to permit it to enter agreements with insurers licensed to write work-
33 ers' compensation insurance in states outside New York to issue policies
34 to state insurance fund policyholders covering those policyholders'
35 obligations to secure the payment of workers' compensation benefits
36 under the laws of states other than New York. The state insurance fund
37 shall also be authorized to receive premiums into its workers' compen-
38 sation fund for policies written under such agreements and to pay from
39 such fund: (i) reimbursement of all losses and loss adjustment expenses
40 under such policies; and (ii) fees and other costs, including but not
41 limited to those for claims services, relating to such agreements. An
42 agreement under this subdivision shall not include the provision of
43 claims services for any claim under this chapter.

44 b. For a policyholder to be eligible for insurance in states other
45 than New York provided through agreements entered into under this subdi-
46 vision, either: (i) the policyholder's workers' compensation premiums
47 with the state insurance fund covering its employees under this chapter
48 must be greater than the premiums charged to cover the policyholder's
49 obligations to pay workers' compensation benefits in all states, in the
50 aggregate, other than New York when covered under such agreements; or
51 (ii) the payroll for the policyholder's operations in New York must be
52 greater than the policyholder's payroll in all states, in the aggregate,
53 other than New York when covered under such agreements for the prior

1 policy period. For determining eligibility, "premiums" mean estimated
2 premiums as determined by the state insurance fund at the beginning of
3 the policy period. In addition, for a policyholder to be eligible for
4 insurance in states other than New York through the state insurance
5 fund, the policyholder must meet the state insurance fund's underwriting
6 criteria for other states coverage as specified by rules of the commis-
7 sioners.

8 § 2. This act shall take effect immediately.

9 PART W

10 Section 1. The section heading and subdivisions 1, 2, 3 and 7 of
11 section 87 of the workers' compensation law, the section heading and
12 subdivision 1 as amended and subdivisions 2, 3 and 7 as added by section
13 20 of part GG of chapter 57 of the laws of 2013, are amended to read as
14 follows:

15 [~~Investment of surplus or reserve~~] Investments. 1. Any of the reserve
16 funds belonging to the state insurance fund, by order of the commis-
17 sioners, approved by the superintendent of financial services, may be
18 invested in the types of [~~securities~~] investments described in [~~subdivi-~~
19 ~~sions one, two, three, four, five, six, eleven, twelve, twelve-a, thir-~~
20 ~~teen, fourteen, fifteen, nineteen, twenty, twenty-one, twenty-one-a,~~
21 ~~twenty-four, twenty-four-a, twenty-four-b, twenty-four-c and twenty-five~~
22 ~~of section two hundred thirty-five of the banking law or in paragraph~~]
23 paragraphs one, two, three and four of subsection (b) of section one
24 thousand four hundred two of the insurance law and paragraphs one, two,
25 three, four, five, six, seven, and eleven of subsection (a) of section
26 one thousand four hundred four of the insurance law with the qualitative
27 standards or quantitative limitations which are set forth in such para-
28 graphs except that [up to] a minimum of five percent of such reserve
29 funds [may] shall be invested in the types of securities [of any solvent
30 American institution as] described in [such paragraph irrespective of
31 the rating of such institution's obligations or other similar qualita-
32 tive standards described therein] paragraphs one, two, three and four of
33 subsection (b) of section one thousand four hundred two of the insurance
34 law.

35 2. Any [~~of the surplus~~] funds belonging to the state insurance fund
36 exceeding seventy percent of the aggregate of loss reserves, loss
37 expense reserves and fifty percent of unearned premium reserves, by
38 order of the commissioners, approved by the superintendent of financial
39 services, may be invested in the types of [~~securities described in~~
40 ~~subdivisions one, two, three, four, five, six, eleven, twelve, twelve-a,~~
41 ~~thirteen, fourteen, fifteen, nineteen, twenty, twenty-one, twenty-one-a,~~
42 ~~twenty-four, twenty-four-a, twenty-four-b, twenty-four-c and twenty-five~~
43 ~~of section two hundred thirty-five of the banking law or, up to fifty~~
44 ~~percent of surplus funds, in the types of securities or] investments
45 described in [~~paragraphs two, three, eight and ten of]~~ paragraphs one,
46 two, three and four of subsection (b) of section one thousand four
47 hundred two of the insurance law and subsection (a) of section one thou-
48 sand four hundred four of the insurance law, [except that up to ten
49 percent of surplus funds may be invested in the securities of any
50 solvent American institution as described in such paragraphs irrespec-
51 tive of the rating of such institution's obligations or other similar
52 qualitative standards described therein,] but such investments shall not
53 be subject to the qualitative standards or quantitative limitations
54 which are set forth with respect to any investment permitted by such~~

1 ~~subsection~~ and [~~up to fifteen percent of surplus funds in securities or~~
2 ~~investments which do not otherwise qualify for investment under this~~
3 ~~section as shall be made with the care, prudence and diligence under the~~
4 ~~circumstances then prevailing that a prudent person acting in a like~~
5 ~~capacity and familiar with such matters would use in the conduct of an~~
6 ~~enterprise of a like character and with like aims as provided for the~~
7 ~~state insurance fund under this article, but shall not include any~~
8 ~~direct derivative instrument or derivative transaction except for hedg-~~
9 ~~ing purposes]~~ in accordance with section one thousand four hundred ten
10 of the insurance law. [~~Notwithstanding any other provision in this~~
11 ~~subdivision, the aggregate amount that the state insurance fund may~~
12 ~~invest in the types of securities or investments described in paragraphs~~
13 ~~three, eight and ten of subsection (a) of section one thousand four~~
14 ~~hundred four of the insurance law and as a prudent person acting in a~~
15 ~~like capacity would invest as provided in this subdivision shall not~~
16 ~~exceed fifty percent of such surplus funds.~~]

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

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

32 § 2. Subsection (c) of section 1108 of the insurance law, as amended
33 by section 38 of part SS of chapter 54 of the laws of 2016, is amended
34 to read as follows:

35 (c) The state insurance fund of this state, except as to the
36 provisions of section one thousand four hundred ten, subsection (d) of
37 section two thousand three hundred thirty-nine, section three thousand
38 one hundred ten, subsection (a), paragraph one of subsection (b), para-
39 graph three of subsection (c) and subsection (d) of section three thou-
40 sand two hundred one, sections three thousand two hundred two, three
41 thousand two hundred four, subsections (a) through (d) of section three
42 thousand two hundred twenty-one, subsections (b) and (c) of section four
43 thousand two hundred twenty-four, section four thousand two hundred
44 twenty-six and subsections (a) and (b), (g) through (j), and (n) of
45 section four thousand two hundred thirty-five of this chapter and except
46 as otherwise specifically provided by the laws of this state.

47 § 3. Subsection (a) of section 1410 of the insurance law, as added by
48 chapter 650 of the laws of 1998, is amended to read as follows:

49 (a) For purposes of this section, except subsection (k) of this
50 section, an insurer shall mean a domestic life insurer, a domestic
51 property/casualty insurer, a domestic reciprocal insurer, a domestic
52 mortgage guaranty insurer, a domestic co-operative property/casualty
53 insurance corporation [~~or~~], a domestic financial guaranty insurer, or
54 the state insurance fund of this state.

55 § 4. This act shall take effect immediately.

1

PART X

2 Section 1. Subdivision 5 of section 27 of the workers' compensation
3 law, as amended by chapter 6 of the laws of 2007, is amended to read as
4 follows:

5 5. All computations made or directed by the board shall be upon the
6 basis of (i) the survivorship annuitants table of mortality, the remar-
7 riage tables of the Dutch Royal Insurance Institution applicable to
8 claims for accidents occurring on or before December thirty-first, two
9 thousand twenty-one, and (ii) beginning January first, two thousand
10 twenty-two, and on January first of each tenth year thereafter, the
11 United States life table for the total population published by the
12 department of health and human services and the remarriage table
13 published by the United States railroad retirement board applicable to
14 claims for accidents occurring on or after January first of the year
15 following the adoption of any revision of such tables as provided in
16 this subdivision and interest at three and one-half per centum per annum
17 on claims based on accidents occurring up to and including June thirti-
18 eth, nineteen hundred thirty-nine, at three per centum per annum on
19 claims based on accidents occurring from July first, nineteen hundred
20 thirty-nine up to and including August thirty-first, nineteen hundred
21 eighty-three, at six per centum per annum on claims based on accidents
22 occurring from September first, nineteen hundred eighty-three up to and
23 including December thirty-first, two thousand and at the industry stand-
24 ard rate on claims based on accidents occurring thereafter, except (a)
25 that computations of present values of death benefits required to be
26 paid into the aggregate trust fund by an insurance carrier which is a
27 stock corporation or a mutual association shall be based, in the case of
28 a dependent parent, grandparent, blind or physically disabled child or
29 spouse, upon said table of mortality disregarding possible change in or
30 termination of dependency, with interest at three and one-half per
31 centum per annum on claims based on accidents occurring up to and
32 including June thirtieth, nineteen hundred thirty-nine, at three per
33 centum per annum on claims based on accidents occurring from July first,
34 nineteen hundred thirty-nine up to and including August thirty-first,
35 nineteen hundred eighty-three, at six per centum per annum on claims
36 based on accidents occurring from September first, nineteen hundred
37 eighty-three up to and including December thirty-first, two thousand
38 at the industry standard rate on claims based on accidents occurring
39 thereafter and (b) that computations of present values of permanent
40 partial disability benefits awarded for a definite number of weeks shall
41 be on the basis of annuities certain with interest at three and one-half
42 per centum per annum on claims based on accidents occurring up to and
43 including June thirtieth, nineteen hundred thirty-nine, at three per
44 centum per annum on claims based on accidents occurring from July first,
45 nineteen hundred thirty-nine up to and including August thirty-first,
46 nineteen hundred eighty-three, at six per centum per annum on claims
47 based on accidents occurring from September first, nineteen hundred
48 eighty-three up to and including December thirty-first, two thousand
49 at the industry standard rate on claims based on accidents occurring
50 thereafter.

51 § 2. The closing paragraph of subdivision 7 of section 27 of the work-
52 ers' compensation law, as amended by chapter 6 of the laws of 2007 and
53 as further amended by section 104 of part A of chapter 62 of the laws of
54 2011, is amended to read as follows:

1 Such additional payments shall be required until the surplus of the
2 fund equals or exceeds one per centum of the total outstanding loss
3 reserves as shown by three successive annual reports of the fund to the
4 superintendent of financial services and such additional payment shall
5 be required as a payment upon each award based on an accident occurring
6 prior to July first next succeeding the third such annual report, but
7 not as a payment upon any award based on an accident occurring on or
8 after said July first; provided, however, that if and when the surplus
9 of the fund as shown by any annual report thereafter shall be less than
10 one per centum of the total outstanding loss reserves, then the addi-
11 tional payments as provided in paragraphs (a), (b), (c) and (d) of this
12 subdivision shall be resumed and shall be payable upon any award based
13 on an accident occurring on or after July first next succeeding the
14 close of the year for which such annual report is made. Thereafter, the
15 suspension or resumption of additional payments as required by this
16 subdivision shall be governed by the foregoing provisions. Such loss
17 reserves shall be computed based upon the tables specified in subdivi-
18 sion five of this section applicable to the calculation of the deposit
19 for the claim on which such deposit is based and interest at a standard
20 to be determined by the superintendent of financial services by regu-
21 lation.

22 § 3. Section 86 of the workers' compensation law, as amended by chap-
23 ter 7 of the laws of 1989 and as further amended by section 104 of part
24 A of chapter 62 of the laws of 2011, is amended to read as follows:

25 § 86. Catastrophe surplus and reserves for workers' compensation. Ten
26 per centum of the premiums collected from employers insured in the fund
27 for workers' compensation shall be set aside for the creation of a
28 surplus until such surplus shall amount to the sum of one hundred thou-
29 sand dollars, and thereafter five per centum of such premiums, until
30 such time as in the judgment of the commissioners such surplus shall be
31 sufficiently large to cover the catastrophe hazard. Thereafter the
32 contribution to such surplus may be reduced or discontinued conditional
33 upon constant maintenance of a sufficient surplus to cover the catastro-
34 phe hazard. Reserves shall be set up and maintained adequate to meet
35 anticipated losses and carry all claims and policies to maturity, which
36 reserves shall be computed [~~to reflect the present values, at five~~
37 ~~percent interest per annum, of the determined and estimated unpaid loss-~~
38 ~~es, and other requirements computed in accordance with such rules as~~
39 ~~shall be approved by the superintendent of financial services]~~ pursuant
40 to subsections (d) and (e) of section four thousand one hundred seven-
41 teen of the insurance law.

42 § 4. Subsection (c) of section 1108 of the insurance law, as amended
43 by section 38 of part SS of chapter 54 of the laws of 2016, is amended
44 to read as follows:

45 (c) The state insurance fund of this state, except as to the
46 provisions of subsection (d) of section two thousand three hundred thir-
47 ty-nine, section three thousand one hundred ten, subsection (a), para-
48 graph one of subsection (b), paragraph three of subsection (c) and
49 subsection (d) of section three thousand two hundred one, sections three
50 thousand two hundred two, three thousand two hundred four, subsections
51 (a) through (d) of section three thousand two hundred twenty-one,
52 subsections (d) and (e) of section four thousand one hundred seventeen,
53 subsections (b) and (c) of section four thousand two hundred twenty-
54 four, section four thousand two hundred twenty-six and subsections (a)
55 and (b), (g) through (j), and (n) of section four thousand two hundred

1 thirty-five of this chapter and except as otherwise specifically
2 provided by the laws of this state.

3 § 5. Subsection (e) of section 4117 of the insurance law, as amended
4 by chapter 11 of the laws of 1986, is amended to read as follows:

5 (e) Whenever in the judgment of the superintendent, the loss and loss
6 expense reserves of any property/casualty insurance company doing busi-
7 ness in this state or of the state insurance fund of this state calcu-
8 lated in accordance with the foregoing provisions are inadequate or
9 excessive, [~~he~~] the superintendent may prescribe any other basis [~~which~~]
10 that will produce adequate and reasonable reserves.

11 § 6. This act shall take effect January 1, 2022.

12 PART Y

13 Section 1. Section 76-b of the alcoholic beverage control law is
14 REPEALED.

15 § 2. Subdivision 1-b of section 83 of the alcoholic beverage control
16 law is REPEALED.

17 § 3. Paragraph (b) of subdivision 1 of section 97-a of the alcoholic
18 beverage control law, as added by chapter 396 of the laws of 2010, is
19 amended to read as follows:

20 (b) to the applicant for a new retail license [~~where the prospective~~
21 ~~licensed premises is located in a municipality with a population of less~~
22 ~~than one million]~~ during the period that the application is pending.

23 § 4. Paragraphs (b) and (c) of subdivision 5 of section 97-a of the
24 alcoholic beverage control law, as added by chapter 396 of the laws of
25 2010, are amended and a new paragraph (d) is added to read as follows:

26 (b) in the case of all other retail applications, to purchase and sell
27 such alcoholic beverages as would be permitted to be purchased and sold
28 under the privileges of the license applied for; [~~and~~]

29 (c) to sell such alcoholic beverages to consumers only and not for
30 resale[~~+~~]; and

31 (d) in the case of a permit granted under paragraph (b) of subdivision
32 one of this section where the prospective licensed premises are located
33 in a municipality with a population of more than one million, to operate
34 the premises only under the following conditions: the premises shall
35 close no later than twelve o'clock antemeridian each day, shall have
36 recorded background music only, with no live music, DJ's, karaoke, or
37 similar forms of music, and shall have no dancing.

38 § 5. The alcoholic beverage control law is amended by adding a new
39 section 97-c to read as follows:

40 § 97-c. Temporary manufacturing permit. 1. Any person may apply to the
41 liquor authority for a temporary permit to operate any alcoholic bever-
42 age manufacturing facility as may be licensed under this chapter. Such
43 application shall be in writing and verified and shall contain informa-
44 tion as the liquor authority shall require. Such application shall be
45 accompanied by a check or draft in the amount of one hundred twenty-five
46 dollars for such permit.

47 2. Upon application, the liquor authority may issue such temporary
48 permit when:

49 (a) the applicant has a manufacturing license application at the same
50 premises pending before the liquor authority, together with all required
51 filing and license fees; and

52 (b) the applicant has obtained and provided evidence of all permits,
53 licenses and other documents necessary for the operation of such a busi-
54 ness; and

1 (c) any current license in effect at the premises has been surrendered
2 or placed in safekeeping, or has been deemed abandoned by the authority.

3 3. The liquor authority in granting such permit shall ensure that:

4 (a) issuance of the permit will not inordinately hinder the operation
5 or effective administration of this chapter; and

6 (b) the applicant would in all likelihood be able to ultimately obtain
7 the manufacturing license being applied for; and

8 (c) the applicant has substantially complied with the requirements
9 necessary to obtain such license.

10 4. The application for a permit shall be approved or denied by the
11 liquor authority within forty-five days after the receipt of such appli-
12 cation.

13 5. A temporary permit shall authorize the permittee to operate a manu-
14 facturing facility for the manufacture and sale of alcoholic beverages
15 according to the laws applicable to the type of manufacturing license
16 being applied for.

17 6. Such temporary permit shall remain in effect for six months or
18 until the manufacturing license being applied for is approved and the
19 license granted, whichever is shorter. Such permit may be extended at
20 the discretion of the liquor authority for additional three-month peri-
21 ods of time upon payment of an additional fee of fifty dollars for each
22 such extension.

23 7. Notwithstanding any provision of law to the contrary, a temporary
24 permit may be summarily cancelled or suspended at any time if the liquor
25 authority determines that good cause for cancellation or suspension
26 exists. The liquor authority shall promptly notify the permittee in
27 writing of such cancellation or suspension and shall set forth the
28 reasons for such action.

29 8. The liquor authority in reviewing such application shall review the
30 entire record and grant the temporary permit unless good cause is other-
31 wise shown. A decision on an application shall be based on substantial
32 evidence in the record and supported by a preponderance of the evidence
33 in favor of the applicant.

34 § 6. Section 5 of chapter 396 of the laws of 2010, amending the alco-
35 holic beverage control law, relating to liquidator's permits and tempo-
36 rary retail permits, as amended by section 1 of item AAA of subpart B of
37 part XXX of chapter 58 of the laws of 2020, is amended to read as
38 follows:

39 § 5. This act shall take effect on the sixtieth day after it shall
40 have become a law[~~, provided that paragraph (b) of subdivision 1 of~~
41 ~~section 97-a of the alcoholic beverage control law as added by section~~
42 ~~two of this act shall expire and be deemed repealed October 12, 2021].~~

43 § 7. This act shall take effect on the ninetieth day after it shall
44 have become a law; provided, however, that upon effect, any valid permit
45 issued under section 76-b of the alcoholic beverage control law shall
46 remain in effect according to the terms of section 76-b of the alcoholic
47 beverage control law as if such section had not been repealed, and
48 provided further, any application duly submitted prior to the effective
49 date of this act and not yet acted upon shall be processed as if such
50 section had not been repealed, and if such application is approved, any
51 permit issued shall remain in effect according to the terms of section
52 76-b of the alcoholic beverage control law as if such section had not
53 been repealed.

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

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

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

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

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

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

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

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

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

41 8. Every special on-premises licensee shall regularly keep food avail-
42 able for sale to its customers for consumption on the premises. The
43 availability of sandwiches, soups or other foods, whether fresh, proc-
44 essed, pre-cooked or frozen, shall be deemed compliance with this
45 requirement. For motion picture theatres licensed under paragraph (b) of
46 subdivision six of this section, food that is typically found in a
47 motion picture theatre, including but not limited to: popcorn, candy,
48 and light snacks, shall be deemed to be in compliance with this require-
49 ment. The licensed premises shall comply at all times with all the regu-
50 lations of the local department of health. Nothing contained in this
51 subdivision, however, shall be construed to require that any food be
52 sold or purchased with any liquor, nor shall any rule, regulation or
53 standard be promulgated or enforced requiring that the sale of food be
54 substantial or that the receipts of the business other than from the
55 sale of liquor equal any set percentage of total receipts from sales
56 made therein.

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

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

10 § 5. This act shall take effect immediately.

11 PART AA

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

15 § 5004. Rate of interest. [~~Interest shall be at the rate of nine per~~
16 ~~centum per annum, except where otherwise provided by statute.~~] Notwith-
17 standing any other provision of law or regulation to the contrary,
18 including any law or regulation that limits the annual rate of interest
19 to be paid on a judgment or accrued claim, the annual rate of interest
20 to be paid on a judgment or accrued claim shall be calculated at the
21 one-year United States treasury bill rate. For the purposes of this
22 section, the "one-year United States treasury bill rate" means the week-
23 ly average one-year constant maturity treasury yield, as published by
24 the board of governors of the federal reserve system, for the calendar
25 week preceding the date of the entry of the judgment awarding damages.
26 Provided however, that this section shall not apply to any provision of
27 the tax law which provides for the annual rate of interest to be paid on
28 a judgment or accrued claim.

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

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

42 § 3. This act shall take effect immediately, and shall be deemed to
43 have been in full force and effect on and after April 1, 2021.

44 PART BB

45 Section 1. Short title. This act shall be known and may be cited as
46 the "New York Medical Supplies Act".

47 § 2. The state finance law is amended by adding a new section 148 to
48 read as follows:

49 § 148. Certain contracts involving personal protective equipment and
50 medical supplies. 1. Notwithstanding any other provisions of law, all
51 contracts over fifty thousand dollars in value made and awarded by any
52 department or agency of the state for the purchase of personal protec-
53 tive equipment or medical supplies shall require that the personal

1 protective equipment or medical supply items be produced or made in
2 whole or substantial part in the United States.

3 2. For purposes of this section:

4 (a) "personal protective equipment" means all equipment worn to mini-
5 mize exposure to medical hazards, including gloves, masks, face shields,
6 eye protection, respirators, medical hair and shoe coverings, and
7 disposable gowns and aprons.

8 (b) "medical supplies" means materials necessary to respond to health
9 emergencies or pandemics, including and without limitation ventilators,
10 medical test kits, and vaccines.

11 (c) "United States" means the United States, its territories, or
12 possessions.

13 3. The provisions of this section shall not apply if the head of the
14 department or agency purchasing the personal protective equipment or
15 medical supplies, in his or her sole discretion, determines that such
16 provisions would not be in the public interest; that obtaining such
17 personal protective equipment or medical supplies in the United States
18 would increase the cost of the contract by an unreasonable amount; that
19 such personal protective equipment or medical supplies cannot be
20 produced or made in the United States in sufficient and reasonably
21 available quantities and of satisfactory quality or design to meet the
22 department's or agency's requirements; or that purchasing personal
23 protective equipment or medical supplies manufactured outside of the
24 United States is necessary to avoid a delay in the delivery of critical
25 services that could compromise the public welfare.

26 4. Nothing in this section is intended to contravene any existing
27 treaties, laws, trade agreements, or regulations of the United States or
28 subsequent trade agreements entered into between any foreign countries
29 and the state or the United States.

30 5. Subject to the provisions of this section, the department of
31 economic development, in consultation with the office of general
32 services and the division of the budget, shall be authorized to estab-
33 lish rules and regulations for the effective administration of this
34 section.

35 § 3. The public authorities law is amended by adding a new section
36 2878-c to read as follows:

37 § 2878-c. Certain contracts involving personal protective equipment
38 and medical supplies. 1. Notwithstanding any other provisions of law,
39 all contracts over fifty thousand dollars in value made and awarded by
40 any state authority for the purchase of personal protective equipment or
41 medical supplies shall require that the personal protective equipment or
42 medical supply items be produced or made in whole or substantial part in
43 the United States.

44 2. For purposes of this section:

45 (a) "personal protective equipment" means all equipment worn to mini-
46 mize exposure to medical hazards, including gloves, masks, face shields,
47 eye protection, respirators, medical hair and shoe coverings, and
48 disposable gowns and aprons.

49 (b) "medical supplies" means materials necessary to respond to health
50 emergencies or pandemics, including and without limitation ventilators,
51 medical test kits, and vaccines.

52 (c) "United States" means the United States, its territories, or
53 possessions.

54 3. The provisions of this section shall not apply if the head of the
55 state authority purchasing the personal protective equipment or medical
56 supplies, in his or her sole discretion, determines that such provisions

1 would not be in the public interest; that obtaining such personal
2 protective equipment or medical supplies in the United States would
3 increase the cost of the contract by an unreasonable amount; that such
4 personal protective equipment or medical supplies cannot be produced or
5 made in the United States in sufficient and reasonably available quanti-
6 ties and of satisfactory quality or design to meet the state authority's
7 requirements; or that purchasing personal protective equipment or
8 medical supplies manufactured outside of the United States is necessary
9 to avoid a delay in the delivery of critical services that could compro-
10 mise the public welfare.

11 4. Nothing in this section is intended to contravene any existing
12 treaties, laws, trade agreements, or regulations of the United States or
13 subsequent trade agreements entered into between any foreign countries
14 and the state or the United States.

15 5. Subject to the provisions of this section, the department of
16 economic development, in consultation with the office of general
17 services and the division of the budget, shall be authorized to estab-
18 lish rules and regulations for the effective administration of this
19 section.

20 § 4. This act shall take effect April 1, 2021 and shall apply to any
21 state contracting opportunities advertised on or after such date and
22 shall exclude contracts for which an invitation for bid, request for
23 proposal, or similar solicitation has been issued prior to April 1,
24 2021.

25 PART CC

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

29 § 167-a. Reimbursement for medicare premium charges. Upon exclusion
30 from the coverage of the health benefit plan of supplementary medical
31 insurance benefits for which an active or retired employee or a depend-
32 ent covered by the health benefit plan is or would be eligible under the
33 federal old-age, survivors and disability insurance program, an amount
34 equal to the standard medicare premium charge for such supplementary
35 medical insurance benefits for such active or retired employee and his
36 or her dependents, if any, shall be paid monthly or at other intervals
37 to such active or retired employee from the health insurance fund.

38 Furthermore, effective January first, two thousand twenty-two there
39 shall be no payment whatsoever for the income related monthly adjustment
40 amount for amounts (premiums) incurred on or after January first, two
41 thousand twenty-one to any active or retired employee and his or her
42 dependents, if any. Where appropriate, such standard medicare premium

43 amount may be deducted from contributions payable by the employee or
44 retired employee; or where appropriate in the case of a retired employee
45 receiving a retirement allowance, such standard medicare premium amount
46 may be included with payments of his or her retirement allowance. All
47 state employer, employee, retired employee and dependent contributions
48 to the health insurance fund, including contributions from public
49 authorities, public benefit corporations or other quasi-public organiza-
50 tions of the state eligible for participation in the health benefit plan
51 as authorized by subdivision two of section one hundred sixty-three of
52 this article, shall be adjusted as necessary to cover the cost of reim-
53 bursing federal old-age, survivors and disability insurance program
54 premium charges under this section. This cost shall be included in the

1 calculation of premium or subscription charges for health coverage
2 provided to employees and retired employees of the state, public author-
3 ities, public benefit corporations or other quasi-public organizations
4 of the state; provided, however, the state, public authorities, public
5 benefit corporations or other quasi-public organizations of the state
6 shall remain obligated to pay no less than its share of such increased
7 cost consistent with its share of premium or subscription charges
8 provided for by this article. All other employer contributions to the
9 health insurance fund shall be adjusted as necessary to provide for such
10 payments.

11 § 2. This act shall take effect immediately and shall apply on January
12 1, 2021 for the income related monthly adjustment amount for amounts,
13 premiums, incurred on or after January 1, 2021.

14 PART DD

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

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

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

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

53 (c) For state employees who retire from a position at or equated to
54 grade ten or higher with at least ten but less than twenty years of

1 service, the state shall pay thirty-five 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-three 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 ten or higher with
8 twenty or more years of service, the state shall pay fifty-nine 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 sixty-nine percent of the cost of premium or subscription charges for
14 such dependents.

15 (d) For state employees who retire from a position at or equated to
16 grade nine or lower with at least ten but less than twenty years of
17 service, the state shall pay thirty-nine percent of the cost of premium
18 or subscription charges for the coverage of dependents of such retired
19 state employees; such contribution shall increase by two percent of the
20 cost of premium or subscription charges for each year of service in
21 excess of ten years, to a maximum of fifty-seven percent of the cost of
22 premium or subscription charges for such dependents. For state employees
23 who retire from a position at or equated to grade nine or lower with
24 twenty or more years of service, the state shall pay sixty-three percent
25 of the cost of premium or subscription charges for the coverage of
26 dependents of such retired state employees; such contribution shall
27 increase by one percent of the cost of premium or subscription charges
28 for each year of service in excess of twenty years, to a maximum of
29 seventy-three percent of the cost of premium or subscription charges for
30 such dependents.

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

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

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

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

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

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

56 § 2. This act shall take effect October 1, 2021.

1

PART EE

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

5 § 167-a. Reimbursement for medicare premium charges. Upon exclusion
6 from the coverage of the health benefit plan of supplementary medical
7 insurance benefits for which an active or retired employee or a depend-
8 ent covered by the health benefit plan is or would be eligible under the
9 federal old-age, survivors and disability insurance program, an amount
10 equal to the standard medicare premium charge for such supplementary
11 medical insurance benefits for such active or retired employee and his
12 or her dependents, if any, shall be paid monthly or at other intervals
13 to such active or retired employee from the health insurance fund;
14 provided, however, such payment for the standard medicare premium charge
15 shall not exceed one hundred forty-eight dollars and fifty cents per
16 month. Where appropriate, such standard medicare premium amount may be
17 deducted from contributions payable by the employee or retired employee;
18 or where appropriate in the case of a retired employee receiving a
19 retirement allowance, such standard medicare premium amount may be
20 included with payments of his or her retirement allowance. All state
21 employer, employee, retired employee and dependent contributions to the
22 health insurance fund, including contributions from public authorities,
23 public benefit corporations or other quasi-public organizations of the
24 state eligible for participation in the health benefit plan as author-
25 ized by subdivision two of section one hundred sixty-three of this arti-
26 cle, shall be adjusted as necessary to cover the cost of reimbursing
27 federal old-age, survivors and disability insurance program premium
28 charges under this section. This cost shall be included in the calcu-
29 lation of premium or subscription charges for health coverage provided
30 to employees and retired employees of the state, public authorities,
31 public benefit corporations or other quasi-public organizations of the
32 state; provided, however, the state, public authorities, public benefit
33 corporations or other quasi-public organizations of the state shall
34 remain obligated to pay no less than its share of such increased cost
35 consistent with its share of premium or subscription charges provided
36 for by this article. All other employer contributions to the health
37 insurance fund shall be adjusted as necessary to provide for such
38 payments.

39 § 2. This act shall take effect immediately and shall apply to the
40 standard medicare premium amount on and after April 1, 2021.

41

PART FF

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

44 22. To issue procurements for technology, as defined in section one
45 hundred one of this article, in the manner as prescribed in this subdi-
46 vision. (a) Notwithstanding section one hundred sixty-three of the
47 state finance law, or any other provision of law to the contrary, the
48 office may issue solicitations for comprehensive technology service
49 contracts pursuant to this section and may award comprehensive technolo-
50 gy service contracts for technology as prescribed in this subdivision. A
51 comprehensive technology service contract shall mean any contract for
52 both the design and build of any technology, which may allow for the
53 approval of work at the discretion of the office which is not pre-deter-

1 mined in the contract, subject to conditions deemed appropriate by the
2 director, 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 only be used for those contracts which result in a complete and operable
5 system delivered to the state.

6 (b) For all procurements conducted pursuant to this section, the
7 office shall advertise in the New York state contract reporter and on
8 the website of the office for no less than fifteen business days, a
9 request for proposals which shall include a detailed description of the
10 work to be performed, any minimum and mandatory qualifications, a brief
11 description of how the proposals will be scored, and any other criteria
12 that the office deems necessary and appropriate. Scoring criteria shall
13 be drafted and sealed by the office prior to the opening of any bids.
14 Such scoring criteria shall be objective to the extent practicable and
15 shall include cost as determined by the office. If the winning proposal
16 scores less than five percent higher than the second highest scoring
17 proposal, the office shall be empowered to request such two bidders to
18 re-submit their proposals in a manner prescribed by the office, consist-
19 ent with this article, which the office shall then evaluate based on the
20 original sealed scoring criteria for final award.

21 (c) All terms used in this section shall have the same meaning other-
22 wise prescribed in this chapter or in articles nine and eleven of the
23 state finance law, except for those terms specifically defined in this
24 section.

25 (d) The office shall keep a procurement record as defined in section
26 one hundred sixty-three of the state finance law, which shall be
27 furnished to the office of the state comptroller upon request pursuant
28 to section one hundred twelve of the state finance law.

29 § 2. Subdivisions 3 and 4 of section 163-a of the state finance law,
30 subdivision 3 as added by chapter 430 of the laws of 1997 and subdivi-
31 sion 4 as amended by section 10 of part 0 of chapter 55 of the laws of
32 2012, are amended and a new subdivision 5 is added to read as follows:

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

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

43 5. For the office of information technology services, the restrictions
44 contained within this section shall not apply to procurements issued
45 pursuant to subdivision twenty-two of section one hundred three of the
46 state technology law.

47 § 3. This act shall take effect immediately.

48 PART GG

49 Section 1. Section 110 of the state finance law is amended by adding a
50 new subdivision 1-a to read as follows:

51 1-a. Each department that maintains a public website shall publicly
52 post and maintain a webpage on that website showing the current list of
53 the names of the individuals who the department has authorized to
54 execute contracts on behalf of the department, which the department has

1 filed with the comptroller pursuant to subdivision one of this section.
2 Such posting shall provide clear notice to the public of those individ-
3 uals who are authorized to execute contracts to which the department or
4 the state is a party.

5 § 2. The state finance law is amended by adding a new section 139-m to
6 read as follows:

7 § 139-m. Terms and conditions in contracts that shall be void. The
8 following terms or conditions in any contract entered into by the state
9 or any department thereof shall be void and unenforceable:

10 1. Any term or condition that requires the state or the department to
11 indemnify or hold harmless another person, except as otherwise author-
12 ized by law;

13 2. Any term or condition by which the state or the department agrees
14 to binding arbitration or any other binding extra-judicial dispute
15 resolution process in which the final resolution is not determined by
16 the state;

17 3. Any term or condition which purports to reserve a right to the
18 contractor to unilaterally amend, revise, or add to the terms and condi-
19 tions without the consent of the state or the department;

20 4. Any term or condition by which the state or the department agrees
21 to limit the liability of another person for bodily injury, death, or
22 damage to tangible property caused by the negligence or willful miscon-
23 duct of such person or such person's employees or agents; and

24 5. Any term or condition that designates the law of a jurisdiction
25 other than the state of New York as the law governing the contract.
26 Notwithstanding the foregoing, any contract containing such term or
27 condition shall otherwise be enforceable as if the contract did not
28 contain such term or condition.

29 § 3. This act shall take effect immediately.

30 PART HH

31 Section 1. Section 96 of the public officers law is amended by adding
32 a new subdivision 3 to read as follows:

33 (3) For purposes of this section, the exchange of any record or
34 personal information between and among agencies of the state shall not
35 constitute disclosure of any record or personal information under subdi-
36 vision one of this section and is not subject to the requirements there-
37 in. The exchange of such records between agencies shall be presumptively
38 permissible, unless such disclosure is otherwise prohibited by law.

39 § 2. This act shall take effect immediately.

40 PART II

41 Section 1. Short Title. This act shall be known and may be cited as
42 the "New York data accountability and transparency act".

43 § 2. The general business law is amended by adding a new section 899-
44 cc to read as follows:

45 § 899-cc. New York data accountability and transparency act. 1. Defi-
46 initions. For the purposes of this section, the following terms shall
47 have the following meanings, unless otherwise specified:

48 (a) "Affiliate" shall mean a legal entity that controls, is controlled
49 by, or is under common control with, another legal entity, where the
50 entity holds itself out as affiliated or under common ownership such
51 that a consumer acting reasonably under the circumstances would antic-
52 ipate their personal information being provided to an affiliate.

1 (b) "Consumer" shall mean an identified or identifiable natural person
2 who is a New York resident.

3 (c) "Covered entities" shall mean legal entities, including any affil-
4 iates, that conduct business in New York state or produce products or
5 services that are intentionally targeted to residents of New York state,
6 and that satisfy one or more of the following thresholds:

7 (i) Controls or processes personal information of one hundred thousand
8 consumers or more; or

9 (ii) Derives over fifty percent of gross revenue from the sale,
10 control, or processing of personal information.

11 (d) "De-identified data" means:

12 (i) Data that cannot be linked to a known natural person without addi-
13 tional information not available to the covered entity; or

14 (ii) Data that: has been modified to a degree that the risk of re-i-
15 dentification is small as determined by a person with appropriate know-
16 ledge of and experience with generally accepted statistical and scien-
17 tific principles and methods for de-identifying data; is subject to a
18 public commitment by the controller not to attempt to re-identify the
19 data; and, to which one or more enforceable controls to prevent re-iden-
20 tification has been applied. Enforceable controls to prevent re-identi-
21 fication may include legal, administrative, technical, or contractual
22 controls.

23 (e) "Direct relationship" shall mean that the consumer is a past or
24 present:

25 (i) customer, client, subscriber or user of the business's goods or
26 services;

27 (ii) investor in the business; or

28 (iii) donor to the business.

29 (f) "Identified or identifiable natural person" shall mean a person
30 who can be identified, directly or indirectly, in particular by refer-
31 ence to specific information including, but not limited to, a name, an
32 identification number, specific geolocation data, or an online identifi-
33 er.

34 (g) "Personal information" shall mean data relating to an identified
35 or identifiable natural person provided further that:

36 (i) personal Information shall include but is not limited to:

37 (A) an identifier such as a real name, alias, signature, date of
38 birth, gender identity, sexual orientation, marital status, physical
39 characteristic or description, postal address, telephone number, unique
40 personal identifier, military identification number, online identifier,
41 Internet Protocol address, email address, account name, mother's maiden
42 name, social security number, driver's license number, passport number,
43 or other similar identifier;

44 (B) information such as employment, employment history, bank account
45 number, credit card number, debit card number, insurance policy number,
46 or any other financial information, medical information, mental health
47 information, or health insurance information;

48 (C) commercial information, including a record of personal property,
49 income, assets, leases, rentals, products or services purchased,
50 obtained, or considered, or other purchasing or consuming history;

51 (D) biometric information, including a retina or iris scan, finger-
52 print, voiceprint, or scan of hand or face geometry;

53 (E) internet or other electronic network activity information, includ-
54 ing browsing history, search history, content, including text, photo-
55 graphs, audio or video recordings, or other user-generated content,
56 non-public communications, and information regarding an individual's

1 interaction with an internet website, mobile application, or advertise-
2 ment;

3 (F) historical or real-time geolocation data;

4 (G) audio, visual, thermal, olfactory, or similar information;

5 (H) education records, as defined in section thirty-three hundred two
6 of the education law;

7 (I) political information or information on criminal convictions or
8 arrests;

9 (J) any required security code, access code, password, or username
10 necessary to permit access to the account of an individual;

11 (K) traits or characteristics of an individual protected under the
12 human rights law; or

13 (L) an inference drawn from any of the information described in this
14 paragraph to create a profile about an individual reflecting the indi-
15 vidual's preferences, characteristics, psychological trends, prefer-
16 ences, predispositions, behavior, attitudes, intelligence, abilities, or
17 aptitudes.

18 (ii) Personal information shall not include:

19 (A) De-identified data;

20 (B) Personal information that is collected by a business about a
21 natural person in the course of the natural person acting as a job
22 applicant to, an employee of, owner of, director of, officer of, medical
23 staff member of, or contractor of that business to the extent that the
24 natural person's personal information is collected and used by the busi-
25 ness solely within the context of the natural person's role or former
26 role as a job applicant to, an employee of, owner of, director of, offi-
27 cer of, medical staff member of, or a contractor of that business;

28 (C) Personal information that is collected by a business that is emer-
29 gency contact information of the natural person acting as a job appli-
30 cant to, an employee of, owner of, director of, officer of, medical
31 staff member of, or contractor of that business to the extent that the
32 personal information is collected and used solely within the context of
33 having an emergency contact on file; or

34 (D) Personal information that is necessary for the business to retain
35 to administer benefits for another natural person relating to the
36 natural person acting as a job applicant to, an employee of, owner of,
37 director of, officer of, medical staff member of, or contractor of that
38 business to the extent that the personal information is collected and
39 used solely within the context of administering those benefits.

40 (h) "Publicly available information" is that which a covered entity
41 has a reasonable basis to believe is lawfully made available to the
42 general public from: federal, state or local government records; widely
43 distributed media; or disclosures to the general public that are
44 required to be made by federal, state or local law.

45 (i) "Verifiable consumer request" means a request that is made by a
46 consumer, by a consumer on behalf of the consumer's minor child, or by a
47 natural person or a person registered with the secretary of state,
48 authorized by the consumer to act on the consumer's behalf, and that the
49 covered entity can reasonably verify to be the consumer about whom the
50 business has collected personal information. A covered entity is not
51 obligated to perform any action related to paragraph (g) of subdivision
52 three of this section if the covered entity cannot verify that the
53 consumer making the request is the consumer about whom the covered enti-
54 ty has collected information or is a person authorized by the consumer
55 to act on such consumer's behalf.

56 2. Exceptions. This section shall not apply to:

1 (a) State and local government entities, including agencies, boards,
2 commissions, and authorities;

3 (b) Personal Information that is:

4 (i) Collected, stored, or otherwise utilized in accordance with the
5 Federal Health Insurance Portability and Accountability Act of 1996, the
6 Health Information Technology for Economic and Clinical Health Act, the
7 Gramm-Leach-Bliley Act, or the Driver's Privacy Protection Act;

8 (ii) Maintained for employment records purposes, to the extent that
9 such data sets are required to be maintained by an entity to meet its
10 legal requirements;

11 (iii) Collected, stored, or otherwise utilized in accordance with the
12 Fair Credit Reporting Act;

13 (iv) Publicly available information; or

14 (v) De-identified data.

15 3. Requirements of covered entities. A covered entity shall:

16 (a) Limit the collection of personal information to personal informa-
17 tion obtained by lawful means and in accordance with subdivision five of
18 this section.

19 (b) Only collect personal information relevant to the purposes for
20 which they are intended to be used and only to the extent necessary for
21 those purposes.

22 (c) At or before the point of collection, inform the consumer as to
23 the type of personal information to be collected and the purposes for
24 which such personal information shall be used. A covered entity shall
25 not collect additional categories of personal information or use
26 personal information collected for additional purposes without providing
27 the consumer with notice of such collection and the option to limit such
28 collection pursuant to subdivision five of this section.

29 (d) Not use or disclose personal information for purposes other than
30 those specified, except:

31 (i) when the consumer has the option to limit the use or disclosure in
32 accordance with subdivision five of this section; or

33 (ii) as otherwise required by law.

34 (e) Protect personal information by implementing security safeguards
35 to protect against risks such as loss, unauthorized access, destruction,
36 use, modification, or unauthorized disclosure of such data.

37 (f) Clearly state the identity and location of any data processors,
38 affiliates, or controllers.

39 (g) Upon receipt of a verifiable consumer request, provide a consumer
40 with the ability:

41 (i) to obtain confirmation of whether or not the covered entity
42 possesses personal information about the consumer;

43 (ii) to have personal information collected about the consumer in the
44 last twelve months communicated to the consumer, within a reasonable
45 time, at no charge, in a reasonable manner, and in a form that is readi-
46 ly intelligible to the consumer, provided that a covered entity may, but
47 shall not be required to provide personal information to a consumer more
48 than twice in a twelve month period;

49 (iii) the reasons for and the ability to challenge a denial of a
50 request under subparagraphs (iv) and (v) of this paragraph denied and to
51 be able to challenge such denial;

52 (iv) to challenge data relating to the consumer and, if the challenge
53 is successful, to have the data returned, destroyed, rectified,
54 completed or amended; and

55 (v) destroy or return personal information without undue delay, and
56 direct all affiliates to do the same, in the following circumstances:

1 (A) the personal information is no longer necessary for the purposes
2 for which it was collected or otherwise processed;

3 (B) the consumer affirmatively requests the covered entity stops the
4 collection, storage, or processing of personal information;

5 (C) the personal information has been unlawfully collected or proc-
6 essed; or

7 (D) upon a request pursuant to paragraph (c) of subdivision four of
8 this section.

9 4. Consumers' rights. The department of state, in consultation with
10 the department of financial services, shall create a consumer data
11 privacy bill of rights, which shall include, at a minimum the rights
12 delineated in this subdivision and information on how a consumer may
13 enforce such rights, as well as any other information deemed necessary
14 to inform consumers of their rights regarding data privacy in accordance
15 with this section or any other relevant provision of law. The rights
16 afforded under this subdivision shall be in addition to any other rights
17 afforded under any other provision of state or federal law. Consumers
18 shall have the following rights:

19 (a) The right to protection of their personal information by covered
20 entities.

21 (b) The right to exercise control over what personal information
22 covered entities collect from them and how it is used.

23 (c) The right to request that a covered entity return, destroy, amend
24 or otherwise alter the personal information collected about the consumer
25 in accordance with paragraph (g) of subdivision three of this section.
26 Provided however, this right shall not apply to the extent that the
27 possession, and processing of such data:

28 (i) is exercising the right of freedom of speech or other legal right
29 by the covered entity or another party;

30 (ii) is necessary for compliance with a legal obligation;

31 (iii) is maintained for reasons of public interest in the area of
32 public health;

33 (iv) is solely used for archiving purposes in the public interest, for
34 scientific or historical research purposes or statistical purposes in so
35 far as the right to erasure is likely to render impossible or seriously
36 impair the achievement of the objectives of that collection or process-
37 ing;

38 (v) is used for the establishment, exercise or defense of legal
39 claims; or

40 (vi) is used to complete the transaction for which the personal infor-
41 mation was collected, fulfill the terms of a written warranty or product
42 recall conducted in accordance with federal law, provide a good or
43 service requested by the consumer, or reasonably anticipated within the
44 context of a business' ongoing business relationship with the consumer,
45 or otherwise perform a contract between the business and the consumer.

46 (d) The right to easily understandable and accessible information
47 about the privacy and security practices of a covered entity.

48 (e) The right to secure and responsible handling of personal informa-
49 tion.

50 (f) The right to access and correct personal information in a form and
51 manner that can be accessed by the consumer, and that is appropriate to
52 ensure the data remains protected.

53 (g) The right to opt-out of the sale of personal information, as
54 follows:

55 (i) A consumer shall have the right, at any time, to direct a covered
56 entity that sells or shares personal information about the consumer to

1 third parties not to sell or share the consumer's personal information.
2 This right may be referred to as the right to opt-out of sale or shar-
3 ing;

4 (ii) A covered entity that sells consumers' personal information to,
5 or shares it with, third parties shall provide notice to consumers in a
6 clear and unambiguous manner that this information may be sold or shared
7 and that consumers have the "right to opt-out" of the sale or sharing of
8 their personal information pursuant to subdivision five of this section;

9 (iii) Notwithstanding paragraph (a) of this subdivision, a business
10 shall not sell or share the personal information of consumers if the
11 business has actual knowledge that the consumer is less than eighteen
12 years of age, unless the consumer's parent or guardian has affirmatively
13 authorized the sale or sharing of the consumer's personal information. A
14 business that willfully disregards the consumer's age shall be deemed to
15 have had actual knowledge of the consumer's age;

16 (iv) A business that has received direction from a consumer not to
17 sell or share the consumer's personal information or, in the case of a
18 minor consumer's personal information has not received consent to sell
19 or share the minor consumer's personal information, shall be prohibited
20 from selling or sharing the consumer's personal information after its
21 receipt of the consumer's direction, unless the consumer subsequently
22 opts-in to the sale or sharing of the consumer's personal information;
23 or

24 (v) Right to equal services after exercising of any rights.

25 (h) (i) Except as otherwise permitted in this paragraph, a covered
26 entity shall not discriminate against a consumer because the consumer
27 exercised any of the consumer's rights under this section, including,
28 but not limited to, by:

29 (A) Denying goods or services to the consumer;

30 (B) Charging different prices or rates for goods or services, includ-
31 ing through the use of discounts or other benefits or imposing penal-
32 ties; or

33 (C) Providing a different level or quality of goods or services to the
34 consumer.

35 (ii) Nothing in this section shall prohibit a covered entity from
36 charging a consumer a different price or rate, or from providing a
37 different level or quality of goods or services to the consumer, if that
38 difference is reasonably related to the value provided to the business
39 by the consumer's personal information.

40 (iii) This paragraph does not prohibit a covered entity from offering
41 loyalty, rewards, premium features, discounts, or club card programs
42 otherwise consistent with this section.

43 (iv) A covered entity may offer financial incentives, including
44 payments to consumers as compensation, for the collection, sale, shar-
45 ing, or retention of a consumer's personal information. A covered entity
46 that offers any financial incentives pursuant to this subdivision, shall
47 clearly and conspicuously notify consumers of such financial incentives.

48 (v) A covered entity may enroll a consumer into a financial incentive
49 program only if the consumer gives the covered entity prior opt-in
50 consent that clearly describes the material terms of the financial
51 incentive program, and which may be revoked by the consumer at any time.
52 If a consumer declines to provide opt-in consent, then the covered enti-
53 ty shall wait at least twelve months before making a subsequent request
54 that the consumer provide opt-in consent. Provided however, nothing
55 shall preclude a covered entity from enrolling a consumer into such a

1 financial incentive program, prior to such twelve month period upon the
2 receipt of a verifiable consumer request to opt-in to such program.

3 (vi) A covered entity shall not use financial incentive practices that
4 are unjust, unreasonable, coercive, or usurious in nature.

5 5. Methods of limiting sale, sharing, collection and use of personal
6 information. (a) A covered entity that sells or shares consumers'
7 personal information shall, in a form that is reasonably accessible to
8 consumers:

9 (i) Provide a clear and conspicuous link on the covered entity's
10 internet homepages, titled "Do Not Sell or Share My Personal Informa-
11 tion", to an internet web page that enables a consumer, or a person
12 authorized by the consumer, to opt-out of the sale or sharing of the
13 consumer's personal information;

14 (ii) Provide a clear and conspicuous link on the covered entity's
15 internet homepages, titled "Limit the Use and Collection of My Personal
16 Information", that enables a consumer, or a person authorized by the
17 consumer, to limit the collection, use or disclosure of the consumer's
18 personal information to those uses authorized by subdivision three of
19 this section;

20 (iii) At the covered entity's discretion, utilize a single, clearly
21 labeled link on the covered entity's internet homepages, in lieu of
22 complying with subparagraphs (i) and (ii) of this paragraph, if that
23 link easily allows a consumer to opt-out of the sale or sharing of the
24 consumer's personal information and to limit the use, collection or
25 disclosure of the consumer's personal information; and

26 (iv) In the event that a covered entity responds to opt-out requests
27 received pursuant to subparagraph (i), (ii), or (iii) of this paragraph
28 by informing the consumer of a charge for the use of any product or
29 service, present the terms of any financial incentive offered in accord-
30 ance with paragraph (i) of subdivision four of this section for the
31 retention, use, sale, or sharing of the consumer's personal information.

32 (b) A covered entity that receives a request pursuant to paragraph
33 (a) of this subdivision must comply with the request as soon as tech-
34 nically feasible, but in no instance longer than thirty days from the
35 receipt of the request.

36 6. Outreach and education. The department of state consumer protection
37 division (the "division") shall, in conjunction with the department of
38 financial services, develop, establish, and implement a public education
39 awareness program advising consumers about:

40 (a) The existence of the consumer data privacy bill of rights and
41 where such bill of rights can be accessed and downloaded;

42 (b) The significance each individual consumer personal private data
43 point holds in the marketplace;

44 (c) Affirmative steps consumers can take to prevent unauthorized use
45 of personal private data and the dangers inherent in not protecting such
46 data;

47 (d) The program shall include a dedicated webpage on the division's
48 website, brochures, consumer guides, posters or any combination thereof;
49 and

50 (e) The program shall be made available to the public by any means
51 deemed appropriate by the division, and may include internet, radio, and
52 print advertising. The program may also identify and recruit individuals
53 to serve as visible, public ambassadors to promote critical consumer
54 personal information privacy messages.

1 7. Consumer data privacy advisory board. (a) The consumer data privacy
2 advisory board shall consist of the following members, or their desig-
3 nees:

4 (i) The attorney general;

5 (ii) The secretary of state;

6 (iii) The superintendent of financial services;

7 (iv) The chief information security officer;

8 (v) The chief data officer; and

9 (vi) Two members appointed by the governor upon the recommendation of
10 the attorney general, one of which must be an officer or employee of a
11 covered entity, and one of which must be an officer or employee of a
12 data privacy public interest or advocacy group. These two members shall
13 serve for three year terms.

14 (b) The members of the board shall serve without compensation, except
15 that each of them shall be allowed the necessary and actual expenses
16 incurred in the performance of any of their duties hereunder.

17 (c) The board may conduct any business authorized herein when a quorum
18 of the members are represented in session.

19 (d) The board shall meet at least once per year and shall provide
20 guidance and recommendations related to this section, any regulations
21 promulgated hereunder, and other matters related to consumer data priva-
22 cy.

23 8. Recordkeeping requirements. Covered entities shall maintain
24 records, in a form and manner as prescribed by the secretary of state,
25 pertaining to their business practices demonstrating compliance with the
26 provisions of this section and any other information as requested by the
27 secretary of state. Such information shall be made available for
28 inspection upon the request of the secretary of state.

29 9. Enforcement. The secretary of state shall have the power to enforce
30 the provisions of this section, and upon complaint of any person, or on
31 his or her own initiative, to investigate any violation thereof, if in
32 the opinion of the secretary of state such investigation is warranted.
33 Upon a finding of a violation of any provision of this section, the
34 secretary of state may assess a civil penalty of up to seven thousand
35 five hundred dollars for each such violation, which may be imposed on a
36 per day basis for any continuing violation.

37 10. Regulations. The department of state shall have the authority to
38 issue rules and regulations pursuant to this section to effectuate this
39 section.

40 § 3. This act shall take effect two years after it shall have become a
41 law.

42 PART JJ

43 Section 1. The general business law is amended by adding a new article
44 32-A to read as follows:

45 ARTICLE 32-A

46 VOICE RECOGNITION FEATURES IN PRODUCTS

47 Section 676. Disclosures for the use of voice recognition features in
48 products.

49 § 676. Disclosures for the use of voice recognition features in
50 products. 1. Definitions. For purposes of this section, the following
51 definitions shall apply:

52 (a) "Cloud computing storage service" shall have the same definition
53 as such term is defined by the National Institute of Standards and Tech-

1 nology Special Publication 800-145, or a successor publication, and
2 includes the service and deployment models referenced therein.

3 (b) "Connected device" shall mean a television, video game console as
4 defined in section three hundred ninety-six-kk of this chapter, computer
5 as defined in section three hundred ninety-two-a of this chapter,
6 computer accessory as defined in section three hundred ninety-two-a of
7 this chapter, internet-capable device as defined in section five hundred
8 thirty-eight-b of this chapter, or a toy as defined in paragraph (f) of
9 this subdivision.

10 (c) "De-identified data" shall mean:

11 (i) Data that cannot be linked to a known natural person without addi-
12 tional information not available to the covered entity; or

13 (ii) Data that: has been modified to a degree that the risk of re-i-
14 dentification is small as determined by a person with appropriate know-
15 ledge of and experience with generally accepted statistical and scien-
16 tific principles and methods for de-identifying data; is subject to a
17 public commitment by the controller not to attempt to re-identify the
18 data; and to which one or more enforceable controls to prevent re-iden-
19 tification has been applied. Enforceable controls to prevent re-identi-
20 fication may include legal, administrative, technical, or contractual
21 controls.

22 (d) "Personal information" shall mean data relating to an identified
23 or identifiable natural person provided further that:

24 (i) Personal information shall include but is not limited to:

25 (A) an identifier such as a real name, alias, signature, date of
26 birth, gender identity, sexual orientation, marital status, physical
27 characteristic or description, postal address, telephone number, unique
28 personal identifier, military identification number, online identifier,
29 Internet Protocol address, email address, account name, mother's maiden
30 name, social security number, driver's license number, passport number,
31 or other similar identifier;

32 (B) information such as employment, employment history, bank account
33 number, credit card number, debit card number, insurance policy number,
34 or any other financial information, medical information, mental health
35 information, or health insurance information;

36 (C) commercial information, including a record of personal property,
37 income, assets, leases, rentals, products or services purchased,
38 obtained, or considered, or other purchasing or consuming history;

39 (D) biometric information, including a retina or iris scan, finger-
40 print, voiceprint, or scan of hand or face geometry;

41 (E) internet or other electronic network activity information, includ-
42 ing browsing history, search history, content, including text, photo-
43 graphs, audio or video recordings, or other user-generated content, non-
44 public communications, and information regarding an individual's inter-
45 action with an internet website, mobile application, or advertisement;

46 (F) historical or real-time geolocation data;

47 (G) audio, visual, thermal, olfactory, or similar information;

48 (H) education records, as defined in section thirty-three hundred two
49 of the education law;

50 (I) political information or information on criminal convictions or
51 arrests;

52 (J) any required security code, access code, password, or username
53 necessary to permit access to the account of an individual;

54 (K) characteristics of protected classes under the human rights law,
55 including race, color, national origin, religion, sex, age, or disabili-
56 ty; or

1 (L) an inference drawn from any of the information described in this
2 paragraph to create a profile about an individual reflecting the indi-
3 vidual's preferences, characteristics, psychological trends, prefer-
4 ences, predispositions, behavior, attitudes, intelligence, abilities, or
5 aptitudes.

6 (ii) Personal information shall not include de-identified data.

7 (e) "Retained" shall mean the saving or storing, or both saving and
8 storing, of voice recorded data longer than the minimum time necessary
9 to complete a requested command by the user.

10 (f) "Toy" shall mean any product designed or intended by the manufac-
11 turer to be used by children or adults for amusement or play.

12 (g) "User" shall mean a person who originally purchases, leases, or
13 takes ownership of a connected device or another person designated by
14 the user to perform the initial setup or installation of the connected
15 device, but such term shall not include a person who is incidentally
16 recorded when a voice recognition feature is activated by a user.

17 (h) "Voice recognition feature" shall mean the function of a connected
18 device with a voice recognition feature that allows the collection,
19 recording, storage, analysis, transmission, interpretation, or other use
20 of spoken words or other sounds, except that this term shall not include
21 spoken words or other sounds that are not recorded, retained, or trans-
22 mitted beyond the connected device.

23 (i) "Voice recorded data" shall mean audio recordings or tran-
24 scriptions of those recordings collected through the operation of a
25 voice recognition feature by the manufacturer of a connected device.

26 2. Disclosures on use of voice recognition. (a) A person or entity
27 shall not sell or otherwise provide a connected device or toy containing
28 a voice recognition feature within this state without prominently
29 informing purchasers both prior to the sale on its packaging and during
30 the initial setup or installation that, at a minimum, the device may be
31 recording the user. During the initial setup or installation such device
32 must disclose: the categories of personal information collected, the
33 purposes for which this personal information is collected, and that if
34 the person or entity is retaining such voice recorded data, for how
35 long, and whether a natural person may listen to such audio.

36 (b) Nothing in this section shall be construed to authorize the
37 disclosure of any recordings retained by the manufacturer, any affil-
38 iates of the same, or any third parties with a contractual relationship
39 with the manufacturer, to any individual or entity, including a law
40 enforcement agency, or any officer, employee, or agent of such agency,
41 unless otherwise authorized by law or pursuant to a judicial order.

42 (c) A manufacturer shall not be liable for functionality provided by
43 applications that the user chooses to use in a cloud computing storage
44 service or are downloaded and installed by a user, unless the manufac-
45 turer collects, controls, or has access to any personal information
46 collected or elicited by the applications.

47 (d) This section shall not apply to a product or service used only to
48 record information by a covered entity, a health care provider, a busi-
49 ness associate, a health care service plan, a contractor, an employee or
50 another person that is subject to the Health Insurance Portability and
51 Accountability Act of 1996 or regulations promulgated under such act,
52 with respect to any action that such act regulates.

53 (e) This section shall not apply to any connected device regulated by
54 the United States Food and Drug Administration under 21 C.F.R. parts 800
55 to 1299 or other requirements, regulations, and guidance the United

1 States Food and Drug Administration promulgates with respect to medical
2 devices, including software as a medical device.

3 3. Enforcement. The secretary of state shall have the power to enforce
4 the provisions of this section, and upon complaint of any person, or on
5 his or her own initiative, to investigate any violation thereof, if in
6 the opinion of the secretary of state such investigation is warranted.
7 Upon a finding of a violation of any provision of this section, the
8 secretary of state may assess a civil penalty of up to two thousand five
9 hundred dollars for each such violation.

10 § 2. This act shall take effect one year after it shall have become a
11 law.

12 PART KK

13 Section 1. Section 54-1 of the state finance law, as added by section
14 1 of part J of chapter 57 of 2011, paragraph b of subdivision 2 as
15 amended by section 1 of part X of chapter 55 of the laws of 2014 and
16 subdivision 5 as added by section 5 of part S of chapter 39 of the laws
17 of 2019, is amended to read as follows:

18 § 54-1. State assistance to eligible cities [~~and eligible munici-~~
19 ~~palities~~] in which a video lottery gaming facility is located. 1. Defi-
20 nitions. When used in this section, unless otherwise expressly stated:

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

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

31 2. [~~a.~~] Within the amount appropriated therefor, an eligible city
32 shall receive an amount equal to ninety-five percent of the state aid
33 payment received in the state fiscal year commencing April first, two
34 thousand [~~eight~~] twenty from an appropriation for aid to municipalities
35 with video lottery gaming facilities.

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

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

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

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

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

14 § 2. This act shall take effect immediately.

15 PART LL

16 Section 1. Subparagraph (i) of paragraph a of subdivision 10 of
17 section 54 of the state finance law, as added by section 1 of part F of
18 chapter 56 of the laws of 2007, is amended to read as follows:

19 (i) "Municipality" means a city with a population less than one
20 million~~[, town or village]~~.

21 § 2. Subparagraph (v) of paragraph b of subdivision 10 of section 54
22 of the state finance law, as added by section 1 of part PPP of chapter
23 59 of the laws of 2019, is amended and a new subparagraph (vi) is added
24 to read as follows:

25 (v) Notwithstanding subparagraph (i) of this paragraph, within amounts
26 appropriated in the state fiscal year commencing April first, two thou-
27 sand nineteen, ~~[and annually thereafter,]~~ there shall be apportioned and
28 paid to each municipality ~~[which is a city]~~ a base level grant in an
29 amount equal to the prior year aid received by such city, and there
30 shall be apportioned and paid to each ~~[municipality which is a]~~ town or
31 village a base level grant in accordance with clause two of this subpar-
32 agraph.

33 (1) When used in this subparagraph, unless otherwise expressly stated:

34 (A) "two thousand eighteen--two thousand nineteen AIM funding" shall
35 mean the sum of the base level grant paid in the state fiscal year that
36 began April first, two thousand eighteen pursuant to this paragraph.

37 (B) "two thousand seventeen total expenditures" shall mean all funds
38 and total expenditures for a town or a village as reported to the state
39 comptroller for local fiscal years ended in two thousand seventeen.

40 (C) "AIM Reliance" shall mean two thousand eighteen-two thousand nine-
41 teen AIM funding calculated as a percentage of two thousand seventeen
42 total expenditures, provided that, for a village which dissolved during
43 the state fiscal year that began April first, two thousand eighteen, the
44 village's two thousand eighteen--two thousand nineteen AIM funding shall
45 be added to the existing two thousand eighteen--two thousand nineteen
46 AIM funding of the town into which the village dissolved for purposes of
47 this calculation.

48 (2) A base level grant equal to a town or village's prior year aid
49 only if such town or village's AIM reliance equals two percent or great-
50 er as reported to and published by the state comptroller as of January
51 tenth, two thousand nineteen.

52 (vi) Notwithstanding subparagraph (i) of this paragraph, within
53 amounts appropriated in the state fiscal year commencing April first,
54 two thousand twenty-one, and annually thereafter, there shall be appor-

1 tioned and paid to each municipality a base level grant in accordance
2 with clause two of this subparagraph:

3 (1) When used in this subparagraph, unless otherwise expressly stated:

4 (A) "two thousand nineteen-two thousand twenty AIM funding" shall mean
5 the sum of the base level grant paid in the state fiscal year that began
6 April first, two thousand nineteen pursuant to this paragraph.

7 (B) "two thousand nineteen expenditures" shall mean general fund
8 expenditures for a municipality as reported to and published by the
9 state comptroller for local fiscal years ended in two thousand nineteen.

10 (C) "AIM Reliance" shall mean two thousand nineteen-two thousand twen-
11 ty AIM funding calculated as a percentage of two thousand nineteen
12 expenditures.

13 (2) A base level grant equal to:

14 (A) eighty percent of a municipality's two thousand nineteen-two thou-
15 sand twenty AIM funding if such municipality's AIM Reliance was equal
16 to or less than 8.1500 percent; or

17 (B) eighty-five percent of a municipality's two thousand nineteen-two
18 thousand twenty AIM funding if such municipality's AIM Reliance was
19 higher than 8.1500 percent but less than or equal to 11.3436 percent; or

20 (C) ninety percent of a municipality's two thousand nineteen-two thou-
21 sand twenty AIM funding if such municipality's AIM Reliance was higher
22 than 11.3436 percent but less than or equal to 14.1522 percent; or

23 (D) ninety-seven and one-half percent of a municipality's two thousand
24 nineteen-two thousand twenty AIM funding if such municipality's AIM
25 Reliance was higher than 14.1522 percent; or

26 (E) eighty percent of a municipality's two thousand nineteen-two thou-
27 sand twenty AIM funding if such municipality has not, by May fifteenth,
28 two thousand twenty-one, reported the information to the state comp-
29 troller necessary to establish its two thousand nineteen expenditures.

30 § 3. Paragraph 5-a of subdivision (c) of section 1261 of the tax law,
31 as amended by section 2 of part NN of chapter 55 of the laws of 2020, is
32 amended to read as follows:

33 (5-a) However, after the comptroller has made the payments to the
34 Nassau county interim finance authority, the Buffalo fiscal stability
35 authority, and the Erie county fiscal stability authority required by
36 paragraph three of this subdivision, for each town or village that
37 received a base level grant in state fiscal year two thousand eighteen-
38 two thousand nineteen [~~but not in state fiscal year two thousand nine-~~
39 ~~teen-two thousand twenty~~] under the aid and incentives for munici-
40 palities program pursuant to subdivision ten of section fifty-four of
41 the state finance law, the comptroller shall annually withhold from each
42 county except Nassau and Erie from the remaining taxes, penalties and
43 interest imposed by the county in which a majority of the population of
44 such town or village resides, and on behalf of Nassau and Erie counties
45 the comptroller shall annually receive from the Nassau county interim
46 finance authority, the Buffalo fiscal stability authority, and the Erie
47 county fiscal stability authority, an amount equal to eighty percent of
48 the base level grant received by such town or village in state fiscal
49 year two thousand eighteen-two thousand nineteen and shall annually
50 distribute, by December fifteenth, two thousand [~~nineteen~~] twenty-one
51 and by such date annually thereafter, such amount directly to such town
52 or village, unless such town or village has a fiscal year ending May
53 thirty-first, then such annual distribution shall be made by May
54 fifteenth, two thousand [~~twenty~~] twenty-two and by such date annually
55 thereafter. No county shall have any right, title or interest in or to

1 the taxes, penalties and interest required to be withheld or distributed
2 pursuant to this paragraph.

3 § 4. This act shall take effect immediately, provided, however, that
4 the amendments made to paragraph 5-a of subdivision (c) of section 1261
5 of the tax law made by section three of the act shall not take effect
6 until July 1, 2021.

7

PART MM

8 Section 1. The opening paragraph of subparagraph 2 of paragraph a and
9 subparagraph 2 of paragraph b of subdivision 3 of section 11 of the
10 general municipal law, the opening paragraph of subparagraph 2 of para-
11 graph a as amended by section 1 of part W of chapter 406 of the laws of
12 1999 and subparagraph 2 of paragraph b as amended by chapter 130 of the
13 laws of 1998, are amended to read as follows:

14 notwithstanding any other provision of general, special or local law,
15 any city having a population of one million or more and any county may
16 also make investments in the following:

17 (2) Such obligations, unless registered or inscribed in the name of
18 the local government, shall be purchased through, delivered to and held
19 in the custody of a bank or trust company or, with respect to the city
20 of New York and counties, a reputable dealer in such obligations as
21 shall be designated by the state comptroller, in this state. Such obli-
22 gations shall be purchased, sold or presented for redemption or payment
23 by such bank or trust company or dealer in obligations only in accord-
24 ance with prior written authorization from the officer authorized to
25 make the investment. All such transactions shall be confirmed in writing
26 to the local government by the bank or trust company. All obligations
27 held in the custody of a bank or trust company pursuant to this para-
28 graph shall be held by such bank or trust company pursuant to a written
29 custodial agreement as set forth in paragraph a of subdivision three of
30 section ten of this article.

31 § 2. Paragraph b of subdivision 3 of section 11 of the general municipi-
32 pal law, as amended by chapter 548 of the laws of 1997, is amended to
33 read as follows:

34 b. Such obligations, unless registered or inscribed in the name of the
35 local government, shall be purchased through, delivered to and held in
36 the custody of a bank or trust company or, with respect to the city of
37 New York and counties, a reputable dealer in such obligations as shall
38 be designated by the state comptroller, in this state. Such obligations
39 shall be purchased, sold or presented for redemption or payment by such
40 bank or trust company or dealer in obligations only in accordance with
41 prior written authorization from the officer authorized to make the
42 investment. All such transactions shall be confirmed in writing to the
43 local government by the bank or trust company. All obligations held in
44 the custody of a bank or trust company pursuant to this paragraph shall
45 be held by such bank or trust company pursuant to a written custodial
46 agreement as set forth in paragraph a of subdivision three of section
47 ten of this article.

48 § 3. This act shall take effect immediately, provided however the
49 amendments to subdivision 3 of section 11 of the general municipal law
50 made by section one of this act shall be subject to the expiration and
51 reversion of such subdivision pursuant to section 2 of chapter 130 of
52 the laws of 1998, as amended, when upon such date the provisions of
53 section two of this act shall take effect.

1

PART NN

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

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

35 § 2. Subdivision 11 of section 239-bb of the general municipal law is
36 REPEALED.

37 § 3. This act shall take effect immediately.

38

PART OO

39 Section 1. Section 2 of chapter 308 of the laws of 2012 amending the
40 general municipal law relating to providing local governments greater
41 contract flexibility and cost savings by permitting certain shared
42 purchasing among political subdivisions, as amended by chapter 211 of
43 the laws of 2018, is amended to read as follows:

44 § 2. This act shall take effect immediately, and shall expire and be
45 deemed repealed July 31, [~~2021~~] 2023.

46 § 2. This act shall take effect immediately.

47

PART PP

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

50 § 217. County jail. Each county shall continue to maintain a county
51 jail as prescribed by law; provided, however, this section shall not

1 prohibit contiguous counties from jointly maintaining a jail pursuant to
2 a shared services agreement that has been reviewed and approved by the
3 New York state commission of correction. The commission's review and
4 approval of a shared services agreement shall be limited to the portions
5 of the agreement that directly affect the care, custody, correction,
6 treatment, supervision, discipline, and other correctional programs for
7 all persons confined in the jail.

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

10 (h) Notwithstanding any other law to the contrary, nothing in this
11 subdivision shall prohibit contiguous counties from jointly maintaining
12 a jail pursuant to section two hundred seventeen of the county law.

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

15 1. Except as provided in subdivision two of this section, the sheriff
16 of each county shall have custody of the county jail of such county;
17 provided however, that for contiguous counties jointly maintaining a
18 jail pursuant to section two hundred seventeen of the county law, the
19 sheriff of the county in which such jail is located shall regularly
20 consult with the sheriff of any county jointly maintaining the jail.

21 § 4. Paragraph (b) of subdivision 3 of section 259-i of the executive
22 law, as amended by section 11 of part E of chapter 62 of the laws of
23 2003, is amended to read as follows:

24 (b) A person who shall have been taken into custody pursuant to this
25 subdivision for violation of one or more conditions of presumptive
26 release, parole, conditional release or post-release supervision shall,
27 insofar as practicable, be incarcerated in the county or city in which
28 the arrest occurred. Notwithstanding any other law to the contrary,
29 nothing in this subdivision shall prohibit contiguous counties from
30 jointly maintaining a jail pursuant to section two hundred seventeen of
31 the county law.

32 § 5. Paragraph (a) of subdivision 16 of section 2 of the correction
33 law, as amended by chapter 681 of the laws of 1990, is amended to read
34 as follows:

35 (a) "Local correctional facility." Any place [~~operated~~] maintained by
36 [~~a county~~] one or more contiguous counties, or the city of New York as a
37 place for the confinement of persons duly committed to secure their
38 attendance as witnesses in any criminal case, charged with crime and
39 committed for trial or examination, awaiting the availability of a
40 court, duly committed for any contempt or upon civil process, convicted
41 of any offense and sentenced to imprisonment therein or awaiting trans-
42 portation under sentence to imprisonment in a correctional facility, or
43 pursuant to any other applicable provisions of law.

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

46 1. Except as provided in subdivisions (2), (3) and (4), punishment for
47 a contempt, specified in section seven hundred fifty, may be by fine,
48 not exceeding one thousand dollars, or by imprisonment, not exceeding
49 thirty days, in the jail of the county where the court is sitting, or
50 both, in the discretion of the court. If the county jail in which the
51 court is sitting has entered into a shared services agreement pursuant
52 to section two hundred seventeen of the county law, the person may be
53 imprisoned in a jail in the contiguous county that is party to such
54 agreement. Where the punishment for contempt is based on a violation of
55 an order of protection issued under section 530.12 or 530.13 of the
56 criminal procedure law, imprisonment may be for a term not exceeding

1 three months. Where a person is committed to jail, for the nonpayment of
2 a fine, imposed under this section, he must be discharged at the expira-
3 tion of thirty days; but where he is also committed for a definite time,
4 the thirty days must be computed from the expiration of the definite
5 time.

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

10 § 7. Subdivision 4 of section 40 of the correction law, as amended by
11 chapter 247 of the laws of 2018, is amended to read as follows:

12 4. "Municipal official" means (a) the sheriff or, where a local
13 correctional facility is under the jurisdiction of a county department,
14 the head of such department, and clerk of the board of supervisors, in
15 the case of a county jail; (b) [~~the~~] any sheriff or other officer having
16 custody or administrative jurisdiction and the clerk of [~~the~~] any board
17 of supervisors, in the case of a [~~county penitentiary~~] jail maintained
18 by two or more contiguous counties pursuant to section two hundred
19 seventeen of the county law; (c) the clerk of the board of supervisors
20 in the case of a county lockup; (d) the mayor and the city clerk, in the
21 case of a city jail or lockup; (e) the supervisor and town clerk, in the
22 case of a town lockup; (f) the mayor and village clerk, in the case of a
23 village lockup; (g) the clerk of the board of supervisors of the county
24 wherein located and the officer having custody or control, in the case
25 of a court detention pen or a hospital prison ward.

26 § 8. Paragraph (b) of subdivision 3 of section 430.20 of the criminal
27 procedure law, as amended by chapter 788 of the laws of 1971, is amended
28 to read as follows:

29 (b) In any other case, commitment must be to the county jail[~~, work-~~
30 ~~house or penitentiary, or to a penitentiary outside the county~~] or, in a
31 county jointly maintaining a jail pursuant to section two hundred seven-
32 teen of the county law, to such jail, and the order of commitment must
33 specify the institution to which the defendant is to be delivered.

34 § 9. Subdivision 35 of section 1.20 of the criminal procedure law is
35 amended to read as follows:

36 35. "Commitment to the custody of the sheriff," when referring to an
37 order of a court located in a county or city which has established a
38 department of correction, means commitment to the commissioner of
39 correction of such county or city. When referring to an order of a
40 court located in a county jointly maintaining a jail pursuant to section
41 two hundred seventeen of the county law, "commitment to the custody of
42 the sheriff" shall mean commitment to the sheriff of the county in which
43 such jail is located.

44 § 10. Paragraph a of subdivision 7 of section 3202 of the education
45 law, as amended by chapter 564 of the laws of 2001, is amended to read
46 as follows:

47 a. A person under twenty-one years of age who has not received a high
48 school diploma and who is incarcerated in a correctional facility main-
49 tained by [~~a county~~] one or more contiguous counties or by the city of
50 New York or in a youth shelter is eligible for educational services
51 pursuant to this subdivision and in accordance with the regulations of
52 the commissioner. Such services shall be provided by the school district
53 in which the facility or youth shelter is located, within the limits of
54 the funds allocated by the commissioner for such purposes pursuant to
55 section thirty-six hundred two of this chapter and pursuant to a plan
56 approved by the commissioner. School districts shall submit such plan

1 by July fifteenth of each school year. Boards of education are author-
2 ized to contract for the provision of such educational services by a
3 board of cooperative educational services or by another public school
4 district.

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

9

PART QQ

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

- 14 1. DOL-Child performer protection account (20401).
- 15 2. Local government records management account (20501).
- 16 3. Child health plus program account (20810).
- 17 4. EPIC premium account (20818).
- 18 5. Education - New (20901).
- 19 6. VLT - Sound basic education fund (20904).
- 20 7. Sewage treatment program management and administration fund
21 (21000).
- 22 8. Hazardous bulk storage account (21061).
- 23 9. Utility environmental regulatory account (21064).
- 24 10. Federal grants indirect cost recovery account (21065).
- 25 11. Low level radioactive waste account (21066).
- 26 12. Recreation account (21067).
- 27 13. Public safety recovery account (21077).
- 28 14. Environmental regulatory account (21081).
- 29 15. Natural resource account (21082).
- 30 16. Mined land reclamation program account (21084).
- 31 17. Great lakes restoration initiative account (21087).
- 32 18. Environmental protection and oil spill compensation fund (21200).
- 33 19. Public transportation systems account (21401).
- 34 20. Metropolitan mass transportation (21402).
- 35 21. Operating permit program account (21451).
- 36 22. Mobile source account (21452).
- 37 23. Statewide planning and research cooperative system account
38 (21902).
- 39 24. New York state thruway authority account (21905).
- 40 25. Mental hygiene program fund account (21907).
- 41 26. Mental hygiene patient income account (21909).
- 42 27. Financial control board account (21911).
- 43 28. Regulation of racing account (21912).
- 44 29. State university dormitory income reimbursable account (21937).
- 45 30. Criminal justice improvement account (21945).
- 46 31. Environmental laboratory reference fee account (21959).
- 47 32. Training, management and evaluation account (21961).
- 48 33. Clinical laboratory reference system assessment account (21962).
- 49 34. Indirect cost recovery account (21978).
- 50 35. Multi-agency training account (21989).
- 51 36. Bell jar collection account (22003).
- 52 37. Industry and utility service account (22004).
- 53 38. Real property disposition account (22006).
- 54 39. Parking account (22007).

- 1 40. Courts special grants (22008).
- 2 41. Asbestos safety training program account (22009).
- 3 42. Camp Smith billeting account (22017).
- 4 43. Batavia school for the blind account (22032).
- 5 44. Investment services account (22034).
- 6 45. Surplus property account (22036).
- 7 46. Financial oversight account (22039).
- 8 47. Regulation of Indian gaming account (22046).
- 9 48. Rome school for the deaf account (22053).
- 10 49. Seized assets account (22054).
- 11 50. Administrative adjudication account (22055).
- 12 51. Federal salary sharing account (22056).
- 13 52. New York City assessment account (22062).
- 14 53. Cultural education account (22063).
- 15 54. Local services account (22078).
- 16 55. DHCR mortgage servicing account (22085).
- 17 56. Housing indirect cost recovery account (22090).
- 18 57. DHCR-HCA application fee account (22100).
- 19 58. Low income housing monitoring account (22130).
- 20 59. Corporation administration account (22135).
- 21 60. New York State Home for Veterans in the Lower-Hudson Valley
- 22 account (22144).
- 23 61. Deferred compensation administration account (22151).
- 24 62. Rent revenue other New York City account (22156).
- 25 63. Rent revenue account (22158).
- 26 64. Tax revenue arrearage account (22168).
- 27 65. New York state medical indemnity fund account (22240).
- 28 66. Behavioral health parity compliance fund (22246).
- 29 67. State university general income offset account (22654).
- 30 68. Lake George park trust fund account (22751).
- 31 69. State police motor vehicle law enforcement account (22802).
- 32 70. Highway safety program account (23001).
- 33 71. DOH drinking water program account (23102).
- 34 72. NYCCC operating offset account (23151).
- 35 73. Commercial gaming regulation account (23702).
- 36 74. Highway use tax administration account (23801).
- 37 75. New York state secure choice administrative account (23806).
- 38 76. Fantasy sports administration account (24951).
- 39 77. Highway and bridge capital account (30051).
- 40 78. Aviation purpose account (30053).
- 41 79. State university residence hall rehabilitation fund (30100).
- 42 80. State parks infrastructure account (30351).
- 43 81. Clean water/clean air implementation fund (30500).
- 44 82. Hazardous waste remedial cleanup account (31506).
- 45 83. Youth facilities improvement account (31701).
- 46 84. Housing assistance fund (31800).
- 47 85. Housing program fund (31850).
- 48 86. Highway facility purpose account (31951).
- 49 87. Information technology capital financing account (32215).
- 50 88. New York racing account (32213).
- 51 89. Capital miscellaneous gifts account (32214).
- 52 90. New York environmental protection and spill remediation account
- 53 (32219).
- 54 91. Mental hygiene facilities capital improvement fund (32300).
- 55 92. Correctional facilities capital improvement fund (32350).
- 56 93. New York State Storm Recovery Capital Fund (33000).

- 1 94. OGS convention center account (50318).
- 2 95. Empire Plaza Gift Shop (50327).
- 3 96. Centralized services fund (55000).
- 4 97. Archives records management account (55052).
- 5 98. Federal single audit account (55053).
- 6 Civil service administration account (55055).
- 7 100. Civil service EHS occupational health program account (55056).
- 8 101. Banking services account (55057).
- 9 102. Cultural resources survey account (55058).
- 10 103. Neighborhood work project account (55059).
- 11 104. Automation & printing chargeback account (55060).
- 12 105. OFT NYT account (55061).
- 13 106. Data center account (55062).
- 14 107. Intrusion detection account (55066).
- 15 108. Domestic violence grant account (55067).
- 16 109. Centralized technology services account (55069).
- 17 110. Labor contact center account (55071).
- 18 111. Human services contact center account (55072).
- 19 112. Tax contact center account (55073).
- 20 113. Department of law civil recoveries account (55074).
- 21 114. Executive direction internal audit account (55251).
- 22 115. CIO Information technology centralized services account (55252).
- 23 116. Health insurance internal service account (55300).
- 24 117. Civil service employee benefits division administrative account
- 25 (55301).
- 26 118. Correctional industries revolving fund (55350).
- 27 119. Employees health insurance account (60201).
- 28 120. Medicaid management information system escrow fund (60900).
- 29 121. New York state cannabis revenue fund.
- 30 § 1-a. The state comptroller is hereby authorized and directed to loan
- 31 money in accordance with the provisions set forth in subdivision 5 of
- 32 section 4 of the state finance law to any account within the following
- 33 federal funds, provided the comptroller has made a determination that
- 34 sufficient federal grant award authority is available to reimburse such
- 35 loans:
- 36 1. Federal USDA-food and nutrition services fund (25000).
- 37 2. Federal health and human services fund (25100).
- 38 3. Federal education fund (25200).
- 39 4. Federal block grant fund (25250).
- 40 5. Federal miscellaneous operating grants fund (25300).
- 41 6. Federal unemployment insurance administration fund (25900).
- 42 7. Federal unemployment insurance occupational training fund (25950).
- 43 8. Federal emergency employment act fund (26000).
- 44 9. Federal capital projects fund (31350).
- 45 § 2. Notwithstanding any law to the contrary, and in accordance with
- 46 section 4 of the state finance law, the comptroller is hereby authorized
- 47 and directed to transfer, upon request of the director of the budget, on
- 48 or before March 31, 2022, up to the unencumbered balance or the follow-
- 49 ing amounts:
- 50 Economic Development and Public Authorities:
- 51 1. \$1,175,000 from the miscellaneous special revenue fund, underground
- 52 facilities safety training account (22172), to the general fund.
- 53 2. An amount up to the unencumbered balance from the miscellaneous
- 54 special revenue fund, business and licensing services account (21977),
- 55 to the general fund.

- 1 3. \$14,810,000 from the miscellaneous special revenue fund, code
2 enforcement account (21904), to the general fund.
- 3 4. \$3,000,000 from the general fund to the miscellaneous special
4 revenue fund, tax revenue arrearage account (22168).
- 5 Education:
 - 6 1. \$2,520,000,000 from the general fund to the state lottery fund,
7 education account (20901), as reimbursement for disbursements made from
8 such fund for supplemental aid to education pursuant to section 92-c of
9 the state finance law that are in excess of the amounts deposited in
10 such fund for such purposes pursuant to section 1612 of the tax law.
 - 11 2. \$746,000,000 from the general fund to the state lottery fund, VLT
12 education account (20904), as reimbursement for disbursements made from
13 such fund for supplemental aid to education pursuant to section 92-c of
14 the state finance law that are in excess of the amounts deposited in
15 such fund for such purposes pursuant to section 1612 of the tax law.
 - 16 3. \$125,600,000 from the general fund to the New York state commercial
17 gaming fund, commercial gaming revenue account (23701), as reimbursement
18 for disbursements made from such fund for supplemental aid to education
19 pursuant to section 97-nmn of the state finance law that are in excess
20 of the amounts deposited in such fund for purposes pursuant to section
21 1352 of the racing, pari-mutuel wagering and breeding law.
 - 22 4. \$6,000,000 from the interactive fantasy sports fund, fantasy sports
23 education account (24950), to the state lottery fund, education account
24 (20901), as reimbursement for disbursements made from such fund for
25 supplemental aid to education pursuant to section 92-c of the state
26 finance law.
 - 27 5. An amount up to the unencumbered balance from the charitable gifts
28 trust fund, elementary and secondary education account (24901), to the
29 general fund, for payment of general support for public schools pursuant
30 to section 3609-a of the education law.
 - 31 6. Moneys from the state lottery fund (20900) up to an amount deposit-
32 ed in such fund pursuant to section 1612 of the tax law in excess of the
33 current year appropriation for supplemental aid to education pursuant to
34 section 92-c of the state finance law.
 - 35 7. \$300,000 from the New York state local government records manage-
36 ment improvement fund, local government records management account
37 (20501), to the New York state archives partnership trust fund, archives
38 partnership trust maintenance account (20351).
 - 39 8. \$900,000 from the general fund to the miscellaneous special revenue
40 fund, Batavia school for the blind account (22032).
 - 41 9. \$900,000 from the general fund to the miscellaneous special revenue
42 fund, Rome school for the deaf account (22053).
 - 43 10. \$343,400,000 from the state university dormitory income fund
44 (40350) to the miscellaneous special revenue fund, state university
45 dormitory income reimbursable account (21937).
 - 46 11. \$8,318,000 from the general fund to the state university income
47 fund, state university income offset account (22654), for the state's
48 share of repayment of the STIP loan.
 - 49 12. \$68,000,000 from the state university income fund, state universi-
50 ty hospitals income reimbursable account (22656) to the general fund for
51 hospital debt service for the period April 1, 2021 through March 31,
52 2022.
 - 53 13. \$7,850,000 from the miscellaneous special revenue fund, office of
54 the professions account (22051), to the miscellaneous capital projects
55 fund, office of the professions electronic licensing account (32222).

1 14. \$24,000,000 from any of the state education department's special
2 revenue and internal service funds to the miscellaneous special revenue
3 fund, indirect cost recovery account (21978).

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

6 16. \$1,500,000 from the miscellaneous special revenue fund, office of
7 the professions account (22051), to the general fund from fees charged
8 to each non-licensee owner of a firm that is incorporating as a profes-
9 sional service corporation formed to lawfully engage in the practice of
10 public accountancy.

11 17. \$12,500,000 from the School Capital Facilities Financing Reserve
12 Fund to the Capital Projects Fund account (30000), for excess debt
13 service reserve fund balances related to bonds that have been fully
14 retired. Such excess funds shall be used to support the development of
15 a modernized State aid data system for the education department.

16 Environmental Affairs:

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

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

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

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

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

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

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

41 8. \$1,800,000 from the miscellaneous special revenue fund, public
42 service account (22011) to the miscellaneous special revenue fund, util-
43 ity environmental regulatory account (21064).

44 9. \$7,000,000 from the general fund to the enterprise fund, state fair
45 account (50051).

46 10. \$4,000,000 from the waste management & cleanup account (21053) to
47 the general fund.

48 11. \$3,000,000 from the waste management & cleanup account (21053) to
49 the environmental protection fund transfer account (30451).

50 Family Assistance:

51 1. \$7,000,000 from any of the office of children and family services,
52 office of temporary and disability assistance, or department of health
53 special revenue federal funds and the general fund, in accordance with
54 agreements with social services districts, to the miscellaneous special
55 revenue fund, office of human resources development state match account
56 (21967).

- 1 2. \$4,000,000 from any of the office of children and family services
2 or office of temporary and disability assistance special revenue federal
3 funds to the miscellaneous special revenue fund, family preservation and
4 support services and family violence services account (22082).
- 5 3. \$18,670,000 from any of the office of children and family services,
6 office of temporary and disability assistance, or department of health
7 special revenue federal funds and any other miscellaneous revenues
8 generated from the operation of office of children and family services
9 programs to the general fund.
- 10 4. \$175,000,000 from any of the office of temporary and disability
11 assistance or department of health special revenue funds to the general
12 fund.
- 13 5. \$2,500,000 from any of the office of temporary and disability
14 assistance special revenue funds to the miscellaneous special revenue
15 fund, office of temporary and disability assistance program account
16 (21980).
- 17 6. \$35,000,000 from any of the office of children and family services,
18 office of temporary and disability assistance, department of labor, and
19 department of health special revenue federal funds to the office of
20 children and family services miscellaneous special revenue fund, multi-
21 agency training contract account (21989).
- 22 7. \$205,000,000 from the miscellaneous special revenue fund, youth
23 facility per diem account (22186), to the general fund.
- 24 8. \$621,850 from the general fund to the combined gifts, grants, and
25 bequests fund, WB Hoyt Memorial account (20128).
- 26 9. \$5,000,000 from the miscellaneous special revenue fund, state
27 central registry (22028), to the general fund.
- 28 General Government:
- 29 1. \$1,566,000 from the miscellaneous special revenue fund, examination
30 and miscellaneous revenue account (22065) to the general fund.
- 31 2. \$12,000,000 from the general fund to the health insurance revolving
32 fund (55300).
- 33 3. \$292,400,000 from the health insurance reserve receipts fund
34 (60550) to the general fund.
- 35 4. \$150,000 from the general fund to the not-for-profit revolving loan
36 fund (20650).
- 37 5. \$150,000 from the not-for-profit revolving loan fund (20650) to the
38 general fund.
- 39 6. \$3,000,000 from the miscellaneous special revenue fund, surplus
40 property account (22036), to the general fund.
- 41 7. \$19,000,000 from the miscellaneous special revenue fund, revenue
42 arrearage account (22024), to the general fund.
- 43 8. \$1,826,000 from the miscellaneous special revenue fund, revenue
44 arrearage account (22024), to the miscellaneous special revenue fund,
45 authority budget office account (22138).
- 46 9. \$1,000,000 from the agencies enterprise fund, parking services
47 account (22007), to the general fund, for the purpose of reimbursing the
48 costs of debt service related to state parking facilities.
- 49 10. \$3,435,000 from the general fund to the centralized services fund,
50 COPS account (55013).
- 51 11. \$11,460,000 from the general fund to the agencies internal service
52 fund, central technology services account (55069), for the purpose of
53 enterprise technology projects.
- 54 12. \$10,000,000 from the general fund to the agencies internal service
55 fund, state data center account (55062).

1 13. \$12,000,000 from the agencies enterprise fund, parking services
2 account (22007), to the centralized services, building support services
3 account (55018).

4 14. \$30,000,000 from the general fund to the internal service fund,
5 business services center account (55022).

6 15. \$8,000,000 from the general fund to the internal service fund,
7 building support services account (55018).

8 16. \$1,500,000 from the agencies enterprise fund, special events
9 account (20120), to the general fund.

10 Health:

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

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

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

23 4. \$20,294,000 from the HCRA resources fund (20800) to the miscella-
24 neous special revenue fund, empire state stem cell trust fund account
25 (22161).

26 5. \$2,000,000 from the miscellaneous special revenue fund, certificate
27 of need account (21920), to the miscellaneous capital projects fund,
28 healthcare IT capital subfund (32216).

29 6. \$2,000,000 from the miscellaneous special revenue fund, vital
30 health records account (22103), to the miscellaneous capital projects
31 fund, healthcare IT capital subfund (32216).

32 7. \$6,000,000 from the miscellaneous special revenue fund, profes-
33 sional medical conduct account (22088), to the miscellaneous capital
34 projects fund, healthcare IT capital subfund (32216).

35 8. \$91,304,000 from the HCRA resources fund (20800) to the capital
36 projects fund (30000).

37 9. \$6,550,000 from the general fund to the medical marihuana trust
38 fund, health operation and oversight account (23755).

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

46 11. \$500,000 from the miscellaneous special revenue fund, New York
47 State cannabis revenue fund, to the miscellaneous special revenue fund,
48 environmental laboratory fee account (21959).

49 12. An amount up to the unencumbered balance from the public health
50 emergency charitable gifts trust fund to the general fund, for payment
51 of goods and services necessary to respond to a public health disaster
52 emergency or to assist or aid in responding to such a disaster.

53 13. \$2,585,000 from the miscellaneous special revenue fund, patient
54 safety center account (22140), to the general fund.

55 14. \$1,000,000 from the miscellaneous special revenue fund, nursing
56 home receivership account (21925), to the general fund.

1 15. \$133,000 from the miscellaneous special revenue fund, quality of
2 care account (21915), to the general fund.

3 16. \$2,200,000 from the miscellaneous special revenue fund, adult home
4 quality enhancement account (22091), to the general fund.

5 Labor:

6 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
7 penalty account (21923), to the child performer's protection fund, child
8 performer protection account (20401).

9 2. \$11,700,000 from the unemployment insurance interest and penalty
10 fund, unemployment insurance special interest and penalty account
11 (23601), to the general fund.

12 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-
13 ment insurance special interest and penalty account (23601), and public
14 work enforcement account (21998), to the general fund.

15 Mental Hygiene:

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

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

20 3. \$3,000,000 from the chemical dependence service fund, substance
21 abuse services fund account (22700), to the mental hygiene capital
22 improvement fund (32305).

23 Public Protection:

24 1. \$1,350,000 from the miscellaneous special revenue fund, emergency
25 management account (21944), to the general fund.

26 2. \$2,587,000 from the general fund to the miscellaneous special
27 revenue fund, recruitment incentive account (22171).

28 3. \$22,773,000 from the general fund to the correctional industries
29 revolving fund, correctional industries internal service account
30 (55350).

31 4. \$2,000,000,000 from any of the division of homeland security and
32 emergency services special revenue federal funds to the general fund.

33 5. \$11,149,000 from the miscellaneous special revenue fund, criminal
34 justice improvement account (21945), to the general fund.

35 6. \$115,420,000 from the state police motor vehicle law enforcement
36 and motor vehicle theft and insurance fraud prevention fund, state
37 police motor vehicle enforcement account (22802), to the general fund
38 for state operation expenses of the division of state police.

39 7. \$131,500,000 from the general fund to the correctional facilities
40 capital improvement fund (32350).

41 8. \$5,000,000 from the general fund to the dedicated highway and
42 bridge trust fund (30050) for the purpose of work zone safety activities
43 provided by the division of state police for the department of transpor-
44 tation.

45 9. \$10,000,000 from the miscellaneous special revenue fund, statewide
46 public safety communications account (22123), to the capital projects
47 fund (30000).

48 10. \$9,830,000 from the miscellaneous special revenue fund, legal
49 services assistance account (22096), to the general fund.

50 11. \$1,000,000 from the general fund to the agencies internal service
51 fund, neighborhood work project account (55059).

52 12. \$7,980,000 from the miscellaneous special revenue fund, finger-
53 print identification & technology account (21950), to the general fund.

54 13. \$1,100,000 from the state police motor vehicle law enforcement and
55 motor vehicle theft and insurance fraud prevention fund, motor vehicle
56 theft and insurance fraud account (22801), to the general fund.

- 1 14. \$30,500,000 from the miscellaneous special revenue fund, statewide
2 public safety communications account (22123), to the general fund.
- 3 Transportation:
- 4 1. \$20,000,000 from the general fund to the mass transportation oper-
5 ating assistance fund, public transportation systems operating assist-
6 ance account (21401), of which \$12,000,000 constitutes the base need for
7 operations.
- 8 2. \$727,500,000 from the general fund to the dedicated highway and
9 bridge trust fund (30050).
- 10 3. \$244,250,000 from the general fund to the MTA financial assistance
11 fund, mobility tax trust account (23651).
- 12 4. \$5,000,000 from the miscellaneous special revenue fund, transporta-
13 tion regulation account (22067) to the dedicated highway and bridge
14 trust fund (30050), for disbursements made from such fund for motor
15 carrier safety that are in excess of the amounts deposited in the dedi-
16 cated highway and bridge trust fund (30050) for such purpose pursuant to
17 section 94 of the transportation law.
- 18 5. \$3,000,000 from the miscellaneous special revenue fund, traffic
19 adjudication account (22055), to the general fund.
- 20 6. \$8,557,000 from the mass transportation operating assistance fund,
21 metropolitan mass transportation operating assistance account (21402),
22 to the capital projects fund (30000).
- 23 7. \$5,000,000 from the miscellaneous special revenue fund, transporta-
24 tion regulation account (22067) to the general fund, for disbursements
25 made from such fund for motor carrier safety that are in excess of the
26 amounts deposited in the general fund for such purpose pursuant to
27 section 94 of the transportation law.
- 28 8. \$4,721,000 from the mass transportation operating assistance fund,
29 public transportation systems operating assistance account (21401), to
30 the general fund.
- 31 9. \$107,474,000 from the mass transportation operating assistance
32 fund, metropolitan mass transportation operating assistance account
33 (21402), to the general fund.
- 34 10. \$22,557,000 from the dedicated mass transportation trust fund,
35 transit account (20851), to the general fund.
- 36 11. \$3,985,000 from the dedicated mass transportation trust fund,
37 commuter rail account (20852), to the general fund.
- 38 12. \$2,372,000 from the dedicated mass transportation trust fund,
39 non-MTA account (20853), to the general fund.
- 40 13. \$12,552,000 from the metropolitan transportation authority finan-
41 cial assistance fund, mobility tax trust account (23651), to the general
42 fund.
- 43 14. \$6,552,000 from the New York central business district trust fund
44 (23653) to the general fund.
- 45 Miscellaneous:
- 46 1. \$250,000,000 from the general fund to any funds or accounts for the
47 purpose of reimbursing certain outstanding accounts receivable balances
48 or fund spending expected to be incurred to maintain essential govern-
49 mental operations which are in excess of available cash resulting from a
50 reduction of dedicated revenue sources that were waived or otherwise
51 impacted by reduced utilization directly or indirectly associated with
52 executive order and/or societal response to the novel coronavirus,
53 COVID-19.
- 54 2. \$500,000,000 from the general fund to the debt reduction reserve
55 fund (40000).

1 3. \$450,000,000 from the New York state storm recovery capital fund
2 (33000) to the revenue bond tax fund (40152).

3 4. \$15,500,000 from the general fund, community projects account GG
4 (10256), to the general fund, state purposes account (10050).

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

7 § 3. 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, on or before March 31, 2022:

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

16 2. Upon request of the commissioner of agriculture and markets, up to
17 \$3,000,000 from any special revenue fund or enterprise fund within the
18 department of agriculture and markets to the general fund, to pay appro-
19 priate administrative expenses.

20 3. Upon request of the commissioner of agriculture and markets, up to
21 \$2,000,000 from the state exposition special fund, state fair receipts
22 account (50051) to the miscellaneous capital projects fund, state fair
23 capital improvement account (32208).

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

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

33 6. Upon request of the commissioner of health up to \$13,225,000 from
34 revenues credited to any of the department of health's special revenue
35 funds, to the miscellaneous special revenue fund, administration account
36 (21982).

37 § 4. On or before March 31, 2022, the comptroller is hereby authorized
38 and directed to deposit earnings that would otherwise accrue to the
39 general fund that are attributable to the operation of section 98-a of
40 the state finance law, to the agencies internal service fund, banking
41 services account (55057), for the purpose of meeting direct payments
42 from such account.

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

50 § 6. Notwithstanding any law to the contrary, and in accordance with
51 section 4 of the state finance law, the comptroller is hereby authorized
52 and directed to transfer, upon request of the director of the budget and
53 upon consultation with the state university chancellor or his or her
54 designee, on or before March 31, 2022, up to \$16,000,000 from the state
55 university income fund general revenue account (22653) to the state
56 general fund for debt service costs related to campus supported capital

1 project costs for the NY-SUNY 2020 challenge grant program at the
2 University at Buffalo.

3 § 7. Notwithstanding any law to the contrary, and in accordance with
4 section 4 of the state finance law, the comptroller is hereby authorized
5 and directed to transfer, upon request of the director of the budget and
6 upon consultation with the state university chancellor or his or her
7 designee, on or before March 31, 2022, up to \$6,500,000 from the state
8 university income fund general revenue account (22653) to the state
9 general fund for debt service costs related to campus supported capital
10 project costs for the NY-SUNY 2020 challenge grant program at the
11 University at Albany.

12 § 8. Notwithstanding any law to the contrary, the state university
13 chancellor or his or her designee is authorized and directed to transfer
14 estimated tuition revenue balances from the state university collection
15 fund (61000) to the state university income fund, state university
16 general revenue offset account (22655) on or before March 31, 2022.

17 § 9. Notwithstanding any law to the contrary, and in accordance with
18 section 4 of the state finance law, the comptroller is hereby authorized
19 and directed to transfer, upon request of the director of the budget, up
20 to \$978,934,300 from the general fund to the state university income
21 fund, state university general revenue offset account (22655) during the
22 period of July 1, 2021 through June 30, 2022 to support operations at
23 the state university.

24 § 10. 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, up
27 to \$20,000,000 from the general fund to the state university income
28 fund, state university general revenue offset account (22655) during the
29 period of July 1, 2021 to June 30, 2022 to support operations at the
30 state university in accordance with the maintenance of effort pursuant
31 to subparagraph (4) of paragraph h of subdivision 2 of section 355 of
32 the education law.

33 § 11. 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 state university chancel-
36 lor or his or her designee, up to \$55,000,000 from the state university
37 income fund, state university hospitals income reimbursable account
38 (22656), for services and expenses of hospital operations and capital
39 expenditures at the state university hospitals; and the state university
40 income fund, Long Island veterans' home account (22652) to the state
41 university capital projects fund (32400) on or before June 30, 2022.

42 § 12. Notwithstanding any law to the contrary, and in accordance with
43 section 4 of the state finance law, the comptroller, after consultation
44 with the state university chancellor or his or her designee, is hereby
45 authorized and directed to transfer moneys, in the first instance, from
46 the state university collection fund, Stony Brook hospital collection
47 account (61006), Brooklyn hospital collection account (61007), and Syra-
48 cuse hospital collection account (61008) to the state university income
49 fund, state university hospitals income reimbursable account (22656) in
50 the event insufficient funds are available in the state university
51 income fund, state university hospitals income reimbursable account
52 (22656) to permit the full transfer of moneys authorized for transfer,
53 to the general fund for payment of debt service related to the SUNY
54 hospitals. Notwithstanding any law to the contrary, the comptroller is
55 also hereby authorized and directed, after consultation with the state
56 university chancellor or his or her designee, to transfer moneys from

1 the state university income fund to the state university income fund,
2 state university hospitals income reimbursable account (22656) in the
3 event insufficient funds are available in the state university income
4 fund, state university hospitals income reimbursable account (22656) to
5 pay hospital operating costs or to permit the full transfer of moneys
6 authorized for transfer, to the general fund for payment of debt service
7 related to the SUNY hospitals on or before March 31, 2022.

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

17 § 14. Notwithstanding any law to the contrary, and in accordance with
18 section 4 of the state finance law, the comptroller is hereby authorized
19 and directed to transfer, at the request of the director of the budget,
20 up to \$1 billion from the unencumbered balance of any special revenue
21 fund or account, agency fund or account, internal service fund or
22 account, enterprise fund or account, or any combination of such funds
23 and accounts, to the general fund. The amounts transferred pursuant to
24 this authorization shall be in addition to any other transfers expressly
25 authorized in the 2021-22 budget. Transfers from federal funds, debt
26 service funds, capital projects funds, the community projects fund, or
27 funds that would result in the loss of eligibility for federal benefits
28 or federal funds pursuant to federal law, rule, or regulation as assent-
29 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
30 1951 are not permitted pursuant to this authorization.

31 § 15. Notwithstanding any law to the contrary, and in accordance with
32 section 4 of the state finance law, the comptroller is hereby authorized
33 and directed to transfer, at the request of the director of the budget,
34 up to \$100 million from any non-general fund or account, or combination
35 of funds and accounts, to the miscellaneous special revenue fund, tech-
36 nology financing account (22207), the miscellaneous capital projects
37 fund, the federal capital projects account (31350), information technol-
38 ogy capital financing account (32215), or the centralized technology
39 services account (55069), for the purpose of consolidating technology
40 procurement and services. The amounts transferred to the miscellaneous
41 special revenue fund, technology financing account (22207) pursuant to
42 this authorization shall be equal to or less than the amount of such
43 monies intended to support information technology costs which are
44 attributable, according to a plan, to such account made in pursuance to
45 an appropriation by law. Transfers to the technology financing account
46 shall be completed from amounts collected by non-general funds or
47 accounts pursuant to a fund deposit schedule or permanent statute, and
48 shall be transferred to the technology financing account pursuant to a
49 schedule agreed upon by the affected agency commissioner. Transfers from
50 funds that would result in the loss of eligibility for federal benefits
51 or federal funds pursuant to federal law, rule, or regulation as assent-
52 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
53 1951 are not permitted pursuant to this authorization.

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

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

14 § 17. Notwithstanding any provision of law to the contrary, as deemed
15 feasible and advisable by its trustees, the power authority of the state
16 of New York is authorized and directed to transfer to the state treasury
17 to the credit of the general fund up to \$20,000,000 for the state fiscal
18 year commencing April 1, 2021, the proceeds of which will be utilized to
19 support energy-related state activities.

20 § 18. Notwithstanding any provision of law, rule or regulation to the
21 contrary, the New York state energy research and development authority
22 is authorized and directed to make the following contributions to the
23 state treasury to the credit of the general fund on or before March 31,
24 2022: (a) \$913,000; and (b) \$23,000,000 from proceeds collected by the
25 authority from the auction or sale of carbon dioxide emission allowances
26 allocated by the department of environmental conservation.

27 § 19. Notwithstanding any provision of law, rule or regulation to the
28 contrary, the New York state energy research and development authority
29 is authorized and directed to transfer five million dollars to the cred-
30 it of the Environmental Protection Fund on or before March 31, 2022 from
31 proceeds collected by the authority from the auction or sale of carbon
32 dioxide emission allowances allocated by the department of environmental
33 conservation.

34 § 20. Subdivision 5 of section 97-rrr of the state finance law, as
35 amended by section 20 of part JJ of chapter 56 of the laws of 2020, is
36 amended to read as follows:

37 5. Notwithstanding the provisions of section one hundred seventy-one-a
38 of the tax law, as separately amended by chapters four hundred eighty-
39 one and four hundred eighty-four of the laws of nineteen hundred eight-
40 y-one, and notwithstanding the provisions of chapter ninety-four of the
41 laws of two thousand eleven, or any other provisions of law to the
42 contrary, during the fiscal year beginning April first, two thousand
43 [~~twenty~~ twenty-one, the state comptroller is hereby authorized and
44 directed to deposit to the fund created pursuant to this section from
45 amounts collected pursuant to article twenty-two of the tax law and
46 pursuant to a schedule submitted by the director of the budget, up to
47 [~~\$2,073,116,000~~ \$586,503,000, as may be certified in such schedule as
48 necessary to meet the purposes of such fund for the fiscal year begin-
49 ning April first, two thousand [~~twenty~~ twenty-one.

50 § 21. Notwithstanding any law to the contrary, the comptroller is
51 hereby authorized and directed to transfer, upon request of the director
52 of the budget, on or before March 31, 2022, the following amounts from
53 the following special revenue accounts to the capital projects fund
54 (30000), for the purposes of reimbursement to such fund for expenses
55 related to the maintenance and preservation of state assets:

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

3 2. \$1,478,000 from the miscellaneous special revenue fund, helen hayes
4 hospital account (22140).

5 3. \$366,000 from the miscellaneous special revenue fund, New York city
6 veterans' home account (22141).

7 4. \$513,000 from the miscellaneous special revenue fund, New York
8 state home for veterans' and their dependents at oxford account (22142).

9 5. \$159,000 from the miscellaneous special revenue fund, western New
10 York veterans' home account (22143).

11 6. \$323,000 from the miscellaneous special revenue fund, New York
12 state for veterans in the lower-hudson valley account (22144).

13 7. \$2,550,000 from the miscellaneous special revenue fund, patron
14 services account (22163).

15 8. \$7,502,241 from the miscellaneous special revenue fund, state
16 university general income reimbursable account (22653).

17 9. \$135,656,957 from the miscellaneous special revenue fund, state
18 university revenue offset account (22655).

19 10. \$49,329,802 from the state university dormitory income fund, state
20 university dormitory income fund (40350).

21 11. \$1,000,000 from the miscellaneous special revenue fund, litigation
22 settlement and civil recovery account (22117).

23 § 22. Subdivision 5 of section 4 of the state finance law, as amended
24 by section 16 of part PP of chapter 56 of the laws of 2009, is amended
25 to read as follows:

26 5. No money or other financial resources shall be transferred or
27 temporarily loaned from one fund to another without specific statutory
28 authorization for such transfer or temporary loan, except that money or
29 other financial resources of a fund may be temporarily loaned to the
30 general fund during the state fiscal year provided that such loan shall
31 be repaid in full no later than [~~(a) four months after it was made or~~
32 ~~(b) by~~] the end of the same fiscal year in which it was made, [~~whichever~~
33 ~~period is shorter,~~] so that an accurate accounting and reporting of the
34 balance of financial resources in each fund may be made. The comptroller
35 is hereby authorized to temporarily loan money from the general fund or
36 any other fund to the fund/accounts that are authorized to receive a
37 loan. Such loans shall be limited to the amounts immediately required to
38 meet disbursements, made in pursuance of an appropriation by law and
39 authorized by a certificate of approval issued by the director of the
40 budget with copies thereof filed with the comptroller and the chair of
41 the senate finance committee and the chair of the assembly ways and
42 means committee. The director of the budget shall not issue such a
43 certificate unless he or she shall have determined that the amounts to
44 be so loaned are receivable on account. When making loans, the comp-
45 troller shall establish appropriate accounts and if the loan is not
46 repaid by the end of the month, provide on or before the fifteenth day
47 of the following month to the director of the budget, the chair of the
48 senate finance committee and the chair of the assembly ways and means
49 committee, an accurate accounting and report of the financial resources
50 of each such fund at the end of such month. Within ten days of the
51 receipt of such accounting and reporting, the director of the budget
52 shall provide the comptroller and the chair of the senate finance
53 committee and the chair of the assembly ways and means committee an
54 expected schedule of repayment by fund and by source for each outstand-
55 ing loan. Repayment shall be made by the comptroller from the first cash
56 receipt of this fund.

1 § 23. The opening paragraph of subdivision 3 of section 93-b of the
2 state finance law, as amended by section 1 of part M of chapter 57 of
3 the laws of 2016, is amended to read as follows:

4 Notwithstanding any other provisions of law to the contrary, [~~commenc-~~
5 ~~ing on April first, two thousand fifteen, and continuing through March~~
6 ~~thirty first, two thousand twenty one,~~] the comptroller is hereby
7 authorized to transfer monies from the dedicated infrastructure invest-
8 ment fund to the general fund, and from the general fund to the dedi-
9 cated infrastructure investment fund, in an amount determined by the
10 director of the budget to the extent moneys are available in the fund;
11 provided, however, that the comptroller is only authorized to transfer
12 monies from the dedicated infrastructure investment fund to the general
13 fund in the event of an economic downturn as described in paragraph (a)
14 of this subdivision; and/or to fulfill disallowances and/or settlements
15 related to over-payments of federal medicare and medicaid revenues in
16 excess of one hundred million dollars from anticipated levels, as deter-
17 mined by the director of the budget and described in paragraph (b) of
18 this subdivision.

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

41 § 25. Subdivision 1 of section 16 of part D of chapter 389 of the laws
42 of 1997, relating to the financing of the correctional facilities
43 improvement fund and the youth facility improvement fund, as amended by
44 section 28 of part JJ of chapter 56 of the laws of 2020, is amended to
45 read as follows:

46 1. Subject to the provisions of chapter 59 of the laws of 2000, but
47 notwithstanding the provisions of section 18 of section 1 of chapter 174
48 of the laws of 1968, the New York state urban development corporation is
49 hereby authorized to issue bonds, notes and other obligations in an
50 aggregate principal amount not to exceed [~~eight billion eight hundred~~
51 ~~seventeen million two hundred ninety nine thousand dollars~~
52 ~~\$8,817,299,000~~] nine billion one hundred thirty-nine million six hundred
53 nineteen thousand dollars \$9,139,619,000, and shall include all bonds,
54 notes and other obligations issued pursuant to chapter 56 of the laws of
55 1983, as amended or supplemented. The proceeds of such bonds, notes or
56 other obligations shall be paid to the state, for deposit in the correc-

1 tional facilities capital improvement fund to pay for all or any portion
2 of the amount or amounts paid by the state from appropriations or reap-
3 propriations made to the department of corrections and community super-
4 vision from the correctional facilities capital improvement fund for
5 capital projects. The aggregate amount of bonds, notes or other obli-
6 gations authorized to be issued pursuant to this section shall exclude
7 bonds, notes or other obligations issued to refund or otherwise repay
8 bonds, notes or other obligations theretofore issued, the proceeds of
9 which were paid to the state for all or a portion of the amounts
10 expended by the state from appropriations or reappropriations made to
11 the department of corrections and community supervision; provided,
12 however, that upon any such refunding or repayment the total aggregate
13 principal amount of outstanding bonds, notes or other obligations may be
14 greater than [~~eight billion eight hundred seventeen million two hundred~~
15 ~~ninety-nine thousand dollars \$8,817,299,000~~] nine billion one hundred
16 thirty-nine million six hundred nineteen thousand dollars
17 \$9,139,619,000, only if the present value of the aggregate debt service
18 of the refunding or repayment bonds, notes or other obligations to be
19 issued shall not exceed the present value of the aggregate debt service
20 of the bonds, notes or other obligations so to be refunded or repaid.
21 For the purposes hereof, the present value of the aggregate debt service
22 of the refunding or repayment bonds, notes or other obligations and of
23 the aggregate debt service of the bonds, notes or other obligations so
24 refunded or repaid, shall be calculated by utilizing the effective
25 interest rate of the refunding or repayment bonds, notes or other obli-
26 gations, which shall be that rate arrived at by doubling the semi-annual
27 interest rate (compounded semi-annually) necessary to discount the debt
28 service payments on the refunding or repayment bonds, notes or other
29 obligations from the payment dates thereof to the date of issue of the
30 refunding or repayment bonds, notes or other obligations and to the
31 price bid including estimated accrued interest or proceeds received by
32 the corporation including estimated accrued interest from the sale ther-
33 eof.

34 § 26. Subdivision (a) of section 27 of part Y of chapter 61 of the
35 laws of 2005, relating to providing for the administration of certain
36 funds and accounts related to the 2005-2006 budget, as amended by
37 section 29 of part JJ of chapter 56 of the laws of 2020, is amended to
38 read as follows:

39 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
40 notwithstanding any provisions of law to the contrary, the urban devel-
41 opment corporation is hereby authorized to issue bonds or notes in one
42 or more series in an aggregate principal amount not to exceed [~~three~~
43 ~~hundred twenty-three million one hundred thousand dollars \$323,100,000~~]
44 three hundred seventy-four million six hundred thousand dollars
45 \$374,600,000, excluding bonds issued to finance one or more debt service
46 reserve funds, to pay costs of issuance of such bonds, and bonds or
47 notes issued to refund or otherwise repay such bonds or notes previously
48 issued, for the purpose of financing capital projects including IT
49 initiatives for the division of state police, debt service and leases;
50 and to reimburse the state general fund for disbursements made therefor.
51 Such bonds and notes of such authorized issuer shall not be a debt of
52 the state, and the state shall not be liable thereon, nor shall they be
53 payable out of any funds other than those appropriated by the state to
54 such authorized issuer for debt service and related expenses pursuant to
55 any service contract executed pursuant to subdivision (b) of this
56 section and such bonds and notes shall contain on the face thereof a

1 statement to such effect. Except for purposes of complying with the
2 internal revenue code, any interest income earned on bond proceeds shall
3 only be used to pay debt service on such bonds.

4 § 27. Subdivision 3 of section 1285-p of the public authorities law,
5 as amended by section 30 of part JJ of chapter 56 of the laws of 2020,
6 is amended to read as follows:

7 3. The maximum amount of bonds that may be issued for the purpose of
8 financing environmental infrastructure projects authorized by this
9 section shall be [~~six billion three hundred seventy-four million ten~~
10 ~~thousand dollars \$6,374,010,000~~] seven billion one hundred thirty
11 million ten thousand dollars \$7,130,010,000, exclusive of bonds issued
12 to fund any debt service reserve funds, pay costs of issuance of such
13 bonds, and bonds or notes issued to refund or otherwise repay bonds or
14 notes previously issued. Such bonds and notes of the corporation shall
15 not be a debt of the state, and the state shall not be liable thereon,
16 nor shall they be payable out of any funds other than those appropriated
17 by the state to the corporation for debt service and related expenses
18 pursuant to any service contracts executed pursuant to subdivision one
19 of this section, and such bonds and notes shall contain on the face
20 thereof a statement to such effect.

21 § 28. Subdivision (a) of section 48 of part K of chapter 81 of the
22 laws of 2002, relating to providing for the administration of certain
23 funds and accounts related to the 2002-2003 budget, as amended by
24 section 31 of part JJ of chapter 56 of the laws of 2020, is amended to
25 read as follows:

26 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
27 notwithstanding the provisions of section 18 of the urban development
28 corporation act, the corporation is hereby authorized to issue bonds or
29 notes in one or more series in an aggregate principal amount not to
30 exceed [~~three hundred fourteen million dollars \$314,000,000~~] three
31 hundred forty-seven million five hundred thousand dollars \$347,500,000,
32 excluding bonds issued to fund one or more debt service reserve funds,
33 to pay costs of issuance of such bonds, and bonds or notes issued to
34 refund or otherwise repay such bonds or notes previously issued, for the
35 purpose of financing capital costs related to homeland security and
36 training facilities for the division of state police, the division of
37 military and naval affairs, and any other state agency, including the
38 reimbursement of any disbursements made from the state capital projects
39 fund, and is hereby authorized to issue bonds or notes in one or more
40 series in an aggregate principal amount not to exceed [~~\$1,115,800,000~~
41 ~~one billion one hundred fifteen million eight hundred thousand dollars~~]
42 one billion two hundred seventy-eight million eight hundred thousand
43 dollars \$1,278,800,000, excluding bonds issued to fund one or more debt
44 service reserve funds, to pay costs of issuance of such bonds, and bonds
45 or notes issued to refund or otherwise repay such bonds or notes previ-
46 ously issued, for the purpose of financing improvements to State office
47 buildings and other facilities located statewide, including the
48 reimbursement of any disbursements made from the state capital projects
49 fund. Such bonds and notes of the corporation shall not be a debt of the
50 state, and the state shall not be liable thereon, nor shall they be
51 payable out of any funds other than those appropriated by the state to
52 the corporation for debt service and related expenses pursuant to any
53 service contracts executed pursuant to subdivision (b) of this section,
54 and such bonds and notes shall contain on the face thereof a statement
55 to such effect.

1 § 29. Paragraph (c) of subdivision 19 of section 1680 of the public
2 authorities law, as amended by section 32 of part JJ of chapter 56 of
3 the laws of 2020, is amended to read as follows:

4 (c) Subject to the provisions of chapter fifty-nine of the laws of two
5 thousand, the dormitory authority shall not issue any bonds for state
6 university educational facilities purposes if the principal amount of
7 bonds to be issued when added to the aggregate principal amount of bonds
8 issued by the dormitory authority on and after July first, nineteen
9 hundred eighty-eight for state university educational facilities will
10 exceed [~~fourteen billion seven hundred forty one million eight hundred~~
11 ~~sixty four thousand dollars \$14,741,864,000~~] fifteen billion four
12 hundred fifty-five million eight hundred sixty-four thousand dollars
13 \$15,455,864,000; provided, however, that bonds issued or to be issued
14 shall be excluded from such limitation if: (1) such bonds are issued to
15 refund state university construction bonds and state university
16 construction notes previously issued by the housing finance agency; or
17 (2) such bonds are issued to refund bonds of the authority or other
18 obligations issued for state university educational facilities purposes
19 and the present value of the aggregate debt service on the refunding
20 bonds does not exceed the present value of the aggregate debt service on
21 the bonds refunded thereby; provided, further that upon certification by
22 the director of the budget that the issuance of refunding bonds or other
23 obligations issued between April first, nineteen hundred ninety-two and
24 March thirty-first, nineteen hundred ninety-three will generate long
25 term economic benefits to the state, as assessed on a present value
26 basis, such issuance will be deemed to have met the present value test
27 noted above. For purposes of this subdivision, the present value of the
28 aggregate debt service of the refunding bonds and the aggregate debt
29 service of the bonds refunded, shall be calculated by utilizing the true
30 interest cost of the refunding bonds, which shall be that rate arrived
31 at by doubling the semi-annual interest rate (compounded semi-annually)
32 necessary to discount the debt service payments on the refunding bonds
33 from the payment dates thereof to the date of issue of the refunding
34 bonds to the purchase price of the refunding bonds, including interest
35 accrued thereon prior to the issuance thereof. The maturity of such
36 bonds, other than bonds issued to refund outstanding bonds, shall not
37 exceed the weighted average economic life, as certified by the state
38 university construction fund, of the facilities in connection with which
39 the bonds are issued, and in any case not later than the earlier of
40 thirty years or the expiration of the term of any lease, sublease or
41 other agreement relating thereto; provided that no note, including
42 renewals thereof, shall mature later than five years after the date of
43 issuance of such note. The legislature reserves the right to amend or
44 repeal such limit, and the state of New York, the dormitory authority,
45 the state university of New York, and the state university construction
46 fund are prohibited from covenanting or making any other agreements with
47 or for the benefit of bondholders which might in any way affect such
48 right.

49 § 30. Paragraph (c) of subdivision 14 of section 1680 of the public
50 authorities law, as amended by section 33 of part JJ of chapter 56 of
51 the laws of 2020, is amended to read as follows:

52 (c) Subject to the provisions of chapter fifty-nine of the laws of two
53 thousand, (i) the dormitory authority shall not deliver a series of
54 bonds for city university community college facilities, except to refund
55 or to be substituted for or in lieu of other bonds in relation to city
56 university community college facilities pursuant to a resolution of the

1 dormitory authority adopted before July first, nineteen hundred eighty-
2 five or any resolution supplemental thereto, if the principal amount of
3 bonds so to be issued when added to all principal amounts of bonds
4 previously issued by the dormitory authority for city university commu-
5 nity college facilities, except to refund or to be substituted in lieu
6 of other bonds in relation to city university community college facili-
7 ties will exceed the sum of four hundred twenty-five million dollars and
8 (ii) the dormitory authority shall not deliver a series of bonds issued
9 for city university facilities, including community college facilities,
10 pursuant to a resolution of the dormitory authority adopted on or after
11 July first, nineteen hundred eighty-five, except to refund or to be
12 substituted for or in lieu of other bonds in relation to city university
13 facilities and except for bonds issued pursuant to a resolution supple-
14 mental to a resolution of the dormitory authority adopted prior to July
15 first, nineteen hundred eighty-five, if the principal amount of bonds so
16 to be issued when added to the principal amount of bonds previously
17 issued pursuant to any such resolution, except bonds issued to refund or
18 to be substituted for or in lieu of other bonds in relation to city
19 university facilities, will exceed [~~nine billion two hundred twenty-two~~
20 ~~million seven hundred thirty-two thousand dollars \$9,222,732,000~~] nine
21 billion five hundred forty-eight million eight hundred thirty thousand
22 dollars \$9,548,830,000. The legislature reserves the right to amend or
23 repeal such limit, and the state of New York, the dormitory authority,
24 the city university, and the fund are prohibited from covenanting or
25 making any other agreements with or for the benefit of bondholders which
26 might in any way affect such right.

27 § 31. Subdivision 10-a of section 1680 of the public authorities law,
28 as amended by section 34 of part JJ of chapter 56 of the laws of 2020,
29 is amended to read as follows:

30 10-a. Subject to the provisions of chapter fifty-nine of the laws of
31 two thousand, but notwithstanding any other provision of the law to the
32 contrary, the maximum amount of bonds and notes to be issued after March
33 thirty-first, two thousand two, on behalf of the state, in relation to
34 any locally sponsored community college, shall be [~~one billion fifty-one~~
35 ~~million six hundred forty thousand dollars \$1,051,640,000~~] one billion
36 sixty-six million two hundred fifty-seven thousand dollars
37 \$1,066,257,000. Such amount shall be exclusive of bonds and notes issued
38 to fund any reserve fund or funds, costs of issuance and to refund any
39 outstanding bonds and notes, issued on behalf of the state, relating to
40 a locally sponsored community college.

41 § 32. Subdivision 1 of section 17 of part D of chapter 389 of the laws
42 of 1997, relating to the financing of the correctional facilities
43 improvement fund and the youth facility improvement fund, as amended by
44 section 35 of part JJ of chapter 56 of the laws of 2020, is amended to
45 read as follows:

46 1. Subject to the provisions of chapter 59 of the laws of 2000, but
47 notwithstanding the provisions of section 18 of section 1 of chapter 174
48 of the laws of 1968, the New York state urban development corporation is
49 hereby authorized to issue bonds, notes and other obligations in an
50 aggregate principal amount not to exceed [~~eight hundred forty million~~
51 ~~three hundred fifteen thousand dollars \$840,315,000~~] eight hundred
52 seventy-six million fifteen thousand dollars \$876,015,000, which author-
53 ization increases the aggregate principal amount of bonds, notes and
54 other obligations authorized by section 40 of chapter 309 of the laws of
55 1996, and shall include all bonds, notes and other obligations issued
56 pursuant to chapter 211 of the laws of 1990, as amended or supplemented.

1 The proceeds of such bonds, notes or other obligations shall be paid to
2 the state, for deposit in the youth facilities improvement fund, to pay
3 for all or any portion of the amount or amounts paid by the state from
4 appropriations or reappropriations made to the office of children and
5 family services from the youth facilities improvement fund for capital
6 projects. The aggregate amount of bonds, notes and other obligations
7 authorized to be issued pursuant to this section shall exclude bonds,
8 notes or other obligations issued to refund or otherwise repay bonds,
9 notes or other obligations theretofore issued, the proceeds of which
10 were paid to the state for all or a portion of the amounts expended by
11 the state from appropriations or reappropriations made to the office of
12 children and family services; provided, however, that upon any such
13 refunding or repayment the total aggregate principal amount of outstand-
14 ing bonds, notes or other obligations may be greater than [~~eight hundred~~
15 ~~forty million three hundred fifteen thousand dollars \$840,315,000~~] eight
16 hundred seventy-six million fifteen thousand dollars \$876,015,000, only
17 if the present value of the aggregate debt service of the refunding or
18 repayment bonds, notes or other obligations to be issued shall not
19 exceed the present value of the aggregate debt service of the bonds,
20 notes or other obligations so to be refunded or repaid. For the purposes
21 hereof, the present value of the aggregate debt service of the refunding
22 or repayment bonds, notes or other obligations and of the aggregate debt
23 service of the bonds, notes or other obligations so refunded or repaid,
24 shall be calculated by utilizing the effective interest rate of the
25 refunding or repayment bonds, notes or other obligations, which shall be
26 that rate arrived at by doubling the semi-annual interest rate
27 (compounded semi-annually) necessary to discount the debt service
28 payments on the refunding or repayment bonds, notes or other obligations
29 from the payment dates thereof to the date of issue of the refunding or
30 repayment bonds, notes or other obligations and to the price bid includ-
31 ing estimated accrued interest or proceeds received by the corporation
32 including estimated accrued interest from the sale thereof.

33 § 33. Paragraph b of subdivision 2 of section 9-a of section 1 of
34 chapter 392 of the laws of 1973, constituting the New York state medical
35 care facilities finance agency act, as amended by section 36 of part JJ
36 of chapter 56 of the laws of 2020, is amended to read as follows:

37 b. The agency shall have power and is hereby authorized from time to
38 time to issue negotiable bonds and notes in conformity with applicable
39 provisions of the uniform commercial code in such principal amount as,
40 in the opinion of the agency, shall be necessary, after taking into
41 account other moneys which may be available for the purpose, to provide
42 sufficient funds to the facilities development corporation, or any
43 successor agency, for the financing or refinancing of or for the design,
44 construction, acquisition, reconstruction, rehabilitation or improvement
45 of mental health services facilities pursuant to paragraph a of this
46 subdivision, the payment of interest on mental health services improve-
47 ment bonds and mental health services improvement notes issued for such
48 purposes, the establishment of reserves to secure such bonds and notes,
49 the cost or premium of bond insurance or the costs of any financial
50 mechanisms which may be used to reduce the debt service that would be
51 payable by the agency on its mental health services facilities improve-
52 ment bonds and notes and all other expenditures of the agency incident
53 to and necessary or convenient to providing the facilities development
54 corporation, or any successor agency, with funds for the financing or
55 refinancing of or for any such design, construction, acquisition, recon-
56 struction, rehabilitation or improvement and for the refunding of mental

1 hygiene improvement bonds issued pursuant to section 47-b of the private
2 housing finance law; provided, however, that the agency shall not issue
3 mental health services facilities improvement bonds and mental health
4 services facilities improvement notes in an aggregate principal amount
5 exceeding [~~nine billion nine hundred twenty-seven million two hundred~~
6 ~~seventy-six thousand dollars \$9,927,276,000~~] ten billion four hundred
7 seventy-six million seven hundred seventy-three thousand dollars
8 \$10,476,773,000, excluding mental health services facilities improvement
9 bonds and mental health services facilities improvement notes issued to
10 refund outstanding mental health services facilities improvement bonds
11 and mental health services facilities improvement notes; provided,
12 however, that upon any such refunding or repayment of mental health
13 services facilities improvement bonds and/or mental health services
14 facilities improvement notes the total aggregate principal amount of
15 outstanding mental health services facilities improvement bonds and
16 mental health facilities improvement notes may be greater than [~~nine~~
17 ~~billion nine hundred twenty-seven million two hundred seventy-six thou-~~
18 ~~sand dollars \$9,927,276,000~~] ten billion four hundred seventy-six
19 million seven hundred seventy-three thousand dollars \$10,476,773,000,
20 only if, except as hereinafter provided with respect to mental health
21 services facilities bonds and mental health services facilities notes
22 issued to refund mental hygiene improvement bonds authorized to be
23 issued pursuant to the provisions of section 47-b of the private housing
24 finance law, the present value of the aggregate debt service of the
25 refunding or repayment bonds to be issued shall not exceed the present
26 value of the aggregate debt service of the bonds to be refunded or
27 repaid. For purposes hereof, the present values of the aggregate debt
28 service of the refunding or repayment bonds, notes or other obligations
29 and of the aggregate debt service of the bonds, notes or other obli-
30 gations so refunded or repaid, shall be calculated by utilizing the
31 effective interest rate of the refunding or repayment bonds, notes or
32 other obligations, which shall be that rate arrived at by doubling the
33 semi-annual interest rate (compounded semi-annually) necessary to
34 discount the debt service payments on the refunding or repayment bonds,
35 notes or other obligations from the payment dates thereof to the date of
36 issue of the refunding or repayment bonds, notes or other obligations
37 and to the price bid including estimated accrued interest or proceeds
38 received by the authority including estimated accrued interest from the
39 sale thereof. Such bonds, other than bonds issued to refund outstanding
40 bonds, shall be scheduled to mature over a term not to exceed the aver-
41 age useful life, as certified by the facilities development corporation,
42 of the projects for which the bonds are issued, and in any case shall
43 not exceed thirty years and the maximum maturity of notes or any
44 renewals thereof shall not exceed five years from the date of the
45 original issue of such notes. Notwithstanding the provisions of this
46 section, the agency shall have the power and is hereby authorized to
47 issue mental health services facilities improvement bonds and/or mental
48 health services facilities improvement notes to refund outstanding
49 mental hygiene improvement bonds authorized to be issued pursuant to the
50 provisions of section 47-b of the private housing finance law and the
51 amount of bonds issued or outstanding for such purposes shall not be
52 included for purposes of determining the amount of bonds issued pursuant
53 to this section. The director of the budget shall allocate the aggregate
54 principal authorized to be issued by the agency among the office of
55 mental health, office for people with developmental disabilities, and
56 the office of addiction services and supports, in consultation with

1 their respective commissioners to finance bondable appropriations previ-
2 ously approved by the legislature.

3 § 34. Subdivision (a) of section 28 of part Y of chapter 61 of the
4 laws of 2005, relating to providing for the administration of certain
5 funds and accounts related to the 2005-2006 budget, as amended by
6 section 37 of part JJ of chapter 56 of the laws of 2020, is amended to
7 read as follows:

8 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
9 notwithstanding any provisions of law to the contrary, one or more
10 authorized issuers as defined by section 68-a of the state finance law
11 are hereby authorized to issue bonds or notes in one or more series in
12 an aggregate principal amount not to exceed [~~one hundred fifty seven~~
13 ~~million dollars \$157,000,000~~] one hundred seventy-two million dollars
14 \$172,000,000, excluding bonds issued to finance one or more debt service
15 reserve funds, to pay costs of issuance of such bonds, and bonds or
16 notes issued to refund or otherwise repay such bonds or notes previously
17 issued, for the purpose of financing capital projects for public
18 protection facilities in the Division of Military and Naval Affairs,
19 debt service and leases; and to reimburse the state general fund for
20 disbursements made therefor. Such bonds and notes of such authorized
21 issuer shall not be a debt of the state, and the state shall not be
22 liable thereon, nor shall they be payable out of any funds other than
23 those appropriated by the state to such authorized issuer for debt
24 service and related expenses pursuant to any service contract executed
25 pursuant to subdivision (b) of this section and such bonds and notes
26 shall contain on the face thereof a statement to such effect. Except for
27 purposes of complying with the internal revenue code, any interest
28 income earned on bond proceeds shall only be used to pay debt service on
29 such bonds.

30 § 35. Section 53 of section 1 of chapter 174 of the laws of 1968,
31 constituting the New York state urban development corporation act, as
32 amended by section 38 of part JJ of chapter 56 of the laws of 2020, is
33 amended to read as follows:

34 § 53. 1. Notwithstanding the provisions of any other law to the
35 contrary, the dormitory authority and the urban development corporation
36 are hereby authorized to issue bonds or notes in one or more series for
37 the purpose of funding project costs for the acquisition of equipment,
38 including but not limited to the creation or modernization of informa-
39 tion technology systems and related research and development equipment,
40 health and safety equipment, heavy equipment and machinery, the creation
41 or improvement of security systems, and laboratory equipment and other
42 state costs associated with such capital projects. The aggregate princi-
43 pal amount of bonds authorized to be issued pursuant to this section
44 shall not exceed [~~one hundred~~] two hundred ninety-three million dollars
45 [~~\$193,000,000~~] \$293,000,000, excluding bonds issued to fund one or more
46 debt service reserve funds, to pay costs of issuance of such bonds, and
47 bonds or notes issued to refund or otherwise repay such bonds or notes
48 previously issued. Such bonds and notes of the dormitory authority and
49 the urban development corporation shall not be a debt of the state, and
50 the state shall not be liable thereon, nor shall they be payable out of
51 any funds other than those appropriated by the state to the dormitory
52 authority and the urban development corporation for principal, interest,
53 and related expenses pursuant to a service contract and such bonds and
54 notes shall contain on the face thereof a statement to such effect.
55 Except for purposes of complying with the internal revenue code, any

1 interest income earned on bond proceeds shall only be used to pay debt
2 service on such bonds.

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

29 § 36. Subdivision (b) of section 11 of chapter 329 of the laws of
30 1991, amending the state finance law and other laws relating to the
31 establishment of the dedicated highway and bridge trust fund, as amended
32 by section 39 of part JJ of chapter 56 of the laws of 2020, is amended
33 to read as follows:

34 (b) Any service contract or contracts for projects authorized pursuant
35 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
36 14-k of the transportation law, and entered into pursuant to subdivision
37 (a) of this section, shall provide for state commitments to provide
38 annually to the thruway authority a sum or sums, upon such terms and
39 conditions as shall be deemed appropriate by the director of the budget,
40 to fund, or fund the debt service requirements of any bonds or any obli-
41 gations of the thruway authority issued to fund or to reimburse the
42 state for funding such projects having a cost not in excess of [~~eleven
43 billion three hundred forty-nine million eight hundred seventy-five
44 thousand dollars \$11,349,875,000~~] eleven billion eight hundred thirty-
45 seven million two hundred twenty-seven thousand dollars \$11,837,227,000
46 cumulatively by the end of fiscal year [~~2020-21~~] 2021-22.

47 § 37. Subdivision 1 of section 1689-i of the public authorities law,
48 as amended by section 40 of part JJ of chapter 56 of the laws of 2020,
49 is amended to read as follows:

50 1. The dormitory authority is authorized to issue bonds, at the
51 request of the commissioner of education, to finance eligible library
52 construction projects pursuant to section two hundred seventy-three-a of
53 the education law, in amounts certified by such commissioner not to
54 exceed a total principal amount of [~~two hundred sixty-five million
55 dollars \$265,000,000~~] two hundred seventy-nine million dollars
56 \$279,000,000.

1 § 38. Section 44 of section 1 of chapter 174 of the laws of 1968,
2 constituting the New York state urban development corporation act, as
3 amended by section 41 of part JJ of chapter 56 of the laws of 2020, is
4 amended to read as follows:

5 § 44. Issuance of certain bonds or notes. 1. Notwithstanding the
6 provisions of any other law to the contrary, the dormitory authority and
7 the corporation are hereby authorized to issue bonds or notes in one or
8 more series for the purpose of funding project costs for the regional
9 economic development council initiative, the economic transformation
10 program, state university of New York college for nanoscale and science
11 engineering, projects within the city of Buffalo or surrounding envi-
12 rons, the New York works economic development fund, projects for the
13 retention of professional football in western New York, the empire state
14 economic development fund, the clarkson-trudeau partnership, the New
15 York genome center, the cornell university college of veterinary medi-
16 cine, the olympic regional development authority, projects at nano
17 Utica, onondaga county revitalization projects, Binghamton university
18 school of pharmacy, New York power electronics manufacturing consortium,
19 regional infrastructure projects, high tech innovation and economic
20 development infrastructure program, high technology manufacturing
21 projects in Chautauqua and Erie county, an industrial scale research and
22 development facility in Clinton county, upstate revitalization initi-
23 ative projects, downstate revitalization initiative, market New York
24 projects, fairground buildings, equipment or facilities used to house
25 and promote agriculture, the state fair, the empire state trail, the
26 moynihan station development project, the Kingsbridge armory project,
27 strategic economic development projects, the cultural, arts and public
28 spaces fund, water infrastructure in the city of Auburn and town of
29 Owasco, a life sciences laboratory public health initiative, not-for-
30 profit pounds, shelters and humane societies, arts and cultural facili-
31 ties improvement program, restore New York's communities initiative,
32 heavy equipment, economic development and infrastructure projects,
33 Roosevelt Island operating corporation capital projects, Lake Ontario
34 regional projects, Pennsylvania station and other transit projects and
35 other state costs associated with such projects. The aggregate principal
36 amount of bonds authorized to be issued pursuant to this section shall
37 not exceed [~~ten billion three hundred thirty four million eight hundred~~
38 ~~fifty-one thousand dollars \$10,334,851,000~~] eleven billion two hundred
39 fifty-four million two hundred two thousand dollars \$11,254,202,000,
40 excluding bonds issued to fund one or more debt service reserve funds,
41 to pay costs of issuance of such bonds, and bonds or notes issued to
42 refund or otherwise repay such bonds or notes previously issued. Such
43 bonds and notes of the dormitory authority and the corporation shall not
44 be a debt of the state, and the state shall not be liable thereon, nor
45 shall they be payable out of any funds other than those appropriated by
46 the state to the dormitory authority and the corporation for principal,
47 interest, and related expenses pursuant to a service contract and such
48 bonds and notes shall contain on the face thereof a statement to such
49 effect. Except for purposes of complying with the internal revenue code,
50 any interest income earned on bond proceeds shall only be used to pay
51 debt service on such bonds.

52 2. Notwithstanding any other provision of law to the contrary, in
53 order to assist the dormitory authority and the corporation in undertak-
54 ing the financing for project costs for the regional economic develop-
55 ment council initiative, the economic transformation program, state
56 university of New York college for nanoscale and science engineering,

1 projects within the city of Buffalo or surrounding environs, the New
2 York works economic development fund, projects for the retention of
3 professional football in western New York, the empire state economic
4 development fund, the clarkson-trudeau partnership, the New York genome
5 center, the cornell university college of veterinary medicine, the olym-
6 pic regional development authority, projects at nano Utica, onondaga
7 county revitalization projects, Binghamton university school of pharma-
8 cy, New York power electronics manufacturing consortium, regional
9 infrastructure projects, New York State Capital Assistance Program for
10 Transportation, infrastructure, and economic development, high tech
11 innovation and economic development infrastructure program, high tech-
12 nology manufacturing projects in Chautauqua and Erie county, an indus-
13 trial scale research and development facility in Clinton county, upstate
14 revitalization initiative projects, downstate revitalization initiative,
15 market New York projects, fairground buildings, equipment or facilities
16 used to house and promote agriculture, the state fair, the empire state
17 trail, the moynihan station development project, the Kingsbridge armory
18 project, strategic economic development projects, the cultural, arts and
19 public spaces fund, water infrastructure in the city of Auburn and town
20 of Owasco, a life sciences laboratory public health initiative, not-for-
21 profit pounds, shelters and humane societies, arts and cultural facili-
22 ties improvement program, restore New York's communities initiative,
23 heavy equipment, economic development and infrastructure projects,
24 Roosevelt Island operating corporation capital projects, Lake Ontario
25 regional projects, Pennsylvania station and other transit projects and
26 other state costs associated with such projects the director of the
27 budget is hereby authorized to enter into one or more service contracts
28 with the dormitory authority and the corporation, none of which shall
29 exceed thirty years in duration, upon such terms and conditions as the
30 director of the budget and the dormitory authority and the corporation
31 agree, so as to annually provide to the dormitory authority and the
32 corporation, in the aggregate, a sum not to exceed the principal, inter-
33 est, and related expenses required for such bonds and notes. Any service
34 contract entered into pursuant to this section shall provide that the
35 obligation of the state to pay the amount therein provided shall not
36 constitute a debt of the state within the meaning of any constitutional
37 or statutory provision and shall be deemed executory only to the extent
38 of monies available and that no liability shall be incurred by the state
39 beyond the monies available for such purpose, subject to annual appro-
40 priation by the legislature. Any such contract or any payments made or
41 to be made thereunder may be assigned and pledged by the dormitory
42 authority and the corporation as security for its bonds and notes, as
43 authorized by this section.

44 § 39. Subdivision 1 of section 386-b of the public authorities law, as
45 amended by section 42 of part JJ of chapter 56 of the laws of 2020, is
46 amended to read as follows:

47 1. Notwithstanding any other provision of law to the contrary, the
48 authority, the dormitory authority and the urban development corporation
49 are hereby authorized to issue bonds or notes in one or more series for
50 the purpose of financing peace bridge projects and capital costs of
51 state and local highways, parkways, bridges, the New York state thruway,
52 Indian reservation roads, and facilities, and transportation infrastruc-
53 ture projects including aviation projects, non-MTA mass transit
54 projects, and rail service preservation projects, including work appur-
55 tenant and ancillary thereto. The aggregate principal amount of bonds
56 authorized to be issued pursuant to this section shall not exceed ~~six~~

1 ~~billion nine hundred forty-two million four hundred sixty-three thousand~~
2 ~~dollars \$6,942,463,000~~ eight billion eight hundred thirty-nine million
3 nine hundred sixty-three thousand dollars \$8,839,963,000, excluding
4 bonds issued to fund one or more debt service reserve funds, to pay
5 costs of issuance of such bonds, and to refund or otherwise repay such
6 bonds or notes previously issued. Such bonds and notes of the authori-
7 ty, the dormitory authority and the urban development corporation shall
8 not be a debt of the state, and the state shall not be liable thereon,
9 nor shall they be payable out of any funds other than those appropriated
10 by the state to the authority, the dormitory authority and the urban
11 development corporation for principal, interest, and related expenses
12 pursuant to a service contract and such bonds and notes shall contain on
13 the face thereof a statement to such effect. Except for purposes of
14 complying with the internal revenue code, any interest income earned on
15 bond proceeds shall only be used to pay debt service on such bonds.

16 § 40. Paragraph (a) of subdivision 2 of section 47-e of the private
17 housing finance law, as amended by section 43 of part JJ of chapter 56
18 of the laws of 2020, is amended to read as follows:

19 (a) Subject to the provisions of chapter fifty-nine of the laws of two
20 thousand, in order to enhance and encourage the promotion of housing
21 programs and thereby achieve the stated purposes and objectives of such
22 housing programs, the agency shall have the power and is hereby author-
23 ized from time to time to issue negotiable housing program bonds and
24 notes in such principal amount as shall be necessary to provide suffi-
25 cient funds for the repayment of amounts disbursed (and not previously
26 reimbursed) pursuant to law or any prior year making capital appropri-
27 ations or reappropriations for the purposes of the housing program;
28 provided, however, that the agency may issue such bonds and notes in an
29 aggregate principal amount not exceeding [~~six billion five hundred thir-~~
30 ~~ty-one million five hundred twenty-three thousand dollars~~
31 ~~\$6,531,523,000~~] seven billion eighty-six million six hundred seven thou-
32 sand dollars \$7,086,607,000, plus a principal amount of bonds issued to
33 fund the debt service reserve fund in accordance with the debt service
34 reserve fund requirement established by the agency and to fund any other
35 reserves that the agency reasonably deems necessary for the security or
36 marketability of such bonds and to provide for the payment of fees and
37 other charges and expenses, including underwriters' discount, trustee
38 and rating agency fees, bond insurance, credit enhancement and liquidity
39 enhancement related to the issuance of such bonds and notes. No reserve
40 fund securing the housing program bonds shall be entitled or eligible to
41 receive state funds apportioned or appropriated to maintain or restore
42 such reserve fund at or to a particular level, except to the extent of
43 any deficiency resulting directly or indirectly from a failure of the
44 state to appropriate or pay the agreed amount under any of the contracts
45 provided for in subdivision four of this section.

46 § 41. Subdivision 1 of section 50 of section 1 of chapter 174 of the
47 laws of 1968, constituting the New York state urban development corpo-
48 ration act, as amended by section 44 of part JJ of chapter 56 of the
49 laws of 2020, is amended to read as follows:

50 1. Notwithstanding the provisions of any other law to the contrary,
51 the dormitory authority and the urban development corporation are hereby
52 authorized to issue bonds or notes in one or more series for the purpose
53 of funding project costs undertaken by or on behalf of the state educa-
54 tion department, special act school districts, state-supported schools
55 for the blind and deaf, approved private special education schools,
56 non-public schools, community centers, day care facilities, residential

1 camps, day camps, and other state costs associated with such capital
2 projects. The aggregate principal amount of bonds authorized to be
3 issued pursuant to this section shall not exceed [~~one hundred fifty-five~~
4 ~~million dollars \$155,000,000~~] one hundred ninety-six million dollars
5 \$196,000,000, excluding bonds issued to fund one or more debt service
6 reserve funds, to pay costs of issuance of such bonds, and bonds or
7 notes issued to refund or otherwise repay such bonds or notes previously
8 issued. Such bonds and notes of the dormitory authority and the urban
9 development corporation shall not be a debt of the state, and the state
10 shall not be liable thereon, nor shall they be payable out of any funds
11 other than those appropriated by the state to the dormitory authority
12 and the urban development corporation for principal, interest, and
13 related expenses pursuant to a service contract and such bonds and notes
14 shall contain on the face thereof a statement to such effect. Except for
15 purposes of complying with the internal revenue code, any interest
16 income earned on bond proceeds shall only be used to pay debt service on
17 such bonds.

18 § 42. Subdivision 1 of section 47 of section 1 of chapter 174 of the
19 laws of 1968, constituting the New York state urban development corpo-
20 ration act, as amended by section 45 of part JJ of chapter 56 of the
21 laws of 2020, is amended to read as follows:

22 1. Notwithstanding the provisions of any other law to the contrary,
23 the dormitory authority and the corporation are hereby authorized to
24 issue bonds or notes in one or more series for the purpose of funding
25 project costs for the office of information technology services, depart-
26 ment of law, and other state costs associated with such capital
27 projects. The aggregate principal amount of bonds authorized to be
28 issued pursuant to this section shall not exceed [~~eight hundred thirty~~
29 ~~million fifty-four thousand dollars, \$830,054,000~~] nine hundred forty-
30 nine million two hundred fifty-four thousand dollars \$949,254,000
31 excluding bonds issued to fund one or more debt service reserve funds,
32 to pay costs of issuance of such bonds, and bonds or notes issued to
33 refund or otherwise repay such bonds or notes previously issued. Such
34 bonds and notes of the dormitory authority and the corporation shall not
35 be a debt of the state, and the state shall not be liable thereon, nor
36 shall they be payable out of any funds other than those appropriated by
37 the state to the dormitory authority and the corporation for principal,
38 interest, and related expenses pursuant to a service contract and such
39 bonds and notes shall contain on the face thereof a statement to such
40 effect. Except for purposes of complying with the internal revenue code,
41 any interest income earned on bond proceeds shall only be used to pay
42 debt service on such bonds.

43 § 43. Paragraph (b) of subdivision 1 of section 385 of the public
44 authorities law, as amended by section 1 of part G of chapter 60 of the
45 laws of 2005, is amended to read as follows:

46 (b) The authority is hereby authorized, as additional corporate
47 purposes thereof solely upon the request of the director of the budget:
48 (i) to issue special emergency highway and bridge trust fund bonds and
49 notes for a term not to exceed thirty years and to incur obligations
50 secured by the moneys appropriated from the dedicated highway and bridge
51 trust fund established in section eighty-nine-b of the state finance
52 law; (ii) to make available the proceeds in accordance with instructions
53 provided by the director of the budget from the sale of such special
54 emergency highway and bridge trust fund bonds, notes or other obli-
55 gations, net of all costs to the authority in connection therewith, for
56 the purposes of financing all or a portion of the costs of activities

1 for which moneys in the dedicated highway and bridge trust fund estab-
2 lished in section eighty-nine-b of the state finance law are authorized
3 to be utilized or for the financing of disbursements made by the state
4 for the activities authorized pursuant to section eighty-nine-b of the
5 state finance law; and (iii) to enter into agreements with the commis-
6 sioner of transportation pursuant to section ten-e of the highway law
7 with respect to financing for any activities authorized pursuant to
8 section eighty-nine-b of the state finance law, or agreements with the
9 commissioner of transportation pursuant to sections ten-f and ten-g of
10 the highway law in connection with activities on state highways pursuant
11 to these sections, and (iv) to enter into service contracts, contracts,
12 agreements, deeds and leases with the director of the budget or the
13 commissioner of transportation and project sponsors and others to
14 provide for the financing by the authority of activities authorized
15 pursuant to section eighty-nine-b of the state finance law, and each of
16 the director of the budget and the commissioner of transportation are
17 hereby authorized to enter into service contracts, contracts, agree-
18 ments, deeds and leases with the authority, project sponsors or others
19 to provide for such financing. The authority shall not issue any bonds
20 or notes in an amount in excess of [~~\$16.5 billion~~ eighteen billion one
21 hundred fifty million dollars \$18,150,000,000, plus a principal amount
22 of bonds or notes: (A) to fund capital reserve funds; (B) to provide
23 capitalized interest; and, (C) to fund other costs of issuance. In
24 computing for the purposes of this subdivision, the aggregate amount of
25 indebtedness evidenced by bonds and notes of the authority issued pursu-
26 ant to this section, as amended by a chapter of the laws of nineteen
27 hundred ninety-six, there shall be excluded the amount of bonds or notes
28 issued that would constitute interest under the United States Internal
29 Revenue Code of 1986, as amended, and the amount of indebtedness issued
30 to refund or otherwise repay bonds or notes.

31 § 44. Subdivision 1 of section 386-a of the public authorities law, as
32 amended by section 44 of part TTT of chapter 59 of the laws of 2019, is
33 amended to read as follows:

34 1. Notwithstanding any other provision of law to the contrary, the
35 authority, the dormitory authority and the urban development corporation
36 are hereby authorized to issue bonds or notes in one or more series for
37 the purpose of assisting the metropolitan transportation authority in
38 the financing of transportation facilities as defined in subdivision
39 seventeen of section twelve hundred sixty-one of this chapter or other
40 capital projects. The aggregate principal amount of bonds authorized to
41 be issued pursuant to this section shall not exceed [~~two billion one~~
42 ~~hundred seventy nine million eight hundred fifty six thousand dollars~~
43 ~~\$2,179,856,000~~] twelve billion five hundred fifteen million eight
44 hundred fifty-six thousand dollars \$12,515,856,000, excluding bonds
45 issued to fund one or more debt service reserve funds, to pay costs of
46 issuance of such bonds, and to refund or otherwise repay such bonds or
47 notes previously issued. Such bonds and notes of the authority, the
48 dormitory authority and the urban development corporation shall not be a
49 debt of the state, and the state shall not be liable thereon, nor shall
50 they be payable out of any funds other than those appropriated by the
51 state to the authority, the dormitory authority and the urban develop-
52 ment corporation for principal, interest, and related expenses pursuant
53 to a service contract and such bonds and notes shall contain on the face
54 thereof a statement to such effect. Except for purposes of complying
55 with the internal revenue code, any interest income earned on bond
56 proceeds shall only be used to pay debt service on such bonds.

1 § 45. Section 1 of chapter 174 of the laws of 1968, constituting the
2 New York state urban development corporation act, is amended by adding a
3 new section 57 to read as follows:

4 § 57. 1. Notwithstanding the provisions of any other law to the
5 contrary, the dormitory authority and the urban development corporation
6 are hereby authorized to issue bonds or notes in one or more series for
7 the purpose of funding project costs for the Empire Station Complex
8 project, and such project shall be deemed a capital work or purpose for
9 purposes of subdivision 3 of section 67-b of the state finance law. The
10 aggregate principal amount of bonds authorized to be issued pursuant to
11 this section shall not exceed one billion three hundred million dollars
12 \$1,300,000,000, excluding bonds issued to fund one or more debt service
13 reserve funds, to pay costs of issuance of such bonds, and bonds or
14 notes issued to refund or otherwise repay such bonds or notes previously
15 issued. Such bonds and notes of the dormitory authority and the urban
16 development corporation shall not be a debt of the state, and the state
17 shall not be liable thereon, nor shall they be payable out of any funds
18 other than those appropriated by the state to the dormitory authority
19 and the urban development corporation for principal, interest, and
20 related expenses pursuant to a service contract and such bonds and notes
21 shall contain on the face thereof a statement to such effect. Except for
22 purposes of complying with the internal revenue code, any interest
23 income earned on bond proceeds shall only be used to pay debt service on
24 such bonds.

25 2. Notwithstanding any other provision of law to the contrary, in
26 order to assist the dormitory authority and the urban development corpo-
27 ration in undertaking the financing for project costs for the Empire
28 Station Complex project, the director of the budget is hereby authorized
29 to enter into one or more service contracts with the dormitory authority
30 and the urban development corporation, none of which shall exceed thirty
31 years in duration, upon such terms and conditions as the director of the
32 budget and the dormitory authority and the urban development corporation
33 agree, so as to annually provide to the dormitory authority and the
34 urban development corporation, in the aggregate, a sum not to exceed the
35 principal, interest, and related expenses required for such bonds and
36 notes. Any service contract entered into pursuant to this section shall
37 provide that the obligation of the state to pay the amount therein
38 provided shall not constitute a debt of the state within the meaning of
39 any constitutional or statutory provision and shall be deemed executory
40 only to the extent of monies available and that no liability shall be
41 incurred by the state beyond the monies available for such purpose,
42 subject to annual appropriation by the legislature. Any such contract or
43 any payments made or to be made thereunder may be assigned and pledged
44 by the dormitory authority and the urban development corporation as
45 security for its bonds and notes, as authorized by this section.

46 § 46. Paragraphs (a) and (b) of subdivision 1 of section 54 of section
47 1 of chapter 174 of the laws of 1968, constituting the New York state
48 urban development corporation act, as added by section 49-a of part JJ
49 of chapter 56 of the laws of 2020, are amended to read as follows:

50 (a) The state of New York finds and determines that the global spread
51 of the COVID-19 [~~eoronavirus disease is having and~~] pandemic is expected
52 to continue to have a significant adverse impact on the health and
53 welfare of individuals in the state as well as [~~a significant financial~~
54 ~~impact on the state~~] to the financial condition of the state during the
55 state's 2022 fiscal year and beyond. The [~~serious threat posed by~~]
56 anticipated shortfalls and deferrals in the state's financial plan

1 receipts caused by the COVID-19 [~~coronavirus disease~~] pandemic has
2 [~~caused governments, including~~] required the state[,] to adopt policies,
3 regulations and procedures [~~to~~] that suspend various legal requirements
4 [~~in order to (i) respond to and mitigate the impact of the outbreak, and~~
5 [~~(ii) provide temporary relief to individuals, including the deferral of~~
6 ~~the federal income tax payment deadline from April 15, 2020 to a later~~
7 ~~date in the calendar year. The state of New York further finds and~~
8 ~~determines that~~] and address state budgetary pressures, some of which
9 require certain fiscal management authorization measures [~~should be~~] to
10 be legislatively authorized and established.

11 (b) Notwithstanding any other provision of law to the contrary,
12 including, specifically, the provisions of chapter 59 of the laws of
13 2000 and section sixty-seven-b of the state finance law, the dormitory
14 authority of the state of New York and the corporation are hereby
15 authorized to issue until December 31, [~~2020~~] 2021, notes with a maturi-
16 ty no later than March 31, [~~2021~~] 2022, to be designated as personal
17 income tax revenue or bond anticipation notes, in one or more series in
18 an aggregate principal amount not to exceed eight billion dollars,
19 excluding notes issued to finance one or more debt service reserve
20 funds, to pay costs of issuance of such notes, and notes issued to
21 renew, refund or otherwise repay such notes previously issued, for the
22 purpose of temporarily financing budgetary needs of the state [~~following~~
23 ~~the federal government deferral of the federal income tax payment dead-~~
24 ~~line from April 15, 2020 to a later date in the calendar year~~]. Such
25 purpose shall constitute an authorized purpose under subdivision two of
26 section sixty-eight-a of the state finance law for all purposes of arti-
27 cle five-C of the state finance law with respect to the notes, renewal
28 notes, refunding notes and any state personal income tax revenue bonds
29 issued to refinance any notes, renewal notes, refunding notes authorized
30 by this paragraph. On or before their maturity, such notes may be
31 renewed or refunded once with renewal or refunding notes for an addi-
32 tional period not to exceed one year from the date of renewal or refund-
33 ing. If on or before the maturity date of such notes or such renewal or
34 refunding notes, the director of the division of the budget shall deter-
35 mine that all or a portion of such notes or such renewal or refunding
36 notes shall be refinanced on a long term basis, such notes or such
37 renewal or refunding notes may be refinanced with state personal income
38 tax revenue bonds in one or more series in an aggregate principal amount
39 not to exceed the then outstanding principal amount of such notes or
40 such renewal or refunding notes plus an amount necessary to finance one
41 or more debt service reserve funds and to pay costs of issuance of such
42 refunding bonds, notwithstanding any other provision of law to the
43 contrary, including, specifically, the provisions of chapter fifty-nine
44 of the laws of two thousand and section sixty-seven-b of the state
45 finance law, other than subdivision four of section sixty-seven-b of the
46 state finance law. For so long as any notes, renewal or refunding notes
47 or such refunding bonds authorized by this paragraph shall remain
48 outstanding, including any state-supported debt issued to refinance the
49 refunding bonds authorized by this paragraph, the restrictions, limita-
50 tions and requirements contained in article five-B of the state finance
51 law shall not apply, other than subdivision four of section sixty-sev-
52 en-b of such article.

53 § 47. Section 55 of section 1 of chapter 174 of the laws of 1968,
54 constituting the New York state urban development corporation act, as
55 added by section 49-b of part JJ of chapter 56 of the laws of 2020, is
56 amended to read as follows:

1 § 55. 1. Findings and declaration of need. (a) The state of New York
2 finds and determines that the global spread of the COVID-19 [~~coronavirus~~
3 ~~disease~~] pandemic is [~~having and is~~] expected to continue to have a
4 significant adverse impact on the health and welfare of individuals in
5 the state as well as [~~a significant~~] to the financial [~~impact on~~] condi-
6 tion of the state during the state's 2022 fiscal year and beyond. The
7 [~~serious threat posed by~~] anticipated shortfalls and deferrals in the
8 state's financial plan receipts caused by the COVID-19 [~~coronavirus~~
9 ~~disease~~] pandemic has [~~caused governments, including~~] required the
10 state[~~7~~] to adopt policies, regulations and procedures [~~to~~] that suspend
11 various legal requirements [~~in order to: (i) respond to and mitigate the~~
12 ~~impact of the outbreak,~~] and [~~(ii)~~] address state budgetary pressures
13 [~~to the state arising from anticipated shortfalls and deferrals in the~~
14 ~~state's fiscal 2021 financial plan receipts, thereby requiring that~~],
15 some of which require certain fiscal management authorization measures
16 to be legislatively authorized and established.

17 (b) Definitions. When used in this subdivision the following terms
18 shall have the meanings set forth below:

19 (i) "State-supported debt" shall mean any state personal income tax
20 revenue bonds, state sales tax revenue bonds or service contract bonds
21 issued by the dormitory authority of the state of New York or the urban
22 development corporation to refinance one or more line of credit facili-
23 ties provided for in this subdivision, together with any related
24 expenses and fees, and any such bonds or notes issued to fund reserve
25 funds and costs of issuance, for which the state is contractually obli-
26 gated to pay debt service subject to an appropriation.

27 (ii) "Related expenses and fees" shall mean interest costs, commitment
28 fees and other costs, expenses and fees incurred in connection with a
29 line of credit facility and/or a service contract or other agreement of
30 the state securing such line of credit facility that contractually obli-
31 gates the state to pay debt service subject to an appropriation.

32 (c) Notwithstanding any other provision of law to the contrary,
33 including, specifically, the provisions of chapter 59 of the laws of
34 2000 and section 67-b of the state finance law, [~~during the state's 2021~~
35 ~~fiscal year,~~] the dormitory authority of the state of New York and the
36 urban development corporation are authorized until March 31, 2024 to:

37 (i) enter into commitments with financial institutions for the estab-
38 lishment of one or more line of credit facilities and other similar
39 revolving financing arrangements not in excess of three billion dollars
40 in aggregate principal amount outstanding at any one time; (ii) draw, at
41 one or more times at the direction of the director of the budget, upon
42 such line of credit facilities and provide to the state the amounts so
43 drawn for the purpose of assisting the state to temporarily finance its
44 budgetary needs; and (iii) secure repayment of such draws under such
45 line of credit facilities [~~with a service contract of the state~~],
46 together with related expenses and fees, which payment obligation there-

47 under shall not constitute a debt of the state within the meaning of any
48 constitutional or statutory provision and shall be deemed executory only
49 to the extent moneys are available and that no liability shall be
50 incurred by the state beyond the moneys available for such purpose, and
51 that such payment obligation is subject to annual appropriation by the
52 legislature. Any line of credit facility agreements entered by the
53 dormitory authority of the state of New York and/or the urban develop-
54 ment corporation with financial institutions pursuant to this section
55 may contain such provisions that the dormitory authority of the state of
56 New York and/or the urban development corporation deem necessary or

1 desirable for the establishment of such credit facilities. The maximum
2 [~~original~~] term of any line of credit facility shall be [~~one-year~~] three
3 years from the date of incurrence; provided however that no draw on any
4 such line of credit facility [~~may be extended, renewed or refinanced for~~
5 ~~up to two additional one year terms~~] shall occur after March 31, 2024,
6 and provided further that any such line of credit facility whose term
7 extends beyond March 31, 2024, shall be supported by sufficient appro-
8 riation authority enacted by the legislature that provides for the
9 repayment of all amounts drawn and remaining unpaid as of March 31,
10 2024, together with related expenses and fees incurred and to become due
11 and payable by the dormitory authority of the state of New York and/or
12 the urban development corporation. If on or before the maturity date of
13 the [~~original~~] term of any such line of credit facility [~~or any renewal~~
14 ~~or extension term thereof~~], the director of the division of the budget
15 shall determine that all or a portion of [~~any outstanding line of credit~~
16 ~~facility~~] the amounts drawn and remaining unpaid, together with related
17 expenses and fees to become due and payable by the dormitory authority
18 of the state of New York and/or the urban development corporation shall
19 be refinanced on a long-term basis, the dormitory authority of the state
20 of New York and/or the urban development corporation are authorized to
21 refinance such [~~line of credit facility with state personal income tax~~
22 ~~revenue bonds and/or state service contract bonds~~] amounts by issuing
23 state-supported debt in one or more series in an aggregate principal
24 amount not to exceed the [~~then outstanding principal amount of such line~~
25 ~~of credit facility and any accrued interest thereon~~] aggregate amount
26 being so refinanced, including related expenses and fees, plus an amount
27 necessary to finance one or more debt service reserve funds and to pay
28 costs of issuance of such [~~state personal income tax revenue bonds~~
29 ~~and/or state service contract bonds~~] state-supported debt.

30 [~~(e)~~] (d) Notwithstanding any other law, rule, or regulation to the
31 contrary, the comptroller is hereby authorized and directed to deposit
32 to the credit of the general fund, all amounts provided by the dormitory
33 authority of the state of New York and/or the urban development corpo-
34 ration to the state from draws made on any line of credit facility
35 authorized by paragraph [~~(b)~~] (c) of this subdivision.

36 [~~(d)~~] (e) Notwithstanding any other provision of law to the contrary,
37 including specifically the provisions of subdivision 3 of section 67-b
38 of the state finance law, no capital work or purpose shall be required
39 for any indebtedness incurred in connection with any line of credit
40 facility authorized by paragraph [~~(b)~~] (c) of this subdivision [~~and any~~
41 ~~extensions or renewals thereof~~], or for any [~~state personal income tax~~
42 ~~revenue bonds and/or state service contract bonds~~] state-supported debt
43 issued to refinance any [~~of the foregoing~~] line of credit facility
44 authorized by paragraph (c) of this subdivision, or for any service
45 contract or other agreement entered into in connection with any such
46 line of credit facility, all in accordance with this section.

47 [~~(e)~~] (f) Notwithstanding any other provision of law to the contrary,
48 for so long as any such line of credit facility shall remain outstand-
49 ing, the restrictions, limitations and requirements contained in article
50 5-B of the state finance law shall not apply. In addition, other than
51 subdivision 4 of section 67-b of such article such restrictions, limita-
52 tions and requirements shall not apply to any [~~state personal income tax~~
53 ~~revenue bonds and/or state service contract bonds~~] state-supported debt
54 issued to refund such line of credit facility for so long as such [~~state~~
55 ~~personal income tax revenue bonds and/or state service contract bonds~~]
56 state-supported debt shall remain outstanding, including any state-sup-

1 ported debt issued to refund [~~such state personal income tax revenue~~
2 ~~bonds and/or state service contract bonds~~] state-supported debt issued
3 to refinance any line of credit facility. Any such line of credit facil-
4 ity, [~~including any extensions or renewals thereof, and any state~~
5 ~~personal income tax revenue bonds and/or state service contract bonds~~]
6 and, to the extent applicable, any state-supported debt issued to
7 [~~refund~~] refinance such line of credit facilities shall be deemed to be
8 incurred or issued for (i) an authorized purpose within the meaning of
9 subdivision 2 of section 68-a of the state finance law for all purposes
10 of article 5-C of the state finance law and section 92-z of the state
11 finance law, and/or (ii) an authorized purpose within the meaning of
12 subdivision 2 of section 69-m of the state finance law for all purposes
13 of article 5-F of the state finance law and section 92-h of the state
14 finance law, as the case may be. As applicable, all of the provisions of
15 the state finance law, the dormitory authority act and the New York
16 state urban development corporation act relating to notes and bonds
17 which are not inconsistent with the provisions of this section shall
18 apply to any issuance of [~~state personal income tax revenue bonds and/or~~
19 ~~state service contract bonds~~] state-supported debt issued to refinance
20 any line of credit facility authorized by paragraph [~~(b)~~] (c) of this
21 subdivision. The issuance of any [~~state personal income tax revenue~~
22 ~~bonds and/or state service contract bonds issued~~] state-supported debt
23 to refinance any such line of credit facility shall further be subject
24 to the approval of the director of the division of the budget.

25 [~~(f) Any draws~~] (g) Each draw on a line of credit facility authorized
26 by paragraph [~~(b)~~] (c) of this subdivision shall only be made [and] if
27 the service contract or other agreement entered into in connection with
28 such line of credit [~~facilities shall only be executed and delivered to~~
29 ~~the dormitory authority of the state of New York and/or the urban devel-~~
30 ~~opment corporation if the legislature has enacted sufficient appropri-~~
31 ~~ation authority to provide for the repayment of all amounts expected to~~
32 ~~be drawn by the dormitory authority of the state of New York and/or the~~
33 ~~urban development corporation under such line of credit facility during~~
34 ~~fiscal year 2021~~] facility is supported by sufficient appropriation
35 authority enacted by the legislature to repay the amount of the draw,
36 together with related expenses and fees to become due and payable.

37 Amounts repaid under a line of credit facility [~~during fiscal year 2021~~]
38 may be re-borrowed [~~during such fiscal year~~] under the same or another
39 line of credit facility authorized by paragraph (c) of this subdivision
40 provided that the legislature has enacted sufficient appropriation
41 authority [~~to provide~~] that provides for the repayment of any such
42 re-borrowed amounts, together with related expenses and fees to become
43 due and payable. Neither the dormitory authority of the state of New
44 York nor the urban development corporation shall have any financial
45 liability for the repayment of draws under any line of credit facility
46 authorized by paragraph [~~(b)~~] (c) of this subdivision beyond the moneys
47 received for such purpose under [~~the~~] any service contract or other
48 agreement authorized by paragraph [~~(g)~~] (h) of this subdivision.

49 [~~(g)~~] (h) The director of the budget is authorized to enter into one
50 or more service contracts or other agreements, none of which shall
51 exceed 30 years in duration, with the dormitory authority of the state
52 of New York and/or the urban development corporation, upon such terms
53 and conditions as the director of the budget and dormitory authority of
54 the state of New York and/or the urban development corporation shall
55 agree. Any service contract or other [~~agreements~~] agreement entered into
56 pursuant to this paragraph shall provide for state commitments to

1 provide annually to the dormitory authority of the state of New York
2 and/or the urban development corporation a sum or sums, upon such terms
3 and conditions as shall be deemed appropriate by the director of the
4 budget and the dormitory authority of the state of New York and/or the
5 urban development corporation, to fund the payment of all amounts to
6 become due and payable under any line of credit facility and, to the
7 extent applicable any [~~state personal income tax revenue bonds and/or~~
8 ~~state service contract bonds~~] state-supported debt issued to refinance
9 all or a portion of the amounts drawn and remaining unpaid, together
10 with related expenses and fees to become due and payable under such line
11 of credit facility. Any such service contract or other [~~agreements~~]
12 agreement shall provide that the obligation of the director of the budg-
13 et or of the state to fund or to pay the amounts therein provided for
14 shall not constitute a debt of the state within the meaning of any
15 constitutional or statutory provision and shall be deemed executory only
16 to the extent moneys are available and that no liability shall be
17 incurred by the state beyond the moneys available for such purpose, and
18 that such obligation is subject to annual appropriation by the legisla-
19 ture.

20 [~~(h)~~] (i) Any service contract or other [~~agreements~~] agreement entered
21 into pursuant to paragraph [~~(g)~~] (h) of this subdivision or any payments
22 made or to be made thereunder may be assigned and pledged by the dormi-
23 tory authority of the state of New York and/or the urban development
24 corporation as security for any related payment obligation it may have
25 with one or more financial institutions in connection with a line of
26 credit facility authorized by paragraph [~~(b)~~] (c) of this subdivision.

27 [~~(i)~~] (j) In addition to the foregoing, the director of the budget,
28 the dormitory authority of the state of New York and the urban develop-
29 ment corporation shall each be authorized to enter into such other
30 agreements and to take or cause to be taken such additional actions as
31 are necessary or desirable to effectuate the purposes of the trans-
32 actions contemplated by a line of credit facility and the related
33 service contract or other agreement.

34 [~~(j)~~] (k) No later than seven days after a draw occurs on the line of
35 credit facility, the director of the budget shall provide notification
36 of such draw to the president pro tempore of the senate and the speaker
37 of the assembly.

38 [~~(k)~~] (l) The authorization, establishment and use by the dormitory
39 authority of the state of New York and the urban development corporation
40 of a line of credit facility authorized by paragraph [~~(b)~~] (c) of this
41 subdivision, and the execution, sale and issuance of [~~state personal~~
42 ~~income tax revenue bonds and/or state service contract bonds~~] state-sup-
43 ported debt to refinance any such line of credit facility shall not be
44 deemed an action, as such term is defined in article 8 of the environ-
45 mental conservation law, for the purposes of such article. Such
46 exemption shall be strictly limited in its application to such financing
47 activities of the dormitory authority of the state of New York and the
48 urban development corporation undertaken pursuant to this section and
49 does not exempt any other entity from compliance with such article.

50 [~~(l)~~] (m) Nothing contained in this section shall be construed to
51 limit the abilities of the director of the budget and the authorized
52 issuers of state-supported debt to perform their respective obligations
53 on existing service contracts or other agreements entered into prior to
54 April 1, [~~2020~~] 2021.

55 2. Effect of inconsistent provisions. Insofar as the provisions of
56 this section are inconsistent with the provisions of any other law,

1 general, special, or local, the provisions of this act shall be control-
2 ling.

3 3. Severability; construction. The provisions of this section shall be
4 severable, and if the application of any clause, sentence, paragraph,
5 subdivision, section or part of this section to any person or circum-
6 stance shall be adjudged by any court of competent jurisdiction to be
7 invalid, such judgment shall not necessarily affect, impair or invali-
8 date the application of any such clause, sentence, paragraph, subdivi-
9 sion, section, part of this section or remainder thereof, as the case
10 may be, to any other person or circumstance, but shall be confined in
11 its operation to the clause, sentence, paragraph, subdivision, section
12 or part thereof directly involved in the controversy in which such judg-
13 ment shall have been rendered.

14 § 48. Section 56 of section 1 of chapter 174 of the laws of 1968,
15 constituting the New York state urban development corporation act, as
16 added by section 49-c of part JJ of chapter 56 of the laws of 2020, is
17 amended to read as follows:

18 § 56. State-supported debt; ~~[2021]~~ 2022. 1. In light of the [~~signif-~~
19 ~~icant~~] continuing adverse impact that the [~~global spread of the~~] COVID-
20 19 [~~coronavirus disease~~] pandemic is [~~having and is~~] expected to
21 [~~continue to~~] have on the health and welfare of individuals in the state
22 as well as [~~en~~] to the financial condition of the state during the
23 state's 2022 fiscal year, and notwithstanding any other provision of law
24 to the contrary, the dormitory authority of the state of New York and
25 the urban development corporation are each authorized to issue state-
26 supported debt pursuant to article 5-B, article 5-C and article 5-F of
27 the state finance law to assist the state to manage its financing needs
28 during its [~~2021]~~ 2022 fiscal year, without regard to any restrictions,
29 limitations and requirements contained in article 5-B of the state
30 finance law [~~, other than subdivision 4 of section 67-b of such article~~],
31 and such state-supported debt shall be deemed to be issued for (i) an
32 authorized purpose within the meaning of subdivision 2 of section 68-a
33 of the state finance law for all purposes of article 5-C of the state
34 finance law and section 92-z of the state finance law, or (ii) an
35 authorized purpose within the meaning of subdivision 2 of section 69-m
36 of the state finance law for all purposes of article 5-F of the state
37 finance law and section 92-h of the state finance law, as the case may
38 be. Furthermore, any bonds issued directly by the state during the
39 state's [~~2021]~~ 2022 fiscal year shall be issued without regard to any
40 restrictions, limitations and requirements contained in article 5-B of
41 the state finance law [~~, other than subdivision 4 of section 67-b of such~~
42 ~~article~~]. For so long as any state-supported debt issued during the
43 state's [~~2021]~~ 2022 fiscal year shall remain outstanding, including any
44 state-supported debt issued to refund state-supported debt issued during
45 such fiscal year, the restrictions, limitations and requirements
46 contained in article 5-B of the state finance law, [~~other than subdivi-~~
47 ~~sion 4 of section 67-b of such article,~~] shall not apply.

48 2. Effect of inconsistent provisions. Insofar as the provisions of
49 this section are inconsistent with the provisions of any other law,
50 general, special, or local, the provisions of this act shall be control-
51 ling.

52 3. Severability; construction. The provisions of this section shall be
53 severable, and if the application of any clause, sentence, paragraph,
54 subdivision, section or part of this section to any person or circum-
55 stance shall be adjudged by any court of competent jurisdiction to be
56 invalid, such judgment shall not necessarily affect, impair or invali-

1 date the application of any such clause, sentence, paragraph, subdivi-
2 sion, section, part of this section or remainder thereof, as the case
3 may be, to any other person or circumstance, but shall be confined in
4 its operation to the clause, sentence, paragraph, subdivision, section
5 or part thereof directly involved in the controversy in which such judg-
6 ment shall have been rendered.

7 § 49. Section 3238-a of the public authorities law, as amended by
8 section 1 of part V of chapter 63 of the laws of 2003, is amended to
9 read as follows:

10 § 3238-a. Payment to city of New York. 1. Notwithstanding any incon-
11 sistent provision of law, the corporation shall transfer to the city of
12 New York one hundred seventy million dollars from the resources of the
13 corporation pursuant to section thirty-two hundred thirty-nine of this
14 title[~~,- Such payment~~]; provided, however, that on and after July first,
15 two thousand twenty, the obligation of the corporation to make such
16 transfer shall be conditioned on any bonds issued by the sales tax asset
17 receivables corporation that are secured by the corporation's payments
18 described in this subdivision being outstanding in accordance with the
19 trust indenture under which they were issued, while any such bonds are
20 outstanding such payments shall be made during each city fiscal year.
21 Such payments from the corporation shall be made from the fund estab-
22 lished by section ninety-two-r of the state finance law and in accord-
23 ance with the provisions thereof.

24 2. The city of New York, acting by the mayor alone, may assign all or
25 any portion of such amount to any not-for-profit corporation incorpo-
26 rated pursuant to section fourteen hundred eleven of the not-for-profit
27 corporation law and, upon such assignment, the amount so assigned shall
28 be the property of such not-for-profit corporation for all purposes.
29 Following notice from the city of New York to the corporation and the
30 comptroller of such assignment, such payment shall be made directly to
31 the city's assignee. If such not-for-profit corporation issues bonds
32 and/or notes, the state does hereby pledge and agree with the holders of
33 any issue of bonds and/or notes secured by such a pledge that the state
34 will not limit or alter the rights vested in such not-for-profit corpo-
35 ration to fulfill the terms of any agreements made with such holders or
36 in any way impair the rights and remedies of such holders or the securi-
37 ty for such bonds and/or notes until such bonds and/or notes, together
38 with the interest thereon and all costs and expenses in connection with
39 any action or proceeding by or on behalf of such holders, are fully paid
40 and discharged. The foregoing pledge and agreement may be included in
41 any agreement with the holders of such bonds or notes. Nothing contained
42 in this section shall be deemed to restrict the right of the state to
43 amend, modify, repeal or otherwise alter statutes imposing or relating
44 to the taxes subject to such assignment, but such taxes shall in all
45 events continue to be so payable, as assigned, so long as any such taxes
46 are imposed.

47 3. The state may, at any time, provide proceeds of state supported
48 debt, as defined in subdivision one of section sixty-seven-a of the
49 state finance law, or other available monies, to the trustee for the
50 bonds of the sales tax asset receivable corporation secured by the
51 corporation's payments described in subdivision one of this section in
52 an amount sufficient to fully pay and discharge such bonds by means of a
53 legal defeasance of all such outstanding bonds in accordance with the
54 trust indenture under which they were issued. Upon any such legal defea-
55 sance of such bonds, the corporation's obligation contained in subdivi-

1 sion one of this section to transfer funds to the city of New York shall
2 be deemed satisfied and fully discharged.

3 4. Notwithstanding any inconsistent provision of law, the dormitory
4 authority of the state of New York and the New York state urban develop-
5 ment corporation are hereby authorized to issue bonds in one or more
6 series pursuant to article five-C or article five-F of the state finance
7 law in an aggregate principal amount sufficient to (i) finance the legal
8 defeasance of all of the outstanding bonds of the sales tax asset
9 receivable corporation secured by the corporation's payments described
10 in subdivision one of this section, (ii) one or more related debt
11 service reserve funds, and (iii) costs of issuance attributable to such
12 bonds, and the issuance of such bonds is hereby determined to be for an
13 "authorized purpose", as defined in subdivision two of section sixty-
14 eight-a and subdivision two of section sixty-nine-m of the state finance
15 law, as the case may be.

16 § 50. Paragraph a of subdivision 5 of section 89-b of the state
17 finance law, as amended by section 11 of part C of chapter 57 of the
18 laws of 2014, is amended to read as follows:

19 a. Moneys in the dedicated highway and bridge trust fund shall,
20 following appropriation by the legislature, be utilized for: recon-
21 struction, replacement, reconditioning, restoration, rehabilitation and
22 preservation of state, county, town, city and village roads, highways,
23 parkways, and bridges thereon, to restore such facilities to their
24 intended functions; construction, reconstruction, enhancement and
25 improvement of state, county, town, city, and village roads, highways,
26 parkways, and bridges thereon, to address current and projected capacity
27 problems including costs for traffic mitigation activities; aviation
28 projects authorized pursuant to section fourteen-j of the transportation
29 law and for payments to the general debt service fund of amounts equal
30 to amounts required for service contract payments related to aviation
31 projects as provided and authorized by section three hundred eighty-six
32 of the public authorities law; programs to assist small and minority and
33 women-owned firms engaged in transportation construction and recon-
34 struction projects, including a revolving fund for working capital
35 loans, and a bonding guarantee assistance program in accordance with
36 provisions of this chapter; matching federal grants or apportionments to
37 the state for highway, parkway and bridge capital projects; the acquisi-
38 tion of real property and interests therein required or expected to be
39 required in connection with such projects; preventive maintenance activ-
40 ities necessary to ensure that highways, parkways and bridges meet or
41 exceed their optimum useful life; expenses of control of snow and ice on
42 state highways by the department of transportation including but not
43 limited to personal services, nonpersonal services and fringe benefits,
44 payment of emergency aid for control of snow and ice in municipalities
45 pursuant to section fifty-five of the highway law, expenses of control
46 of snow and ice on state highways by municipalities pursuant to section
47 twelve of the highway law, and for expenses of arterial maintenance
48 agreements with cities pursuant to section three hundred forty-nine of
49 the highway law; personal services, nonpersonal services, and fringe
50 benefit costs of the department of transportation for bus safety
51 inspection activities, rail safety inspection activities, and truck
52 safety inspection activities; costs of the department of motor vehicles,
53 including but not limited to personal and nonpersonal services; costs of
54 engineering and administrative services of the department of transporta-
55 tion, including but not limited to fringe benefits; the contract
56 services provided by private firms in accordance with section fourteen

1 of the transportation law; personal services and nonpersonal services,
2 for activities including but not limited to the preparation of designs,
3 plans, specifications and estimates; construction management and super-
4 vision activities; costs of appraisals, surveys, testing and environ-
5 mental impact statements for transportation projects; expenses in
6 connection with buildings, equipment, materials and facilities used or
7 useful in connection with the maintenance, operation, and repair of
8 highways, parkways and bridges thereon; and project costs for:
9 construction, reconstruction, improvement, reconditioning and preserva-
10 tion of rail freight facilities and intercity rail passenger facilities
11 and equipment; construction, reconstruction, improvement, reconditioning
12 and preservation of state, municipal and privately owned ports;
13 construction, reconstruction, improvement, reconditioning and preserva-
14 tion of municipal airports; privately owned airports and aviation capi-
15 tal facilities, excluding airports operated by the state or operated by
16 a bi-state municipal corporate instrumentality for which federal funding
17 is not available provided the project is consistent with an approved
18 airport layout plan; and construction, reconstruction, enhancement,
19 improvement, replacement, reconditioning, restoration, rehabilitation
20 and preservation of state, county, town, city and village roads, high-
21 ways, parkways and bridges; and construction, reconstruction, improve-
22 ment, reconditioning and preservation of fixed ferry facilities of
23 municipal and privately owned ferry lines for transportation purposes,
24 and the payment of debt service required on any bonds, notes or other
25 obligations and related expenses for highway, parkway, bridge and
26 project costs for: construction, reconstruction, improvement, recondi-
27 tioning and preservation of rail freight facilities and intercity rail
28 passenger facilities and equipment; construction, reconstruction,
29 improvement, reconditioning and preservation of state, municipal and
30 privately owned ports; construction, reconstruction, improvement, recondi-
31 tioning and preservation of municipal airports; privately owned
32 airports and aviation capital facilities, excluding airports operated by
33 the state or operated by a bi-state municipal corporate instrumentality
34 for which federal funding is not available provided the project is
35 consistent with an approved airport layout plan; construction, recon-
36 struction, enhancement, improvement, replacement, reconditioning, resto-
37 ration, rehabilitation and preservation of state, county, town, city and
38 village roads, highways, parkways and bridges; and construction, recon-
39 struction, improvement, reconditioning and preservation of fixed ferry
40 facilities of municipal and privately owned ferry lines for transporta-
41 tion purposes, purposes authorized on or after the effective date of
42 this section. Beginning with disbursements made on and after the first
43 day of April, nineteen hundred ninety-three, moneys in such fund shall
44 be available to pay such costs or expenses made pursuant to appropri-
45 ations or reappropriations made during the state fiscal year which began
46 on the first of April, nineteen hundred ninety-two. Beginning the first
47 day of April, nineteen hundred ninety-three, moneys in such fund shall
48 also be used for transfers to the general debt service fund and the
49 [~~revenue bond tax~~] general fund of amounts equal to that respectively
50 required for service contract and financing agreement payments as
51 provided and authorized by section three hundred eighty of the public
52 authorities law, section eleven of chapter three hundred twenty-nine of
53 the laws of nineteen hundred ninety-one, as amended, and sections
54 sixty-eight-c and sixty-nine-o of this chapter.

55 § 51. Paragraph c of subdivision 5 of section 89-b of the state
56 finance law is REPEALED.

1 § 52. Subdivision 5 of section 97-f of the state finance law, as
2 amended by section 49 of part TTT of chapter 59 of the laws of 2019, is
3 amended to read as follows:

4 5. The comptroller shall from time to time, but in no event later than
5 the fifteenth day of each month, pay over for deposit in the mental
6 hygiene general fund state operations account, including moneys pursuant
7 to subdivision eight of this section, all moneys in the mental health
8 services fund in excess of the amount of money required to be maintained
9 on deposit in the mental health services fund. Subject to subdivision
10 nine of this section, the amount required to be maintained in such fund
11 shall be (i) twenty percent of the amount of the next payment coming due
12 relating to the mental health services facilities improvement program
13 under any agreement between the facilities development corporation and
14 the New York state medical care facilities finance agency multiplied by
15 the number of months from the date of the last such payment with respect
16 to payments under any such agreement required to be made semi-annually,
17 plus (ii) those amounts specified in any such agreement with respect to
18 payments required to be made other than semi-annually, including for
19 variable rate bonds, interest rate exchange or similar agreements or
20 other financing arrangements permitted by law. Concurrently with the
21 making of any such payment, the facilities development corporation shall
22 deliver to the comptroller, the director of the budget and the New York
23 state medical care facilities finance agency a certificate stating the
24 aggregate amount to be maintained on deposit in the mental health
25 services fund to comply in full with the provisions of this subdivision.

26 § 53. Subdivision 8 of section 97-f of the state finance law, as
27 amended by section 49 of part TTT of chapter 59 of the laws of 2019, is
28 amended to read as follows:

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

51 ~~No later than five days prior to the payment to be made by the state~~
52 ~~comptroller on such mental health services facilities bonds pursuant to~~
53 ~~sections ninety-two-z and ninety-two-h of this article, the] The amount
54 of [~~such~~] payment on such mental health services facilities bonds pursu-
55 ant to sections ninety-two-z and ninety-two-h of this article, shall be
56 transferred by the state comptroller from the mental health services~~

1 fund to the [~~revenue bond tax fund established by section ninety-two-z~~
2 ~~of this article and the sales tax revenue bond fund established by~~
3 ~~section ninety-two-h of this article~~] mental hygiene general fund state
4 operation account. The accumulation of moneys pursuant to this subdivi-
5 sion and subsequent transfer to the [~~revenue bond tax fund and the sales~~
6 ~~tax revenue bond fund~~] mental hygiene general fund state operation
7 account shall be subordinate in all respects to payments to be made to
8 the New York state medical care facilities finance agency and to any
9 pledge or assignment pursuant to subdivision six of this section.

10 § 54. Subdivision 9 of section 97-f of the state finance law, as added
11 by section 49 of part TTT of chapter 59 of the laws of 2019, is amended
12 to read as follows:

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

24 § 55. Subdivision (j) of section 92-dd of the state finance law is
25 REPEALED.

26 § 56. Subdivision 3-a of section 2872 of the public health law is
27 REPEALED and a new subdivision 3-a is added to read as follows:

28 3-a. "Secured hospital project bonds" shall mean outstanding bonds
29 issued on behalf of a not-for-profit hospital corporation organized
30 under the laws of this state, which hospital has previously been desig-
31 nated by the commissioner and the public health council to be eligible
32 to receive distributions from the reimbursement pools established pursu-
33 ant to paragraph (c) of subdivision nine of section twenty-eight hundred
34 seven-a of this chapter, or any successor pool or pools established to
35 serve a substantially similar purpose to such pools.

36 § 57. Section 2874 of the public health law is amended by adding a new
37 subdivision 5 to read as follows:

38 5. The dormitory authority of the state of New York and the New York
39 state urban development corporation are each hereby authorized to issue
40 bonds in one or more series pursuant to article 5-C or article 5-F of
41 the state finance law for the purpose of refunding outstanding secured
42 hospital project bonds, as defined in subdivision three-a of section
43 twenty-eight hundred seventy-two of this article, and to finance one or
44 more related debt service reserve funds and to pay costs of issuance
45 attributable to such refunding bonds. The use of all savings resulting
46 from the refunding of any outstanding secured hospital project bonds,
47 including original issue premium, shall be determined by the director of
48 the budget.

49 § 58. This act shall take effect immediately and shall be deemed to
50 have been in full force and effect on and after April 1, 2021; provided,
51 however, that the provisions of sections one, one-a, two, three, four,
52 five, six, seven, eight, twelve, thirteen, fourteen, fifteen, sixteen,
53 seventeen, eighteen, nineteen, twenty-one, and twenty-two of this act
54 shall expire March 31, 2022 when upon such date the provisions of such
55 sections shall be deemed repealed; and provided further that section
56 forty-six of this act shall be deemed to have been in full force and

1 effect on and after April 1, 2020; and provided further that the amend-
2 ments to section 3238-a of the public authorities law made by section
3 forty-nine of this act shall be subject to the repeal of such section
4 and shall expire and be deemed repealed therewith.

5 PART RR

6 Section 1. Subdivision 5 of section 362 of chapter 83 of the laws of
7 1995 amending the state finance law and other laws relating to bonds,
8 notes and revenues, as amended by section 1 of part F of chapter 57 of
9 the laws of 2016, is amended to read as follows:

10 5. Sections thirty-one through forty-two of this act shall take effect
11 on the thirtieth day after it shall have become a law and shall be
12 deemed to have been in full force and effect on and after April 1, 1995;
13 provided that section 163 of the state finance law, as added by section
14 thirty-three of this act shall remain in full force and effect until
15 June 30, [~~2021~~] 2026 at which time it shall expire and be deemed
16 repealed. Contracts executed prior to the expiration of such section 163
17 shall remain in full force and effect until the expiration of any such
18 contract notwithstanding the expiration of certain provisions of this
19 act.

20 § 2. This act shall take effect immediately.

21 PART SS

22 Section 1. Section 16 of chapter 1 of the laws of 2005, amending the
23 state finance law relating to restricting contacts in the procurement
24 process and the recording of contacts relating thereto, as amended by
25 section 2 of part F of chapter 57 of the laws of 2016, is amended to
26 read as follows:

27 § 16. This act shall take effect immediately; provided, however, that
28 sections one, six, eight, nine, ten, eleven and fifteen of this act
29 shall take effect January 1, 2006; and provided, however, the amendments
30 to paragraph f of subdivision 9 of section 163 of the state finance law
31 made by section fifteen of this act shall not affect the repeal of such
32 section and shall be deemed repealed therewith; provided, further, that
33 the amendments to article 1-A of the legislative law, made by this act,
34 shall not affect the repeal of such article pursuant to chapter 2 of the
35 laws of 1999, as amended, and shall be deemed repealed therewith;
36 provided, further, that sections thirteen and fourteen of this act shall
37 take effect January 1, 2006 and shall be deemed repealed July 31, [~~2021~~]
38 2031; provided, further, that effective immediately, the advisory coun-
39 cil on procurement lobbying created pursuant to section twelve of this
40 act shall be constituted no later than sixty days following the effec-
41 tive date of this act, provided that effective sixty days following the
42 effective date of this act, the advisory council on procurement lobbying
43 shall be authorized to establish model guidelines and to add, amend
44 and/or repeal any rules or regulations necessary for the implementation
45 of its duties under sections twelve and thirteen of this act, and the
46 advisory council authorized to make and complete such model guidelines
47 on or before the effective date of section thirteen of this act;
48 provided, further, that procurement contracts for which bid solicita-
49 tions have been issued prior to the effective date of this act shall be
50 awarded pursuant to the provisions of law in effect at the time of issu-
51 ance.

1 § 2. Paragraph g of subdivision 1 of section 139-j of the state
2 finance law, as amended by chapter 4 of the laws of 2010, is amended to
3 read as follows:

4 g. "Procurement contract" shall mean any contract or other agreement,
5 including an amendment, extension, renewal or change order to an exist-
6 ing contract (other than amendments, extensions, renewals, or change
7 orders that are authorized and payable under the terms of the contract
8 as it was finally awarded or approved by the comptroller, as applica-
9 ble), for an article of procurement involving an estimated annualized
10 expenditure in excess of [~~fifteen~~ **fifty**] thousand dollars. Grants, arti-
11 cle eleven-B state finance law contracts, program contracts between
12 not-for-profit organizations, as defined in article eleven-B of this
13 chapter, and the unified court system, intergovernmental agreements,
14 railroad and utility force accounts, utility relocation project agree-
15 ments or orders, contracts governing organ transplants, contracts allow-
16 ing for state participation in trade shows, and eminent domain trans-
17 actions shall not be deemed procurement contracts.

18 § 3. Paragraph g of subdivision 1 of section 139-k of the state
19 finance law, as amended by chapter 4 of the laws of 2010, is amended to
20 read as follows:

21 g. "Procurement contract" shall mean any contract or other agreement,
22 including an amendment, extension, renewal, or change order to an exist-
23 ing contract (other than amendments, extensions, renewals, or change
24 orders that are authorized and payable under the terms of the contract
25 as it was finally awarded or approved by the comptroller, as applica-
26 ble), for an article of procurement involving an estimated annualized
27 expenditure in excess of [~~fifteen~~ **fifty**] thousand dollars. Grants, arti-
28 cle eleven-B state finance law contracts, program contracts between
29 not-for-profit organizations, as defined in article eleven-B of this
30 chapter, and the unified court system, intergovernmental agreements,
31 railroad and utility force accounts, utility relocation project agree-
32 ments or orders, contracts governing organ transplants, contracts allow-
33 ing for state participation in a trade show, and eminent domain trans-
34 actions shall not be deemed procurement contracts.

35 § 4. This act shall take effect immediately, provided, however, that
36 the amendments to subdivision 1 of section 139-j of the state finance
37 law and subdivision 1 of section 139-k of the state finance law made by
38 sections two and three of this act shall not affect the expiration of
39 such sections and shall be deemed to expire therewith.

40 PART TT

41 Section 1. Subdivision 2 of section 164 of the civil service law, as
42 amended by section 1 of part J of chapter 55 of the laws of 2015, is
43 amended to read as follows:

44 2. During the fiscal year ending March thirty-first, two thousand
45 [~~sixteen~~ **twenty-two**], the president may establish an amnesty period not
46 to exceed sixty days. During this amnesty period when any employee
47 enrolled in the plan voluntarily identifies any ineligible dependent:

48 (a) the termination of the ineligible dependent's coverage resulting
49 from such employee's timely compliance shall be made on a current basis;

50 (b) the plan shall not seek recovery of any claims paid based on the
51 coverage of the ineligible dependent;

52 (c) the employee shall not be entitled to any refund of premium paid
53 on behalf of any such ineligible dependent; and

1 (d) the employee shall not be subject to any disciplinary, civil or
2 criminal action, directly as a result of the coverage of the ineligible
3 dependent.

4 § 2. This act shall take effect immediately.

5 PART UU

6 Section 1. The state finance law is amended by adding a new section
7 93-c to read as follows:

8 § 93-c. COVID-19 extraordinary relief fund. 1. COVID-19 extraordinary
9 relief fund. There is hereby established in the joint custody of the
10 state comptroller and the commissioner of taxation and finance a special
11 fund to be known as the COVID-19 extraordinary relief fund (hereinafter
12 the "fund"). Moneys in the fund shall be kept separate and not commin-
13 gled with any other moneys in the custody of the comptroller.

14 2. Sources of funds. (a) The fund shall consist of all moneys credit-
15 ed, appropriated or transferred thereto from any other fund or source
16 pursuant to law. Additionally, the fund shall consist of all revenues
17 derived from any chapter of law enacted during the period April first,
18 two thousand twenty-one through March thirty-first, two thousand twen-
19 ty-two which:

20 (i) impose a new tax;

21 (ii) impose an increased rate of tax; and/or

22 (iii) diminish or eliminate any tax deduction or credit in effect as
23 of March thirty-first, two thousand twenty-one.

24 (b) Any interest received by the comptroller on moneys on deposit in
25 the fund shall be retained and become part of the fund, unless otherwise
26 directed by law.

27 (c) The director of the division of the budget shall notify the chair
28 of the committee on ways and means and the chair of the senate finance
29 committee of the receipt of any monies for deposit to the fund within
30 fifteen days following the receipt of any such funds.

31 3. Expenditures from the fund. (a) Moneys in the fund shall, pursuant
32 to a duly enacted appropriation, be made as loans or grants to school
33 districts, local governments, for profit and not-for-profit corporate
34 entities, and/or public benefit corporations to support the necessary
35 and urgent expenses related to resolving extraordinary hardships of the
36 COVID-19 public health emergency.

37 (b) Any payments from the fund pursuant to this subdivision must be
38 made pursuant to a plan approved by the director of the division of the
39 budget. Any such plan shall be filed with the chair of the committee on
40 ways and means and the chair of the senate finance committee no fewer
41 than thirty days prior to the expenditure of such funds.

42 4. Transfers to the general fund. (a) Notwithstanding any other
43 provisions of law to the contrary, for the state fiscal year commencing
44 on April first, two thousand twenty-one, the comptroller is hereby
45 authorized to transfer monies from the fund to the general fund in the
46 event of an economic downturn as described herein. For purposes of this
47 section, the commissioner of labor shall calculate and publish, on or
48 before the fifteenth day of each month, a composite index of business
49 cycle indicators. Such index shall be calculated using monthly data on
50 New York state employment, total manufacturing hours worked, and unem-
51 ployment prepared by the department of labor or its successor agency,
52 and total sales tax collected net of law changes, prepared by the
53 department of taxation and finance or its successor agency. Such index
54 shall be constructed in accordance with the procedures for calculating

1 composite indexes issued by the conference board or its successor organ-
2 ization and adjusted for seasonal variations in accordance with the
3 procedures issued by the census bureau of the United States department
4 of commerce or its successor agency. If the composite index declines for
5 five consecutive months, the commissioner of labor shall notify the
6 governor, the speaker of the assembly, the temporary president of the
7 senate, and the minority leaders of the assembly and the senate. Upon
8 such notification, the director of the budget may authorize and direct
9 the comptroller to transfer from the fund to the general fund such
10 amounts as the director of the budget deems necessary to meet the
11 requirements of the state financial plan. The authority to transfer
12 funds under the provisions of this paragraph shall lapse when the
13 composite index shall have increased for five consecutive months or
14 twelve months from the original notification of the commissioner of
15 labor, whichever occurs earlier. Provided, however, that for every addi-
16 tional and consecutive monthly decline succeeding the five months
17 decline so noted by the commissioner of labor, the twelve-month lapse
18 date shall be extended by one additional month.

19 (b) Prior to authorizing any transfer of funds from the fund to the
20 general fund in accordance with this section, the director of the budget
21 shall notify the speaker of the assembly, the temporary president of the
22 senate, and the minority leaders of the assembly and the senate of such
23 transfer and shall specify the reasons for and amount of such transfer.

24 § 2. This act shall take effect immediately.

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

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

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

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