STATE OF NEW YORK

3046

2021-2022 Regular Sessions

IN SENATE

January 27, 2021

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the civil rights law, the public officers law, the tax law, the general obligations law, the education law, the alcoholic beverage control law, the general city law, the general business law, the labor law and the judiciary law, in relation to enacting the empire state licensing act; and to repeal certain provisions of the alcoholic beverage control law and the public health law relating thereto

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

Section 1. Short title. This act shall be known and may be cited as the "empire state licensing act".

§ 2. The civil rights law is amended by adding a new article 4-D to read as follows:

ARTICLE 4-D

RIGHTS OF IMMIGRANTS IN LICENSING

Section 49. Definitions.

49-a. Nondiscrimination and extension of licenses.

49-b. Application; confidentiality.

§ 49. Definitions. When used in this article, unless the context requires otherwise:

1. The term "license" shall include any professional, occupational, commercial, or business license, permit, certificate, or any other substantially similar permission, or related registration.

2. The term "issuing or registering entity" shall include any entity that grants licenses, establishes the related qualifications, evaluates the applicants, or performs any other substantially similar function.

§ 49-a. Nondiscrimination and extension of licenses. 1. Notwithstanding any other provision of law, no applicant shall be denied a license

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

LBD06228-01-1

on account of the applicant's citizenship or immigration status, or lack thereof.

2. Issuing and registering entities shall review license qualifications and application processes to ensure maximum accessibility to immigrant New Yorkers while maintaining necessary professional, occupational, commercial or business quality. Where a provision of law requires that licenses be granted only to applicants with sufficient work experience, substantially equivalent experience, including but not limited to voluntary internships or externships, research fellowships, experience as a consultant, or experience obtained in another state, district or territory of the United States, or in a foreign country, shall be accepted. When English-language proficiency is not necessary to maintain professional, occupational, commercial, or business quality, the application process, including any related examination, shall be made accessible in an applicant's primary language.

§ 49-b. Application; confidentiality. 1. Notwithstanding any other provision of law, no issuing or registering entity shall inquire into an applicant's citizenship or immigration status, or lack thereof, nor shall it ask an applicant for proof of such status, or lack thereof.

2. Issuing or registering entities shall not inquire regarding information or documents that may be probative of an applicant's place of birth, including, but not limited to, country of passport issuance, birth certificate, consular identification card, or passport, with the exception of a social security number or social security card, or individual taxpayer identification number or individual taxpayer identification card, unless such information or document is necessary to establish age, if relevant, or identity. A New York driver's license or learner's permit, or similar document issued by another state, district, or territory within the United States, shall be sufficient to establish age and/or identity.

3. Whenever an applicant for a license is asked to provide a social security number or social security card, an individual taxpayer identification number or individual taxpayer identification card shall be sufficient. No issuing or registering entity shall inquire into the reasons why an applicant does not provide a social security number or social security card, nor shall it ask the applicant for proof of the lack of a social security number or social security card. No other entity that receives information from such issuing or registering entity, including but not limited to the department of taxation and finance, shall inquire of the issuing or registering entity regarding such information or proof.

4. (a) The issuing or registering entity shall not retain originals or copies of any documents that may be probative of an applicant's place of birth, including, but not limited to, an applicant's birth certificate, consular identification card, passport, social security card, or individual taxpayer identification number card, for longer than the time needed to review the application. Nothing in this paragraph shall prevent the issuing or registering entity from retaining documents where such documents are required by law to be preserved for the purposes of litigation.

(b) To the maximum extent allowed by applicable federal and state law, information or documents collected by issuing or registering entities that may be probative of an applicant's place of birth, including, but not limited to, country of passport issuance, birth certificate, consular identification card, passport, social security number or social security card, or individual taxpayer identification number or individ-

ual taxpayer identification card, shall be treated as confidential and shall not be disclosed unless such disclosure is:

(i) Authorized in writing by the individual to whom such information pertains, or if such individual is a minor or is otherwise not legally competent, by such individual's parent or legal guardian; or

(ii) Necessary to comply with a lawful court order, judicial warrant signed by a judge appointed pursuant to article three of the United States Constitution, or properly-issued subpoena.

(c) To the extent disclosure of confidential information and/or documents to another state entity is required pursuant to state law, such information and/or documents shall be treated as confidential and not further disclosed by the receiving entity, consistent with the requirements of paragraph (b) of this subdivision.

(d) Whenever disclosure is permitted pursuant to court order, warrant, or subpoena, the issuing or registering entity shall provide the individual to whom the information and/or documents pertain with a copy of the court order, warrant, or subpoena within three business days of its receipt. Only such information or documents specifically sought pursuant to such court order, warrant, or subpoena shall be disclosed.

(e) All issuing or registering entities, and any other state entity that may subsequently receive confidential information and/or documents, shall ensure any information and/or documents that are stored electronically, including but not limited to in databases, shall be compliant with the provisions of paragraph (b) of this subdivision. Passive electronic access to confidential information and/or documents by external individuals or entities, when disclosure is not otherwise permitted pursuant to paragraph (b) of this subdivision, shall constitute an unlawful disclosure.

§ 3. Subparagraphs vii and viii of paragraph (b) of subdivision 2 of section 89 of the public officers law, as amended by section 2 of part GGG of chapter 59 of the laws of 2019, are amended to read as follows:

vii. disclosure of electronic contact information, such as an e-mail address or a social network username, that has been collected from a taxpayer under section one hundred four of the real property tax law; [~~or~~]

viii. disclosure of law enforcement arrest or booking photographs of an individual, unless public release of such photographs will serve a specific law enforcement purpose and disclosure is not precluded by any state or federal laws; or

ix. disclosure of information obtained through application for a professional, occupational, commercial, or business license, permit, certificate, or any substantially similar permission, or related registration, that might indicate the applicant's citizenship or immigration status.

§ 4. Subdivision 2 and subparagraph 3 of paragraph (a) of subdivision 3 of section 5 of the tax law, as amended by chapter 170 of the laws of 1994, are amended to read as follows:

2. Requiring information. Notwithstanding any other provision of law, every covered agency shall, as part of the procedure for granting, renewing, amending, supplementing or restating the license of any person or at the time the covered agency contracts to purchase or purchases goods or services or leases real or personal property from any person, require that each such person provide to the covered agency such person's federal social security account number [~~or~~], federal employer identification number, or [~~both such numbers when such person has both such numbers, or, where such person does not have such number or~~

~~numbers, the reason or reasons why such person does not have such number or numbers~~] **the federal individual taxpayer identification number**. Such numbers [~~or reasons~~] shall be obtained by such covered agency as part of the administration of the taxes administered by the commissioner for the purpose of establishing the identification of persons affected by such taxes.

(3) federal social security account number [~~or~~], federal employer identification number, or [~~both such numbers where such person has both such numbers, or the reason or reasons, furnished by such person, why such person does not have such number or numbers~~] **the federal individual taxpayer identification number**.

§ 5. Subdivision 2 of section 3-503 of the general obligations law, as amended by chapter 398 of the laws of 1997, is amended to read as follows:

2. Every applicant for a license or renewal thereof shall provide his or her social security number **or individual taxpayer identification number** on the application. Additionally, every applicant for a license or renewal thereof shall certify in the application in a written statement under oath, duly sworn and subscribed, that as of the date the application is filed he or she is (or is not) under obligation to pay child support and that if he or she is under such an obligation, that he or she does (or does not) meet one of the following requirements:

a. he or she is not four months or more in arrears in the payment of child support; or

b. he or she is making payments by income execution or by court agreed payment or repayment plan or by plan agreed to by the parties; or

c. the child support obligation is the subject of a pending court proceeding; or

d. he or she is receiving public assistance or supplemental security income.

§ 6. Paragraph (f) of subdivision 6 of section 6506 of the education law, as amended by chapter 133 of the laws of 1982, is amended to read as follows:

(f) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States~~] **meet no requirement as to United States citizenship or immigration status**;

§ 7. Subdivision 6 of section 6524 of the education law, as amended by chapter 379 of the laws of 2008, is amended to read as follows:

(6) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States; provided, however that the board of regents may grant a three year waiver for an alien physician to practice in an area which has been designated by the department as medically underserved, except that the board of regents may grant an additional extension not to exceed six years to an alien physician to enable him or her to secure citizenship or permanent resident status, provided such status is being actively pursued; and provided further that the board of regents may grant an additional three year waiver, and at its expiration, an extension for a period not to exceed six additional years, for the holder of an H-1b visa, an O-1 visa, or an equivalent or successor visa thereto~~] **meet no requirement as to United States citizenship or immigration status**;

§ 8. Paragraph 1 of subdivision 1 of section 6525 of the education law, as amended by chapter 133 of the laws of 1982, is amended to read as follows:

(1) A person who fulfills all requirements for a license as a physician except those relating to the examination [~~and citizenship or permanent residence in the United States~~];

§ 9. Subdivision 6 of section 6554 of the education law, as amended by chapter 133 of the laws of 1982, is amended to read as follows:

(6) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States~~] meet no requirement as to United States citizenship or immigration status;

§ 10. Subdivision 6 of section 6604 of the education law, as amended by chapter 403 of the laws of 2002, is amended to read as follows:

(6) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States; provided, however, that the board of regents may grant a three year waiver for an alien to practice in an area which has been designated a federal dental health professions shortage area, except that the board of regents may grant an additional extension not to exceed six years to an alien to enable him or her to secure citizenship or permanent resident status, provided such status is being actively pursued~~] meet no requirement as to United States citizenship or immigration status;

§ 11. Subdivision 7 of section 6604-b of the education law, as added by chapter 537 of the laws of 2008, is amended to read as follows:

7. In order to be eligible for a restricted dental faculty license an applicant must [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States; provided, however, that the department may grant a three year waiver for an alien who otherwise meets all other requirements for a restricted dental faculty license except that the department may grant an additional extension not to exceed six years to an alien to enable him or her to secure citizenship or permanent resident status, provided such status is being actively pursued~~] meet no requirement as to United States citizenship or immigration status. No current faculty member shall be displaced by the holder of a restricted dental faculty license.

§ 12. Subdivision 6 of section 6609 of the education law, as amended by chapter 403 of the laws of 2002, is amended to read as follows:

(6) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States; provided, however, that the board of regents may grant a three year waiver for an alien to practice in an area which has been designated a federal dental health professions shortage area, except that the board of regents may grant an additional extension not to exceed six years to an alien to enable him or her to secure citizenship or permanent resident status, provided such status is being actively pursued~~] meet no requirement as to United States citizenship or immigration status;

§ 13. Subdivision 6 of section 6704 of the education law, as amended by chapter 201 of the laws of 2007, is amended to read as follows:

(6) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States; provided, however that the board of regents may grant a one-time three-year waiver for a veterinarian who otherwise meets the requirements of this article and who has accepted an offer to practice veterinary medicine in a county in the state which the department has certified as having a shortage of qualified applicants to fill existing vacancies in veterinary medicine, and provided further that the board of regents may grant an extension of such three-year waiver of not more than one year~~]

meet no requirement as to United States citizenship or immigration status;

§ 14. Subdivision 6 of section 6711 of the education law, as amended by chapter 80 of the laws of 2000, is amended to read as follows:

6. Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States; provided, however that the board of regents may grant a one-time three-year waiver for an animal health technician who otherwise meets the requirements of this article and provided further that the board of regents may grant an extension of such three-year waiver of not more than one year~~] **meet no requirement as to United States citizenship or immigration status**;

§ 15. Subdivision 1 of section 6711-a of the education law, as amended by chapter 333 of the laws of 1990, is amended to read as follows:

1. Eligibility. Persons shall be eligible for a limited permit who fulfill all requirements for a license as a veterinary technician except those relating to the examination [~~and citizenship or permanent residence in the United States~~].

§ 16. Paragraph 6 of subdivision 1 of section 6805 of the education law, as amended by chapter 133 of the laws of 1982, is amended to read as follows:

(6) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States~~] **meet no requirement as to United States citizenship or immigration status**;

§ 17. Subdivision 6 of section 6905 of the education law, as amended by chapter 994 of the laws of 1971 and as renumbered by chapter 50 of the laws of 1972, is amended to read as follows:

(6) Citizenship **or immigration status**: meet no requirement as to United States citizenship **or immigration status**;

§ 18. Subdivision 6 of section 6906 of the education law, as amended by chapter 330 of the laws of 1981, is amended to read as follows:

(6) Citizenship **or immigration status**: meet no requirements as to United States citizenship **or immigration status**;

§ 19. Subdivision 6 of section 6955 of the education law, as added by chapter 327 of the laws of 1992, is amended to read as follows:

6. Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States~~] **meet no requirement as to United States citizenship or immigration status**.

§ 20. Subdivision 6 of section 7004 of the education law, as added by chapter 987 of the laws of 1971, is amended to read as follows:

(6) Citizenship **or immigration status**: meet no requirements as to United States citizenship **or immigration status**;

§ 21. Subdivision 6 of section 7104 of the education law, as added by chapter 987 of the laws of 1971, is amended to read as follows:

(6) Citizenship **or immigration status**: meet no requirement as to United States citizenship **or immigration status**;

§ 22. Paragraph 6 of subdivision a of section 7124 of the education law, as amended by chapter 475 of the laws of 1973, is amended to read as follows:

(6) Citizenship **or immigration status**: meet no requirement as to United States citizenship **or immigration status**;

§ 23. Paragraph 6 of subdivision 1 of section 7206 of the education law, as amended by chapter 133 of the laws of 1982, is amended to read as follows:

(6) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States~~] meet no requirement as to United States citizenship or immigration status;

§ 24. Paragraph 6 of subdivision 1 of section 7206-a of the education law, as amended by chapter 133 of the laws of 1982, is amended to read as follows:

(6) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States~~] meet no requirements as to United States citizenship or immigration status;

§ 25. Paragraph 6 of subdivision 1 of section 7206-a of the education law, as amended by chapter 322 of the laws of 2019, is amended to read as follows:

(6) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States~~] meet no requirements as to United States citizenship or immigration status;

§ 26. Paragraph 6 of subdivision 1 of section 7304 of the education law, as added by chapter 987 of the laws of 1971, is amended to read as follows:

(6) Citizenship or immigration status: meet no requirement as to United States citizenship or immigration status;

§ 27. Paragraph 6 of subdivision 1 of section 7324 of the education law, as amended by chapter 133 of the laws of 1982, is amended to read as follows:

(6) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States~~] meet no requirement as to United States citizenship or immigration status;

§ 28. Paragraph 6 of subdivision 1 of section 7404 of the education law, as added by chapter 987 of the laws of 1971, is amended to read as follows:

(6) Citizenship or immigration status: meet no requirements as to United States citizenship or immigration status;

§ 29. Paragraph 6 of subdivision 1 of section 7504 of the education law, as amended by chapter 133 of the laws of 1982, is amended to read as follows:

(6) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States~~] meet no requirement as to United States citizenship or immigration status;

§ 30. Subdivision 6 of section 7603 of the education law, as added by chapter 987 of the laws of 1971, is amended to read as follows:

(6) Citizenship or immigration status: meet no requirement as to United States citizenship or immigration status;

§ 31. Subdivision 5 of section 7804 of the education law, as amended by chapter 230 of the laws of 1997, is amended to read as follows:

(5) Citizenship or immigration status: [~~be a United States citizen or an alien lawfully admitted for permanent residence in the United States~~] meet no requirement as to United States citizenship or immigration status;

§ 32. Subdivision 1 of section 7806 of the education law, as amended by chapter 230 of the laws of 1997, is amended to read as follows:

1. The department may issue a limited permit to practice massage therapy as a licensed massage therapist, masseur or masseuse to a person who

has not previously held such a permit and who fulfills all except the examination [~~and citizenship requirements~~] **requirement** for a license, provided however that a permit shall not be issued to a person who has failed the state licensing examination.

§ 33. Subdivision 6 of section 7904 of the education law, as amended by chapter 460 of the laws of 2011, is amended to read as follows:

(6) Meet no requirements as to United States citizenship **or immigration status**.

§ 34. Paragraph (f) of subdivision 1 of section 8305 of the education law, as added by chapter 905 of the laws of 1990, is amended to read as follows:

(f) Citizenship **or immigration status**: meet no requirements as to United States citizenship **or immigration status**;

§ 35. Paragraph (a) of subdivision 1 of section 110 of the alcoholic beverage control law, as amended by chapter 114 of the laws of 2000, is amended to read as follows:

(a) A statement of identity as follows:

(i) If the applicant is an individual, his name, date [~~and place~~] of birth, [~~citizenship,~~] permanent home address, telephone number and social security number **or individual taxpayer identification number**, as well as any other names by which he has conducted a business at any time.

(ii) If the applicant is a corporation, the corporate name of the applicant, its place of incorporation, its main business address (and if such main business address is not within the state, the address of its main place of business within the state), other names by which it has been known or has conducted business at any time, its telephone number, its federal employer identification number, and the names, ages, [~~citizenship,~~] and permanent home addresses of its directors, officers and its shareholders (except that if there be more than ten shareholders then those shareholders holding ten percent or more of any class of its shares).

(iii) If the applicant is a partnership, its name, its main business address (and if such main business address is not within the state, the address of its main place of business within the state), other names by which it has been known or has conducted business at any time, its telephone number, its federal employer identification number, and the names, ages, [~~citizenship,~~] and permanent home addresses of each of its partners.

§ 36. Subdivision 3 of section 126 of the alcoholic beverage control law is REPEALED.

§ 37. Subdivision 4 of section 126 of the alcoholic beverage control law, as amended by section 50 of subpart B of part C of chapter 62 of the laws of 2011, is amended to read as follows:

4. A copartnership or a corporation, unless each member of the partnership, or each of the principal officers and directors of the corporation, is [~~a citizen of the United States or an alien lawfully admitted for permanent residence in the United States,~~] not less than twenty-one years of age[~~,~~] and has not been convicted of any felony or any of the misdemeanors, specified in section eleven hundred forty-six of the former penal law as in force and effect immediately prior to September first, nineteen hundred sixty-seven, or of an offense defined in section 230.20 or 230.40 of the penal law, or if so convicted has received, subsequent to such conviction, an executive pardon therefor removing this disability a certificate of good conduct granted by the department of corrections and community supervision, or a certificate of relief

from disabilities granted by the department of corrections and community supervision or a court of this state pursuant to the provisions of article twenty-three of the correction law to remove the disability under this section because of such conviction; provided however [~~that a corporation which otherwise conforms to the requirements of this section and chapter may be licensed if each of its principal officers and more than one-half of its directors are citizens of the United States or aliens lawfully admitted for permanent residence in the United States; and provided further~~] that a corporation organized under the not-for-profit corporation law or the education law which otherwise conforms to the requirements of this section and chapter may be licensed if each of its principal officers and more than one-half of its directors are not less than twenty-one years of age and none of its directors are less than eighteen years of age; and provided further that a corporation organized under the not-for-profit corporation law or the education law and located on the premises of a college as defined by section two of the education law which otherwise conforms to the requirements of this section and chapter may be licensed if each of its principal officers and each of its directors are not less than eighteen years of age.

§ 38. Section 10 of the general city law, as amended by chapter 133 of the laws of 1982, is amended to read as follows:

§ 10. Licenses to adult blind persons. The mayor of any city shall have the power to issue a license to any adult blind person for the vending of goods, or newspapers in such places as he **or she** may set aside for this purpose. The license shall be issued for a term of one year and no charge shall be made for the license. A license shall not be issued to a blind person unless he or she is a resident for three years in the city in which application for such license is made [~~and is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States~~].

This license shall be revocable only for cause.

§ 39. Paragraph (a) of subdivision 2 of section 3421 of the public health law is REPEALED.

§ 40. Section 41 of the general business law, as amended by chapter 321 of the laws of 1983, is amended to read as follows:

§ 41. Licenses, how obtained; penalty for carrying on business without license. The mayor or such local licensing authority may from time to time grant, under his **or her** hand and the official seal of his **or her** office, to such [~~citizens, or aliens lawfully admitted for permanent residence in the United States,~~] **people** as he **or she** shall deem proper and who shall produce to him **or her** satisfactory evidence of their good character, a license authorizing such person to carry on the business of a collateral loan broker, which license shall designate the house in which such person shall carry on said business, and no person, corporation, partnership or firm shall carry on the business of a collateral loan broker without being duly licensed, nor in any other house than the one designated in said license, under a penalty of one hundred dollars for each day he **or she** or they shall exercise or carry on said business without such license or at any other house than the one so designated. Any person receiving such license shall pay therefor the sum of five hundred dollars for the use of the city yearly where such business is to be conducted in a city with a population of more than one million persons, and where the business is to be conducted elsewhere the fee for such license shall not exceed two hundred fifty dollars yearly, and every such license shall expire one year from the date thereof, and may be renewed on application to the mayor or local licensing authority each

and every year on payment of the same sum and upon performance of the other conditions herein contained. Every person so licensed shall, at the time of receiving such license, file with the mayor or such local licensing authority granting the same a bond to the local authorities, to be executed by the person so licensed and by two responsible sureties, in the penal sum of ten thousand dollars, to be approved by such mayor or local licensing authority, which bond shall be conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed, and the mayor or such local licensing authority shall have full power and authority to revoke such license for cause.

§ 41. Subdivision 1 of section 341 of the labor law, as amended by chapter 461 of the laws of 2006, is amended to read as follows:

1. No manufacturer or contractor shall engage in the apparel industry unless he or she registers with the commissioner, in writing, on a form provided by the commissioner, which shall contain the following information: whether it is a sole proprietorship, partnership or corporation, its name, address and number of production employees, the name, home address and social security number **or individual taxpayer identification number** of each owner or partner, or if the registrant is a corporation, no shares of which are listed on a national securities exchange or regularly quoted in an over-the-counter market by one or more members of a national or an affiliated securities association, of each officer and of each of the ten largest shareholders thereof, how long it has been in business, its tax identification number, whether it is a manufacturer or contractor, the name and address of each person with a financial interest in the manufacturer's or contractor's business and the amount of that interest, except that if the manufacturer or contractor is a publicly-traded corporation, only the names and addresses of the corporation officers shall be required, whether it is in contractual relations with a labor organization and, if so, the name and address of such labor organization, a statement as to whether the registrant or any owner of or partner in, or if the registrant is a corporation, no shares of which are listed on a national securities exchange or regularly quoted in an over-the-counter market by one or more members of a national or an affiliated securities association, any officer or any of the ten largest shareholders thereof has, within the last three years, been found by any court or administrative body to have violated this chapter and, if so, the nature and date of such violation and, if the registrant is a contractor, whether that contractor subcontracts the cutting or sewing of apparel or sections or components thereof. Such registration form shall also require that each owner or partner, or if the registrant is a corporation, then each officer, submit photographic proof of identity. Divisions, subsidiary corporations or related companies may, at the option of the manufacturer or contractor, be named and included under one omnibus registration. Such registration shall be filed on or before January fifteenth of each year. The commissioner shall issue a certificate of registration, which shall be effective for a period of twelve months, upon receipt of a completed registration form accompanied by the requisite photographic proof of identity and documentation that such manufacturer or contractor has paid any surety bond required pursuant to subdivision eight of section three hundred forty-five of this article and that a workers' compensation insurance policy is in effect for the registrant's production employees working in New York state. The initial registration fee shall be two hundred dollars and each subsequent annual renewal registration fee shall be one hundred fifty dollars. With respect to new employers, such registration shall be filed upon the

commencement of manufacturing or contracting in the apparel industry and shall be effective until the following January fifteenth. The commissioner may pro rate the initial annual registration fee in such instances.

§ 42. Section 460 of the judiciary law, as amended by chapter 226 of the laws of 1985, is amended to read as follows:

§ 460. Examination and admission of attorneys. An applicant for admission to practice as an attorney or counsellor in this state, must be examined and licensed to practice as prescribed in this chapter and in the rules of the court of appeals. Race, creed, color, national origin, alienage [~~or~~], sex **or federal immigration status** shall constitute no cause for refusing any person examination or admission to practice.

§ 43. Severability. If any provision of this act, or any application of any provision of this act, is held to be invalid, that shall not affect the validity or effectiveness of any other provision of this act, or of any other application of any provision of this act, which can be given effect without that provision or application; and to that end, the provisions and applications of this act are severable.

§ 44. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided however, that section twenty-five of this act shall take effect on the same date and in the same manner as chapter 322 of the laws of 2019 takes effect. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.