# STATE OF NEW YORK

349

2021-2022 Regular Sessions

# IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, the New York state urban development corporation act and the executive law, in relation to school district cyber crime prevention services

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

Section 1. The education law is amended by adding a new section 115 to read as follows:

§ 115. School district cyber crime prevention services program. 1. There is hereby established within the department a school district cyber crime prevention services program.

2. The school district cyber crime prevention services program, directly and in conjunction with other departments and agencies of the state, federal agencies or local governments, shall provide school districts with access to the following services:

(a) information on strategies, best practices and programs offering training and assistance in the prevention of cyber crimes in school districts or otherwise affecting school districts, including, but not limited to: hacking, phishing and the use of viruses, malware and DoS attacks;

(b) information on eligibility and applications for financial assistance for school district cyber crime prevention services under paragraph (o) of subdivision one of section sixteen-m of section one of chapter one hundred seventy-four of the laws of nineteen hundred sixty-eight;

(c) information on eligibility and applications for other programs of financial assistance for school district cyber crime prevention that may from time to time be available from the state, federal agencies or local governments;

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

LBD01598-01-1

(d) information on protecting the assets of school districts from cyber crime, including risk reduction strategies and insurance availability; and

(e) information on responses to cyber crime, including reporting of cyber crimes, submitting insurance claims and cyber crime victim assistance programs.

3. The school district cyber crime prevention services program shall, with the assistance of other appropriate state agencies, identify issues relating to cyber crime affecting school districts and assist the department in making recommendations for legislative, regulatory and programmatic actions to address such issues.

§ 2. Paragraphs (m) and (n) of subdivision 1 of section 16-m of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, paragraph (m) as added by chapter 467 of the laws of 2011 and paragraph (n) as added by chapter 298 of the laws of 2012, are amended and a new paragraph (o) is added to read as follows:

(m) Assistance to businesses that conduct basic, applied or translational research that leads to the development of products that improve human health or agriculture and that require approval by the federal food and drug administration, in order to create or expand facilities, in accordance with good manufacturing practice regulations, that will create or retain more than fifty jobs. For purposes of this paragraph, good manufacturing practice regulations refers to those regulations promulgated by the United States Food and Drug Administration under the authority of the Federal Food, Drug and Cosmetic Act[~~.~~];

(n) Loans, loan guarantees, interest subsidies and grants to businesses, municipalities, industrial development agencies and local and regional economic development corporations, not-for-profit corporations, business improvement districts, regional marketing authorities and agricultural cooperatives organized pursuant to the cooperative corporations law, and other entities for the construction, reconstruction, improvement, expansion or rehabilitation of wholesale regional farmers' markets or food hubs that facilitate the sale and promotion of farm products grown or produced in New York state.

For the purposes of this paragraph a wholesale regional farmers' market or food hub is a market, business or organization that actively manages the aggregation, distribution and marketing of source-identified food products primarily from local or regional producers to satisfy wholesale, retail and institutional demand for such products[~~.~~]; and

(o) Loans, loan guarantees, interest subsidies and grants to school districts for the purpose of preventing cyber crime against school districts.

§ 3. Section 837 of the executive law is amended by adding a new subdivision 23 to read as follows:

23. Provide advice and assistance to the department of education in developing and operating a program of school district cyber crime prevention services pursuant to section one hundred fifteen of the education law, and provide advice and assistance to the urban development corporation in the development of the program of school district cyber crime prevention assistance pursuant to paragraph (o) of subdivision one of section sixteen-m of section one of chapter one hundred seventy-four of the laws of nineteen hundred sixty-eight.

§ 4. This act shall take effect on the first of April next succeeding the date on which it shall have become a law; provided, however, that the department of education, the New York state urban development corpo-

ration and the division of criminal justice services shall be immediately authorized to take any and all actions necessary to fully implement the provisions of this act on such date; and provided further that the amendments to section 16-m of the urban development corporation act made by section two of this act shall not affect the expiration of such section and shall be deemed to expire therewith.