

# STATE OF NEW YORK

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10147

## IN ASSEMBLY

May 3, 2022

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Davila, Zebrowski) -- (at request of the Department of State) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, the alcoholic beverage control law, the banking law, the cannabis law, the civil practice law and rules, the civil rights law, the civil service law, the correction law, the domestic relations law, the economic development law, the education law, the environmental conservation law, the general business law, the general city law, the judiciary law, the labor law, the mental hygiene law, the parks, recreation and historic preservation law, the penal law, the public authorities law, the public health law, the real property law, the retirement and social security law, the surrogate's court procedure act, the social services law, the tax law, the transportation law, the volunteer ambulance workers' benefit law, the volunteer firefighters' benefit law, the workers' compensation law, the facilities development corporation act, the medical care facilities finance agency act, and the New York state urban development corporation act, in relation to replacing instances of the terms "alien" and "illegal alien" with the terms "noncitizen" and "undocumented noncitizen"

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

1 Section 1. Legislative intent. Currently, under the United States  
2 Immigration and Nationality Act, 8 U.S.C. §1101(a)(3), the commonly used  
3 term "alien" refers to any person who is not a citizen or national of  
4 the United States. Although hundreds of years of migration has contrib-  
5 uted to the social, economic, and political foundations of the United  
6 States, a divide between "us" and "them" has remained crucial to the  
7 restriction of people's migration into the United States and immigrant  
8 inclusion within the United States. This divide is expressed, among  
9 other ways, through language. The literal words used by our government  
10 through laws and regulations influence social discourse and immigration  
11 policies. Scholars and politicians alike have criticized the connota-  
12 tions associated with the term "alien" in federal and state laws and

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

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1 regulations, as synonymizing foreign-born people with criminals and  
2 outsiders. Not only do these connotations dehumanize the immigrants that  
3 elevate our cultural, civic, and economic life, but they hold power in  
4 the creation of xenophobic laws and rules resulting from legislation and  
5 judicial decisions. New York state has long valued the benefits that  
6 come with a diverse immigrant population and has held out to be a land  
7 of opportunity for all. Currently, 4.4 million immigrants live in New  
8 York state, with over three million residing in New York city. In 2018,  
9 immigrant households in New York paid \$35.4 billion in federal taxes and  
10 \$21.8 billion in state and local taxes. Immigrants comprise more than 34  
11 percent of all self-employed New Yorkers and generated \$7.8 billion in  
12 income during 2018 alone. Immigrants throughout New York state have  
13 proven to strengthen New York's economy and diversify social and  
14 cultural life.

15 To coincide with New York state's inclusive and welcoming platform on  
16 immigration matters, the terms "alien" and "illegal alien" should be  
17 removed from all state laws. By replacing these terms with "noncitizen"  
18 and "undocumented noncitizen," New York state will both match the  
19 language anticipated to be in federal codes and demonstrate respect and  
20 humanity to its immigrant population.

21 § 2. Section 8 of the executive law is amended to read as follows:

22 § 8. Registration of [~~aliens~~] noncitizens. Whenever a state of war  
23 exists between the United States and a foreign country, or, in the judg-  
24 ment of the governor public safety or necessity requires such action,  
25 the governor may, by proclamation, direct every subject or citizen of  
26 such foreign countries as the governor may designate in such proclama-  
27 tion, who are in this state, or who may from time to time come into the  
28 state, to appear within twenty-four hours after the date specified in  
29 such proclamation or after arrival within the state, before such public  
30 authorities as the governor may designate in such proclamation, and  
31 personally register his or her name, residence, business, length of stay  
32 and such other information as the governor shall prescribe. Such procla-  
33 mation shall be published in such newspapers as the governor may desig-  
34 nate. Every person to whom such proclamation is applicable shall also  
35 comply with such rules or personal identification as the governor shall  
36 from time to time prescribe. The occupant of every private residence,  
37 and the owner, lessee or proprietor, operating or managing every hotel,  
38 inn, boarding or rooming house shall, within twenty-four hours after the  
39 date specified in such proclamation, notify such public authorities of  
40 the presence therein of every subject or citizen of a foreign country to  
41 whom such proclamation is applicable, and shall each day thereafter  
42 notify such public authorities of the arrival thereat or departure ther-  
43 efrom of every such subject or citizen. A failure to comply with any  
44 such proclamation or to perform any act required by this section shall  
45 be a misdemeanor, punishable by a fine of not exceeding one thousand  
46 dollars, or imprisonment for one year or both.

47 § 3. The opening paragraph of subdivision 8 and paragraph (a) of  
48 subdivision 15 of section 310 of the executive law, the opening para-  
49 graph of subdivision 8 as added by chapter 261 of the laws of 1988 and  
50 paragraph (a) of subdivision 15 as amended by chapter 22 of the laws of  
51 2014, are amended to read as follows:

52 "Minority group member" shall mean a United States citizen or perma-  
53 nent resident [~~alien~~] noncitizen who is and can demonstrate membership  
54 in one of the following groups:

55 (a) at least fifty-one percent owned by one or more United States  
56 citizens or permanent resident [~~aliens~~] noncitizens who are women;

§ 4. Clause (i) of paragraph (a) of subdivision 2-a of section 314 of the executive law, as amended by chapter 96 of the laws of 2019, is amended to read as follows:

(i) have at least fifty-one percent ownership by a minority or a women-owned enterprise and be owned by United States citizens or permanent resident ~~[aliens]~~ noncitizens;

§ 5. The opening paragraph of subdivision 6 of section 821 of the executive law, as added by chapter 96 of the laws of 2019, is amended to read as follows:

"Minority group member" shall mean a United States citizen or permanent resident ~~[alien]~~ noncitizen who is and can demonstrate membership in one of the following groups:

§ 6. Subdivision 3 of section 940 of the executive law, as added by chapter 31 of the laws of 1985, is amended to read as follows:

3. "Minority" shall mean a resident of New York state or a permanent resident ~~[alien]~~ noncitizen residing in New York state who is a member of a group historically underrepresented in the scientific, technical, health, and health-related professions as defined by the regents after consultation with the council.

§ 7. Subdivisions 3 and 4 of section 126 of the alcoholic beverage control law, subdivision 3 as added by chapter 133 of the laws of 1982, and subdivision 4 as amended by section 50 of subpart B of part C of chapter 62 of the laws of 2011, are amended to read as follows:

3. A person who is not a citizen of the United States or ~~[an alien]~~ a noncitizen lawfully admitted for permanent residence in the United States.

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]~~ a noncitizen 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]~~ noncitizens 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

1 principal officers and each of its directors are not less than eighteen  
2 years of age.

3 § 8. Paragraph (a) of subdivision 2 of section 100-a of the banking  
4 law, as amended by chapter 961 of the laws of 1966, is amended to read  
5 as follows:

6 (a) Any trust company may be appointed guardian, trustee or adminis-  
7 trator, on the application or consent of any person acting as such or as  
8 an executor or entitled to such appointment irrespective of whether such  
9 person would himself or herself be disqualified from acting by reason of  
10 his or her being [~~an alien~~] a noncitizen or non-resident of this state,  
11 and in the place and stead of such person, or such trust company may be  
12 joined with any person so acting or entitled to such appointment; but  
13 such appointments shall be made upon such notice, as is required by law,  
14 to the persons interested in the estate or fund and on the consent of  
15 such of the principal legatees or other persons interested in the estate  
16 or fund as the court, surrogate or judge making the appointment shall  
17 deem proper. No appointment so made shall be deemed to increase the  
18 number of persons entitled to full compensation beyond the number so  
19 entitled under the terms of the will or deed creating the trust or  
20 appointing a guardian or authorized by law. Whenever a person is joined  
21 with such trust company in any appointment as guardian, trustee or  
22 administrator, his or her appointment may be under such limitation of  
23 powers and upon such terms and conditions as to deposit of assets by  
24 such person, with such trust company, or otherwise, and upon such  
25 reduced bond or security to be given by such person, as the court,  
26 surrogate or judge, making the appointment shall prescribe.

27 § 9. Section 633 of the banking law, as added by chapter 373 of the  
28 laws of 1942, is amended to read as follows:

29 § 633. Service of notice or process during time of war. Whenever,  
30 pursuant to the provisions of this article, any communication, notice or  
31 other paper or process is required to be given or served by the super-  
32 intendent upon any person and the giving or service thereof is in any  
33 manner prohibited by the provisions of the act of congress, known as the  
34 "Trading with the Enemy Act," or any amendment thereof, or the rules,  
35 regulations or licenses issued pursuant thereto, or any other law, rule,  
36 regulation or license pursuant to law prohibiting or regulating the  
37 same, such communication, notice or other paper or process shall be  
38 deemed to have been duly given or served on such person if given or  
39 served on his or her behalf, in the manner provided in the pertinent  
40 provisions of this article, on the [~~alien~~] noncitizen property custodian  
41 or on such other officer as may have been appointed or designated by the  
42 president of the United States of America to take possession of the  
43 property of [~~alien~~] noncitizen enemies. This section shall apply whether  
44 or not (1) such [~~alien~~] noncitizen property custodian or other officer  
45 shall actually have taken possession of any property of such person, or  
46 (2) the president, or an officer duly designated by him or her for the  
47 purpose, has the power to authorize or license the giving or service of  
48 any such communication, notice or other paper or process, and nothing  
49 herein shall require the superintendent to apply to the president or  
50 such officer for such authority or license, provided, however, that in  
51 any case where it appears that at the time such communication, notice or  
52 other paper or process is required to be given or served, the president  
53 or such officer has actually authorized or licensed the giving or  
54 service of same in the manner provided in the pertinent provisions of  
55 this article, then this section shall not apply and the superintendent  
56 shall be required to give or serve such communication, notice or other

1 paper or process on such person in accordance with such authorization or  
2 license.

3 § 10. The opening paragraph of paragraph (b) and subparagraph (i) of  
4 paragraph (c) of subdivision 5 of section 87 of the cannabis law are  
5 amended to read as follows:

6 "Minority group member" shall mean a United States citizen or perma-  
7 nent resident [~~alien~~] noncitizen who is and can demonstrate membership  
8 in one of the following groups:

9 (i) at least fifty-one percent owned by one or more United States  
10 citizens or permanent resident [~~aliens~~] noncitizens who are women;

11 § 11. Subdivision (b) of section 209 of the civil practice law and  
12 rules is amended to read as follows:

13 (b) Right of [~~alien~~] noncitizen. Where a person is unable to commence  
14 an action in the courts of the state because any party is [~~an alien~~] a  
15 noncitizen subject or citizen of a foreign country at war with the  
16 United States or any of its allies, whether the cause of action accrued  
17 during or prior to the war, the time which elapsed between the commence-  
18 ment of the war and the termination of hostilities with such country is  
19 not a part of the time within which the action must be commenced.

20 § 12. Subdivision (d) of section 212 of the civil practice law and  
21 rules, as added by section 150 of part B of chapter 436 of the laws of  
22 1997, is amended to read as follows:

23 (d) To recover under an affidavit of support of [~~an alien~~] a nonciti-  
24 zen. An action under section one hundred twenty-two of the social  
25 services law to recover amounts paid to or on behalf of [~~an alien~~] a  
26 noncitizen for whom an affidavit of support pursuant to section 213A of  
27 the immigration and naturalization act has been signed.

28 § 13. Section 12 of the civil rights law is amended to read as  
29 follows:

30 § 12. Rights of persons accused of crime. In all criminal prose-  
31 cutions, the accused has a right to a speedy and public trial, by an  
32 impartial jury, and is entitled to be informed of the nature and cause  
33 of the accusation; to be confronted with the witnesses against him or  
34 her; and to have compulsory process for obtaining witnesses in his or  
35 her favor. [~~An alien~~] A noncitizen is not entitled to a jury, composed  
36 in part of [~~aliens~~] noncitizens or strangers, in an action or special  
37 proceeding civil or criminal.

38 § 14. Subdivision 1 of section 45 of the civil service law, as amended  
39 by chapter 133 of the laws of 1982, is amended to read as follows:

40 1. Whenever the state or any civil division or public agency shall  
41 acquire a private institution or enterprise, for the purpose of operat-  
42 ing it as a public function, such civil division, or public agency, as  
43 the case may be, may continue the employment of all officers or employ-  
44 ees thereof deemed necessary, who shall have been in the employ of such  
45 private institution or enterprise for at least one year prior to such  
46 acquisition. The positions so held by such employees shall be in the  
47 non-competitive class, pending the classification or reclassification of  
48 such positions as hereinafter directed, and such employees shall contin-  
49 ue to be employed in similar or corresponding positions and shall have  
50 the seniority theretofore held by them as among themselves. The state  
51 civil service department or municipal commission having jurisdiction,  
52 however, after notice to any such employee, of the reasons therefor, and  
53 after according such employee a hearing, may exclude him or her from  
54 further employment if found by such department or municipal commission  
55 not to be a person of good character. Notwithstanding the provisions of  
56 this section, no person shall be continued in employment in a position



1 classified in the competitive class pursuant to the provisions of this  
2 subdivision unless he or she is a citizen or [~~an alien~~] a noncitizen  
3 lawfully admitted for permanent residence in the United States.

4 § 15. Section 53 of the civil service law, as added by chapter 133 of  
5 the laws of 1982, is amended to read as follows:

6 § 53. [~~Alienage~~] Noncitizen status. Except as otherwise provided by  
7 law, no [~~alien~~] noncitizen lawfully admitted for permanent residence in  
8 the United States shall be denied appointment to a position in the  
9 competitive class of civil service for reasons of [~~alienage~~] noncitizen  
10 status.

11 § 16. Paragraph (a) of subdivision 1 of section 85 of the civil  
12 service law, as amended by chapter 608 of the laws of 2021, is amended  
13 to read as follows:

14 (a) The terms "veteran" and "non-disabled veteran" mean a member of  
15 the armed forces of the United States who was honorably discharged or  
16 released under honorable circumstances from such service including (i)  
17 having a qualifying condition as defined in section three hundred fifty  
18 of the executive law, and receiving a discharge other than bad conduct  
19 or dishonorable from such service, or (ii) being a discharged LGBT  
20 veteran, as defined in section three hundred fifty of the executive law,  
21 and receiving a discharge other than bad conduct or dishonorable from  
22 such service, who is a citizen of the United States or [~~an alien~~] a  
23 noncitizen lawfully admitted for permanent residence in the United  
24 States and who is a resident of the state of New York at the time of  
25 application for appointment or promotion or at the time of retention, as  
26 the case may be.

27 § 17. Section 147 of the correction law, as amended by chapter 322 of  
28 the laws of 2021, is amended to read as follows:

29 § 147. [~~Alien~~] Noncitizen incarcerated individuals of correctional  
30 facilities. The commissioner shall within three months after admission  
31 of [~~an alien~~] a noncitizen incarcerated individual to a correctional  
32 facility cause an investigation to be made of the record and past histo-  
33 ry of such [~~alien~~] noncitizen and shall upon the termination of such  
34 investigation cause the record of such [~~alien~~] noncitizen, together with  
35 all facts disclosed by such investigation, and his or her recommenda-  
36 tions as to deportation, to be forwarded to the United States immi-  
37 gration authorities having such matters in charge.

38 § 18. Paragraph (c) of subdivision 1 of section 115-a of the domestic  
39 relations law, as amended by chapter 79 of the laws of 1983, is amended  
40 to read as follows:

41 (c) The application must be accompanied by duly authenticated documen-  
42 tary evidence: (1) that the child is [~~an alien~~] a noncitizen under the  
43 age of sixteen and (2) that he or she is an orphan because of the death  
44 or disappearance of both parents, or because of abandonment, or  
45 desertion by, or separation or loss from, both parents, or who has only  
46 one parent due to the death or disappearance of, abandonment, or  
47 desertion by, or separation or loss from the other parent, and the  
48 remaining parent is incapable of providing care for such orphan and has  
49 in writing irrevocably released him or her for emigration and adoption,  
50 and has consented to the proposed adoption. In all cases where the  
51 orphan has no remaining parent under the circumstances set forth above,  
52 documentary evidence must be presented that the person, public authority  
53 or duly constituted agency having lawful custody of the orphan at the  
54 time of the making of the application, hereunder, has in writing irrevocably released him or her for immigration and adoption and has consented  
55 to the proposed adoption and (3) that the adoptive parents agree to  
56

1 adopt and treat the adoptive child as their or his or her own lawful  
2 child.

3 § 19. Subdivisions 3, 4, and 5 of section 210 of the economic develop-  
4 ment law, as added by chapter 398 of the laws of 2018, are amended to  
5 read as follows:

6 3. "Minority business enterprise" shall mean any business enterprise  
7 which is at least fifty-one per centum owned by, or in the case of a  
8 publicly owned business at least fifty-one per centum of the stock of  
9 which is owned by, citizens or permanent resident [~~aliens~~] noncitizens  
10 who are Black, Hispanic, Asian or American Indian, Pacific Islander or  
11 Alaskan Native where such ownership interest is real, substantial and  
12 continuing and where such persons have the authority to independently  
13 control the day-to-day business decisions of the entity.

14 4. "Minority group member" shall mean a United States citizen or  
15 permanent resident [~~alien~~] noncitizen who is and can demonstrate member-  
16 ship in one of the following groups:

17 (a) Black persons having origins in any of the Black African racial  
18 groups not of Hispanic origin;

19 (b) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban,  
20 Central or South American descent of either Indian or Hispanic origin,  
21 regardless of race;

22 (c) Asian and Pacific Islander persons having origins in the Far East,  
23 Southeast Asia, the Indian sub-continent or the Pacific Islands; or

24 (d) American Indian or Alaskan Native persons having origins in any of  
25 the original peoples of North America.

26 5. "Women-owned business enterprise" shall mean any business enter-  
27 prise which is at least fifty-one per centum owned by, or in the case of  
28 a publicly owned business at least fifty-one per centum of the stock of  
29 which is owned by, citizens or permanent resident [~~aliens~~] noncitizens  
30 who are women where such ownership interest is real, substantial and  
31 continuing and where such persons have the authority to independently  
32 control the day-to-day business decisions of the entity.

33 § 20. Subdivision 9 of section 305 of the education law is amended to  
34 read as follows:

35 9. The commissioner shall procure with the consent of the federal  
36 authorities complete lists giving the names, ages and destination within  
37 the state of all [~~alien~~] noncitizen children of school age and such  
38 other facts as will tend to identify them, and shall deliver copies of  
39 such lists to the several boards of education and school boards in the  
40 respective localities within the state to which said children shall be  
41 destined, to aid in the enforcement of the provisions of this chapter  
42 relative to the compulsory attendance at school of children of school  
43 age.

44 § 21. Subparagraphs 8 and 10 of paragraph (h) of subdivision 2 of  
45 section 355 of the education law, subparagraph 8 as added by chapter 327  
46 of the laws of 2002, and subparagraph 10 as amended by section 4 of part  
47 D of chapter 56 of the laws of 2019, are amended to read as follows:

48 (8) Such regulations shall further provide that the payment of tuition  
49 and fees by any student who is not a resident of New York state, other  
50 than a non-immigrant [~~alien~~] noncitizen within the meaning of paragraph  
51 (15) of subsection (a) of section 1101 of title 8 of the United States  
52 Code, shall be paid at a rate or charge no greater than that imposed for  
53 students who are residents of the state if such student:

54 (i) attended an approved New York high school for two or more years,  
55 graduated from an approved New York high school and applied for attend-

1   ance at an institution or educational unit of the state university with-  
2   in five years of receiving a New York state high school diploma; or

3   (ii) attended an approved New York state program for general equiv-  
4   alency diploma exam preparation, received a general equivalency diploma  
5   issued within New York state and applied for attendance at an institu-  
6   tion or educational unit of the state university within five years of  
7   receiving a general equivalency diploma issued within New York state; or

8   (iii) was enrolled in an institution or educational unit of the state  
9   university in the fall semester or quarter of the two thousand one--two  
10   thousand two academic year and was authorized by such institution or  
11   educational unit to pay tuition at the rate or charge imposed for  
12   students who are residents of the state.

13   A student without lawful immigration status shall also be required to  
14   file an affidavit with such institution or educational unit stating that  
15   the student has filed an application to legalize his or her immigration  
16   status, or will file such an application as soon as he or she is eligi-  
17   ble to do so.

18   (10) Such regulations shall further provide that any student who is  
19   not a legal resident of New York state but is a United States citizen, a  
20   permanent lawful resident, an individual who is granted U or T non-immi-  
21   grant status pursuant to the Victims of Trafficking and Violence  
22   Protection Act of 2000, a person granted temporary protected status  
23   pursuant to the Federal Immigration Act of 1990, an individual of a  
24   class of refugees paroled by the attorney general of the United States  
25   under his or her parole authority pertaining to the admission of  
26   [aliens] noncitizens to the United States, or an applicant without  
27   lawful immigration status may have the payment of tuition and other fees  
28   and charges reduced by state-aided programs, scholarships or other  
29   financial assistance awarded under the provisions of articles thirteen,  
30   thirteen-A, fourteen and fourteen-A of this chapter, provided that the  
31   student meets the requirements set forth in subparagraph (ii) of para-  
32   graph a or subparagraph (ii) of paragraph b of subdivision five of  
33   section six hundred sixty-one of this chapter, as applicable.

34   § 22. The opening paragraph of subparagraph (ii) of paragraph (a) and  
35   the opening paragraph of subparagraph (ii) of paragraph (b) of subdivi-  
36   sion 5 of section 661 of the education law, the opening paragraph of  
37   subparagraph (ii) of paragraph (a) as amended by section 2 and the open-  
38   ing paragraph of subparagraph (ii) of paragraph (b) as amended by  
39   section 3 of part D of chapter 56 of the laws of 2019, are amended to  
40   read as follows:

41   An applicant who is not a legal resident of the state eligible pursu-  
42   ant to subparagraph (i) of this paragraph, but is a United States citi-  
43   zen, a permanent lawful resident, an individual who is granted U or T  
44   non-immigrant status pursuant to the Victims of Trafficking and Violence  
45   Protection Act of 2000, a person granted temporary protected status  
46   pursuant to the Federal Immigration Act of 1990, an individual of a  
47   class of refugees paroled by the attorney general of the United States  
48   under his or her parole authority pertaining to the admission of  
49   [aliens] noncitizens to the United States, or an applicant without  
50   lawful immigration status shall be eligible for an award at the under-  
51   graduate level of study provided that the student:

52   An applicant who is not a legal resident of the state eligible pursu-  
53   ant to subparagraph (i) of this paragraph, but is a United States citi-  
54   zen, a permanent lawful resident, an individual who is granted U or T  
55   non-immigrant status pursuant to the Victims of Trafficking and Violence  
56   Protection Act of 2000, a person granted temporary protected status



1 pursuant to the Federal Immigration Act of 1990, an individual of a  
2 class of refugees paroled by the attorney general of the United States  
3 under his or her parole authority pertaining to the admission of  
4 ~~[aliens]~~ noncitizens to the United States, or an applicant without  
5 lawful immigration status shall be eligible for an award at the graduate  
6 level of study provided that the student:

7 § 23. Paragraphs (b) and (c) of subdivision 2 of section 692 of the  
8 education law, as added by section 1 of part J of chapter 57 of the laws  
9 of 2009, are amended to read as follows:

10 (b) ~~[an-alien]~~ a noncitizen lawfully admitted for permanent residence  
11 in the United States, or

12 (c) an individual of a class of refugees paroled by the attorney  
13 general of the United States under his or her parole authority pertain-  
14 ing to the admission of ~~[aliens]~~ noncitizens to the United States.

15 § 24. Subdivision 3 of section 3001 of the education law, as amended  
16 by chapter 658 of the laws of 2002, is amended to read as follows:

17 3. Not a citizen. The provisions of this subdivision shall not apply,  
18 however, to ~~[an-alien]~~ a noncitizen teacher now or hereafter employed,  
19 provided such teacher shall make due application to become a citizen and  
20 thereafter within the time prescribed by law shall become a citizen. The  
21 provisions of this subdivision shall not apply, after July first, nine-  
22 teen hundred sixty-seven, to ~~[an-alien]~~ a noncitizen teacher employed  
23 pursuant to regulations adopted by the commissioner of education permit-  
24 ting such employment. The citizenship requirements of this subdivision  
25 shall not apply to ~~[an-alien]~~ a noncitizen teacher now or hereafter  
26 employed whose immigration status is that of a lawful permanent resident  
27 of the United States and who would otherwise be eligible to serve as a  
28 teacher, or to apply for or receive permanent certification as a teach-  
29 er, but for the foregoing requirements of this subdivision.

30 § 25. Paragraphs (a), (a-1), and (e) of subdivision 7 of section 6206  
31 of the education law, paragraph (a) as amended by chapter 327 of the  
32 laws of 2002, the opening paragraph of paragraph (a) as amended by chap-  
33 ter 437 of the laws of 2015, paragraph (a-1) as amended by chapter 260  
34 of the laws of 2011, and paragraph (e) as amended by section 5 of Part D  
35 of chapter 56 of the laws of 2019, are amended to read as follows:

36 (a) The board of trustees shall establish positions, departments,  
37 divisions and faculties; appoint and in accordance with the provisions  
38 of law fix salaries of instructional and non-instructional employees  
39 therein; establish and conduct courses and curricula; prescribe condi-  
40 tions of student admission, attendance and discharge; and shall have the  
41 power to determine in its discretion whether tuition shall be charged  
42 and to regulate tuition charges, and other instructional and non-in-  
43 structional fees and other fees and charges at the educational units of  
44 the city university. The trustees shall review any proposed community  
45 college tuition increase and the justification for such increase. The  
46 justification provided by the community college for such increase shall  
47 include a detailed analysis of ongoing operating costs, capital, debt  
48 service expenditures, and all revenues. The trustees shall not impose a  
49 differential tuition charge based upon need or income. All students  
50 enrolled in programs leading to like degrees at the senior colleges  
51 shall be charged a uniform rate of tuition, except for differential  
52 tuition rates based on state residency. Notwithstanding any other  
53 provision of this paragraph, the trustees may authorize the setting of a  
54 separate category of tuition rate, that shall be greater than the  
55 tuition rate for resident students and less than the tuition rate for  
56 non-resident students, only for students enrolled in distance learning

1 courses who are not residents of the state. The trustees shall further  
2 provide that the payment of tuition and fees by any student who is not a  
3 resident of New York state, other than a non-immigrant [~~alien~~] nonciti-  
4 zen within the meaning of paragraph (15) of subsection (a) of section  
5 1101 of title 8 of the United States Code, shall be paid at a rate or  
6 charge no greater than that imposed for students who are residents of  
7 the state if such student:

8 (i) attended an approved New York high school for two or more years,  
9 graduated from an approved New York high school and applied for attend-  
10 ance at an institution or educational unit of the city university within  
11 five years of receiving a New York state high school diploma; or

12 (ii) attended an approved New York state program for general equiv-  
13 alency diploma exam preparation, received a general equivalency diploma  
14 issued within New York state and applied for attendance at an institu-  
15 tion or educational unit of the city university within five years of  
16 receiving a general equivalency diploma issued within New York state; or

17 (iii) was enrolled in an institution or educational unit of the city  
18 university in the fall semester or quarter of the two thousand one--two  
19 thousand two academic year and was authorized by such institution or  
20 educational unit to pay tuition at the rate or charge imposed for  
21 students who are residents of the state.

22 A student without lawful immigration status shall also be required to  
23 file an affidavit with such institution or educational unit stating that  
24 the student has filed an application to legalize his or her immigration  
25 status, or will file such an application as soon as he or she is eligi-  
26 ble to do so. The trustees shall not adopt changes in tuition charges  
27 prior to the enactment of the annual budget. The board of trustees may  
28 accept as partial reimbursement for the education of veterans of the  
29 armed forces of the United States who are otherwise qualified such sums  
30 as may be authorized by federal legislation to be paid for such educa-  
31 tion. The board of trustees may conduct on a fee basis extension courses  
32 and courses for adult education appropriate to the field of higher  
33 education. In all courses and courses of study it may, in its  
34 discretion, require students to pay library, laboratory, locker, break-  
35 age and other instructional and non-instructional fees and meet the cost  
36 of books and consumable supplies. In addition to the foregoing fees and  
37 charges, the board of trustees may impose and collect fees and charges  
38 for student government and other student activities and receive and  
39 expend them as agent or trustee.

40 (a-1) The trustees shall further provide that the payment of tuition  
41 and fees by any student who is not a resident of New York state, other  
42 than a non-immigrant [~~alien~~] noncitizen within the meaning of paragraph  
43 (15) of subsection (a) of section 1101 of title 8 of the United States  
44 Code, shall be paid at a rate or charge no greater than that imposed for  
45 students who are residents of the state if such student:

46 (i) attended an approved New York high school for two or more years,  
47 graduated from an approved New York high school and applied for attend-  
48 ance at an institution or educational unit of the city university within  
49 five years of receiving a New York state high school diploma; or

50 (ii) attended an approved New York state program for general equiv-  
51 alency diploma exam preparation, received a general equivalency diploma  
52 issued within New York state and applied for attendance at an institu-  
53 tion or educational unit of the city university within five years of  
54 receiving a general equivalency diploma issued within New York state; or

55 (iii) was enrolled in an institution or educational unit of the city  
56 university in the fall semester or quarter of the two thousand one--two

1 thousand two academic year and was authorized by such institution or  
2 educational unit to pay tuition at the rate or charge imposed for  
3 students who are residents of the state.

4 A student without lawful immigration status shall also be required to  
5 file an affidavit with such institution or educational unit stating that  
6 the student has filed an application to legalize his or her immigration  
7 status, or will file such an application as soon as he or she is eligi-  
8 ble to do so. Except as otherwise authorized in paragraph (a) of this  
9 subdivision, the trustees shall not adopt changes in tuition charges  
10 prior to the enactment of the annual budget. The board of trustees may  
11 accept as partial reimbursement for the education of veterans of the  
12 armed forces of the United States who are otherwise qualified such sums  
13 as may be authorized by federal legislation to be paid for such educa-  
14 tion. The board of trustees may conduct on a fee basis extension courses  
15 and courses for adult education appropriate to the field of higher  
16 education. In all courses and courses of study it may, in its  
17 discretion, require students to pay library, laboratory, locker, break-  
18 age and other instructional and non-instructional fees and meet the cost  
19 of books and consumable supplies. In addition to the foregoing fees and  
20 charges, the board of trustees may impose and collect fees and charges  
21 for student government and other student activities and receive and  
22 expend them as agent or trustee.

23 (e) The trustees shall further provide that any student who is not a  
24 legal resident of New York state but is a United States citizen, a  
25 permanent lawful resident, an individual who is granted U or T non-immi-  
26 grant status pursuant to the Victims of Trafficking and Violence  
27 Protection Act of 2000, a person granted temporary protected status  
28 pursuant to the Federal Immigration Act of 1990, an individual of a  
29 class of refugees paroled by the attorney general of the United States  
30 under his or her parole authority pertaining to the admission of  
31 ~~aliens~~ noncitizens to the United States, or an applicant without  
32 lawful immigration status may have the payment of tuition and other fees  
33 and charges reduced by state-aided programs, scholarships or other  
34 financial assistance awarded under the provisions of articles thirteen,  
35 thirteen-A, fourteen and fourteen-A of this chapter, provided that the  
36 student meets the requirements set forth in subparagraph (ii) of para-  
37 graph a or subparagraph (ii) of paragraph b of subdivision five of  
38 section six hundred sixty-one of this chapter, as applicable.

39 § 26. The opening paragraph of subdivision 5 of section 6301 of the  
40 education law, as amended by chapter 327 of the laws of 2002, is amended  
41 to read as follows:

42 A person who has resided in the state for a period of at least one  
43 year and in the county, city, town, intermediate school district, school  
44 district or community college region, as the case may be, for a period  
45 of at least six months, both immediately preceding the date of such  
46 person's registration in a community college or, for the purposes of  
47 section sixty-three hundred five of this article, his or her application  
48 for a certificate of residence; provided, however, that this term shall  
49 include any student who is not a resident of New York state, other than  
50 a non-immigrant ~~alien~~ noncitizen within the meaning of paragraph (15)  
51 of subsection (a) of section 1101 of title 8 of the United States Code,  
52 if such student:

53 § 27. Subdivision 8-a of section 6305 of the education law, as amended  
54 by section 6 of part D of chapter 56 of the laws of 2019, is amended to  
55 read as follows:

8-a. The payment of tuition and other fees and charges of a student who is attending a community college and who is not a legal resident of New York state but is a United States citizen, a permanent lawful resident, an individual who is granted U or T non-immigrant status pursuant to the Victims of Trafficking and Violence Protection Act of 2000, a person granted temporary protected status pursuant to the Federal Immigration Act of 1990, an individual of a class of refugees paroled by the attorney general of the United States under his or her parole authority pertaining to the admission of [~~aliens~~] noncitizens to the United States, or an applicant without lawful immigration status may be reduced by state-aided programs, scholarships and other financial assistance awarded under the provisions of articles thirteen, thirteen-A, fourteen and fourteen-A of this chapter, provided that the student meets the requirements set forth in subparagraph (ii) of paragraph a or subparagraph (ii) of paragraph b of subdivision five of section six hundred sixty-one of this chapter, as applicable.

§ 28. The opening paragraph of subparagraph (ii) of paragraph (a) of subdivision 2 and the opening paragraph of subparagraph (ii) of paragraph (a) of subdivision 3 of section 6455 of the education law, the opening paragraph of subparagraph (ii) of paragraph (a) of subdivision 2 as amended by section 7 and the opening paragraph of subparagraph (ii) of paragraph (a) of subdivision 3 as amended by section 8 of part D of chapter 56 of the laws of 2019, are amended to read as follows:

An applicant who is not a legal resident of New York state, but who is a United States citizen, a permanent lawful resident, an individual who is granted U or T non-immigrant status pursuant to the Victims of Trafficking and Violence Protection Act of 2000, a person granted temporary protected status pursuant to the Federal Immigration Act of 1990, an individual of a class of refugees paroled by the attorney general of the United States under his or her parole authority pertaining to the admission of [~~aliens~~] noncitizens to the United States, or an applicant without lawful immigration status, shall be eligible for an award at the undergraduate level of study provided that the student:

An applicant who is not a legal resident of New York state, but either is a United States citizen, a permanent lawful resident, an individual who is granted U or T non-immigrant status pursuant to the Victims of Trafficking and Violence Protection Act of 2000, a person granted temporary protected status pursuant to the Federal Immigration Act of 1990, an individual of a class of refugees paroled by the attorney general of the United States under his or her parole authority pertaining to the admission of [~~aliens~~] noncitizens to the United States, or an applicant without lawful immigration status shall be eligible for an award at the graduate level of study provided that the student:

§ 29. 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~~] a noncitizen lawfully admitted for permanent residence in the United States;

§ 30. 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~~] a noncitizen 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~~] a noncitizen physician to practice in an area which has been designated by the department as medically under-

1 served, except that the board of regents may grant an additional extension  
2 not to exceed six years to [~~an-alien~~] a noncitizen physician to  
3 enable him or her to secure citizenship or permanent resident status,  
4 provided such status is being actively pursued; and provided further  
5 that the board of regents may grant an additional three year waiver, and  
6 at its expiration, an extension for a period not to exceed six additional  
7 years, for the holder of an H-1b visa, an O-1 visa, or an equivalent  
8 or successor visa thereto;

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

11 (6) Citizenship or immigration status: be a United States citizen or  
12 [~~an-alien~~] a noncitizen lawfully admitted for permanent residence in the  
13 United States;

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

16 (6) Citizenship or immigration status: be a United States citizen or  
17 [~~an-alien~~] a noncitizen lawfully admitted for permanent residence in the  
18 United States; provided, however, that the board of regents may grant a  
19 three year waiver for [~~an-alien~~] a noncitizen to practice in an area  
20 which has been designated a federal dental health professions shortage  
21 area, except that the board of regents may grant an additional extension  
22 not to exceed six years to [~~an-alien~~] a noncitizen to enable him or her  
23 to secure citizenship or permanent resident status, provided such status  
24 is being actively pursued;

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

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

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

40 (6) Citizenship or immigration status: be a United States citizen or  
41 [~~an-alien~~] a noncitizen lawfully admitted for permanent residence in the  
42 United States; provided, however, that the board of regents may grant a  
43 three year waiver for [~~an-alien~~] a noncitizen to practice in an area  
44 which has been designated a federal dental health professions shortage  
45 area, except that the board of regents may grant an additional extension  
46 not to exceed six years to [~~an-alien~~] a noncitizen to enable him or her  
47 to secure citizenship or permanent resident status, provided such status  
48 is being actively pursued;

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

51 (6) Citizenship or immigration status: be a United States citizen or  
52 [~~an-alien~~] a noncitizen lawfully admitted for permanent residence in the  
53 United States; provided, however that the board of regents may grant a  
54 one-time three-year waiver for a veterinarian who otherwise meets the  
55 requirements of this article and who has accepted an offer to practice  
56 veterinary medicine in a county in the state which the department has



1 certified as having a shortage of qualified applicants to fill existing  
2 vacancies in veterinary medicine, and provided further that the board of  
3 regents may grant an extension of such three-year waiver of not more  
4 than one year;

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

7 6. Citizenship or immigration status: be a United States citizen or  
8 [~~an alien~~] a noncitizen lawfully admitted for permanent residence in the  
9 United States; provided, however that the board of regents may grant a  
10 one-time three-year waiver for an animal health technician who otherwise  
11 meets the requirements of this article and provided further that the  
12 board of regents may grant an extension of such three-year waiver of not  
13 more than one year;

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

17 (6) Citizenship or immigration status: be a United States citizen or  
18 [~~an alien~~] a noncitizen lawfully admitted for permanent residence in the  
19 United States;

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

22 6. Citizenship or immigration status: be a United States citizen or  
23 [~~an alien~~] a noncitizen lawfully admitted for permanent residence in the  
24 United States.

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

28 (6) Citizenship or immigration status: be a United States citizen or  
29 [~~an alien~~] a noncitizen lawfully admitted for permanent residence in the  
30 United States;

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

34 (6) Citizenship or immigration status: be a United States citizen or  
35 [~~an alien~~] a noncitizen lawfully admitted for permanent residence in the  
36 United States;

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

40 (6) Citizenship or immigration status: be a United States citizen or  
41 [~~an alien~~] a noncitizen lawfully admitted for permanent residence in the  
42 United States;

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

46 (6) Citizenship or immigration status: be a United States citizen or  
47 [~~an alien~~] a noncitizen lawfully admitted for permanent residence in the  
48 United States;

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

51 (5) Citizenship or immigration status: be a United States citizen or  
52 [~~an alien~~] a noncitizen lawfully admitted for permanent residence in the  
53 United States;

54 § 44. Paragraph a of subdivision 1 of section 52-0113 of the environ-  
55 mental conservation law, as added by chapter 512 of the laws of 1986, is  
56 amended to read as follows:

1 a. In the performance of projects pursuant to this article minority  
2 and women-owned business enterprises shall be given the opportunity for  
3 meaningful participation. The department or the office shall establish  
4 measures and procedures to secure meaningful participation and identify  
5 those contracts and items of work for which minority and women-owned  
6 business enterprises may best bid to actively and affirmatively promote  
7 and assist their participation in the projects, so as to facilitate the  
8 award of a fair share of contracts to such enterprises; provided, howev-  
9 er, that nothing in this article shall be construed to limit the ability  
10 of the department or office to assure that qualified minority and  
11 women-owned business enterprises may participate in the program. For  
12 purposes hereof, minority business enterprise shall mean any business  
13 enterprise which is at least fifty-one per centum owned by, or in the  
14 case of a publicly owned business, at least fifty-one per centum of the  
15 stock of which is owned by citizens or permanent resident [~~aliens~~]  
16 noncitizens who are Black, Hispanic, Asian or American Indian, Pacific  
17 Islander or Alaskan natives and such ownership interest is real,  
18 substantial and continuing and have the authority to independently  
19 control the day to day business decisions of the entity for at least one  
20 year; and women-owned business enterprise shall mean any business enter-  
21 prise which is at least fifty-one per centum owned by, or in the case of  
22 a publicly owned business, at least fifty-one per centum of the stock of  
23 which is owned by citizens or permanent resident [~~aliens~~] noncitizens  
24 who are women, and such ownership interest is real, substantial and  
25 continuing and have the authority to independently control the day to  
26 day business decisions of the entity for at least one year.

27 § 45. Section 41 of the general business law, as amended by chapter  
28 321 of the laws of 1983, is amended to read as follows:

29 § 41. Licenses, how obtained; penalty for carrying on business without  
30 license. The mayor or such local licensing authority may from time to  
31 time grant, under his or her hand and the official seal of his or her  
32 office, to such citizens, or [~~aliens~~] noncitizens lawfully admitted for  
33 permanent residence in the United States, as he or she shall deem proper  
34 and who shall produce to him satisfactory evidence of their good charac-  
35 ter, a license authorizing such person to carry on the business of a  
36 collateral loan broker, which license shall designate the house in which  
37 such person shall carry on said business, and no person, corporation,  
38 partnership or firm shall carry on the business of a collateral loan  
39 broker without being duly licensed, nor in any other house than the one  
40 designated in said license, under a penalty of one hundred dollars for  
41 each day he or they shall exercise or carry on said business without  
42 such license or at any other house than the one so designated. Any  
43 person receiving such license shall pay therefor the sum of five hundred  
44 dollars for the use of the city yearly where such business is to be  
45 conducted in a city with a population of more than one million persons,  
46 and where the business is to be conducted elsewhere the fee for such  
47 license shall not exceed two hundred fifty dollars yearly, and every  
48 such license shall expire one year from the date thereof, and may be  
49 renewed on application to the mayor or local licensing authority each  
50 and every year on payment of the same sum and upon performance of the  
51 other conditions herein contained. Every person so licensed shall, at  
52 the time of receiving such license, file with the mayor or such local  
53 licensing authority granting the same a bond to the local authorities,  
54 to be executed by the person so licensed and by two responsible sure-  
55 ties, in the penal sum of ten thousand dollars, to be approved by such  
56 mayor or local licensing authority, which bond shall be conditioned for

1 the faithful performance of the duties and obligations pertaining to the  
2 business so licensed, and the mayor or such local licensing authority  
3 shall have full power and authority to revoke such license for cause.

4 § 46. Paragraph d of subdivision 4 of section 184-a of the general  
5 business law, as amended by chapter 632 of the laws of 1975, is amended  
6 to read as follows:

7 d. Employer's cancellation fee. The agency shall be entitled to a fee  
8 from the employer not exceeding twenty-five dollars if the employer  
9 cancels his job order before the acceptance of the job offer by the  
10 employee. If the cancellation occurs after such acceptance and before  
11 certification for [~~alien~~] noncitizen employment by the appropriate  
12 governmental agency, the fee shall not exceed fifty dollars. If the  
13 cancellation occurs after such acceptance and after such certification,  
14 the fee shall not exceed seventy-five dollars. No cancellation fee,  
15 however, shall be payable if within a reasonable time after the employer  
16 placed his or her job order the agency failed to make reasonable efforts  
17 to supply a job applicant to the employer.

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

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

29 This license shall be revocable only for cause.

30 § 48. Section 253 of the judiciary law is amended to read as follows:

31 § 253. Clerk's fees upon naturalization. The clerk of any court,  
32 which has jurisdiction to naturalize [~~an alien~~] a noncitizen, is enti-  
33 tled, for the services specified in this section, to the following fees:

34 For all services, upon the filing of a declaration of intention by [~~an~~  
35 ~~alien~~] a noncitizen to become a citizen, including the oath or affirma-  
36 tion, the recording of the same, and a certificate thereof delivered to  
37 the [~~alien~~] noncitizen, twenty cents.

38 For all services, upon the admission of the [~~alien~~] noncitizen to be a  
39 citizen, including the recording of the papers, and a certified copy of  
40 the record, which must be delivered to any person requiring it, fifty  
41 cents.

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

44 § 460. Examination and admission of attorneys. An applicant for admis-  
45 sion to practice as an attorney or counsellor in this state, must be  
46 examined and licensed to practice as prescribed in this chapter and in  
47 the rules of the court of appeals. Race, creed, color, national origin,  
48 [~~alienage~~] noncitizen status or sex shall constitute no cause for refus-  
49 ing any person examination or admission to practice.

50 § 50. Subdivision 10 of section 21 of the labor law, as amended by  
51 chapter 756 of the laws of 1975, is amended to read as follows:

52 10. May investigate the condition of [~~aliens~~] noncitizens relative to  
53 their employment in industry;

54 § 51. Subdivision 9 of section 590 of the labor law, as added by chap-  
55 ter 675 of the laws of 1977, paragraph (a) as amended by chapter 589 of

1 the laws of 1998, paragraph (d) as added by section 11 of part 0 of  
2 chapter 57 of the laws of 2013, is amended to read as follows:

3 9. Benefits based on employment performed by [~~illegal aliens~~] undocu-  
4 mented noncitizens. (a) Remuneration received by a claimant who was [~~an~~  
5 ~~alien~~] a noncitizen at the time such remuneration was paid shall not be  
6 taken into consideration for the purpose of establishing rights to bene-  
7 fits under this article unless the claimant was then lawfully admitted  
8 for permanent residence in the United States, was then lawfully present  
9 for purposes of performing such services or was then permanently resid-  
10 ing in the United States under color of law, including a claimant  
11 lawfully present pursuant to section 207 or 208 of the federal immi-  
12 gration and nationality act.

13 (b) A determination that benefits are not payable to a claimant  
14 because of the claimant's [~~alien~~] noncitizen status shall be made only  
15 upon a preponderance of the evidence, and shall be effective only if it  
16 is in conformity with section 3304 (a) (14) of the federal unemployment  
17 tax act.

18 (c) Any data or information required of a claimant to determine wheth-  
19 er benefits are not payable to [~~him~~] such claimant because of [~~his~~  
20 ~~alien~~] noncitizen status shall be uniformly required from all claimants.

21 (d) [~~An alien~~] A noncitizen who is not eligible under 8 USC 1621(a)  
22 shall be eligible for benefits, provided such [~~alien~~] noncitizen is  
23 eligible for benefits under the provisions of this article and section  
24 3304 (a) (14) of the federal unemployment tax act.

25 § 52. Section 67.01 of the mental hygiene law is amended to read as  
26 follows:

27 § 67.01 Report of [~~aliens~~] noncitizens.

28 The commissioner shall report to appropriate federal authorities all  
29 [~~alien~~] noncitizen mentally disabled persons in department facilities.

30 § 53. Paragraph i of subdivision 4 of section 3.23 of the parks,  
31 recreation and historic preservation law, as amended by chapter 717 of  
32 the laws of 1988, is amended to read as follows:

33 i. A corps member must be a citizen or lawful permanent resident or  
34 lawfully admitted [~~alien~~] noncitizen;

35 § 54. Subdivisions 1 and 7 of section 400.00 of the penal law, subdi-  
36 vision 1 as amended by chapter 1 of the laws of 2013, paragraph (c) of  
37 subdivision 1 as amended by chapter 60 of the laws of 2018, are amended  
38 to read as follows:

39 1. Eligibility. No license shall be issued or renewed pursuant to this  
40 section except by the licensing officer, and then only after investi-  
41 gation and finding that all statements in a proper application for a  
42 license are true. No license shall be issued or renewed except for an  
43 applicant (a) twenty-one years of age or older, provided, however, that  
44 where such applicant has been honorably discharged from the United  
45 States army, navy, marine corps, air force or coast guard, or the  
46 national guard of the state of New York, no such age restriction shall  
47 apply; (b) of good moral character; (c) who has not been convicted  
48 anywhere of a felony or a serious offense or who is not the subject of  
49 an outstanding warrant of arrest issued upon the alleged commission of a  
50 felony or serious offense; (d) who is not a fugitive from justice; (e)  
51 who is not an unlawful user of or addicted to any controlled substance  
52 as defined in section 21 U.S.C. 802; (f) who being [~~an alien~~] a nonciti-  
53 zen (i) is not illegally or unlawfully in the United States or (ii) has  
54 not been admitted to the United States under a nonimmigrant visa subject  
55 to the exception in 18 U.S.C. 922(y)(2); (g) who has not been discharged  
56 from the Armed Forces under dishonorable conditions; (h) who, having

1 been a citizen of the United States, has not renounced his or her citi-  
2 zenship; (i) who has stated whether he or she has ever suffered any  
3 mental illness; (j) who has not been involuntarily committed to a facil-  
4 ity under the jurisdiction of an office of the department of mental  
5 hygiene pursuant to article nine or fifteen of the mental hygiene law,  
6 article seven hundred thirty or section 330.20 of the criminal procedure  
7 law, section four hundred two or five hundred eight of the correction  
8 law, section 322.2 or 353.4 of the family court act, or has not been  
9 civilly confined in a secure treatment facility pursuant to article ten  
10 of the mental hygiene law; (k) who has not had a license revoked or who  
11 is not under a suspension or ineligibility order issued pursuant to the  
12 provisions of section 530.14 of the criminal procedure law or section  
13 eight hundred forty-two-a of the family court act; (l) in the county of  
14 Westchester, who has successfully completed a firearms safety course and  
15 test as evidenced by a certificate of completion issued in his or her  
16 name and endorsed and affirmed under the penalties of perjury by a duly  
17 authorized instructor, except that: (i) persons who are honorably  
18 discharged from the United States army, navy, marine corps or coast  
19 guard, or of the national guard of the state of New York, and produce  
20 evidence of official qualification in firearms during the term of  
21 service are not required to have completed those hours of a firearms  
22 safety course pertaining to the safe use, carrying, possession, mainte-  
23 nance and storage of a firearm; and (ii) persons who were licensed to  
24 possess a pistol or revolver prior to the effective date of this para-  
25 graph are not required to have completed a firearms safety course and  
26 test; (m) who has not had a guardian appointed for him or her pursuant  
27 to any provision of state law, based on a determination that as a result  
28 of marked subnormal intelligence, mental illness, incapacity, condition  
29 or disease, he or she lacks the mental capacity to contract or manage  
30 his or her own affairs; and (n) concerning whom no good cause exists for  
31 the denial of the license. No person shall engage in the business of  
32 gunsmith or dealer in firearms unless licensed pursuant to this section.  
33 An applicant to engage in such business shall also be a citizen of the  
34 United States, more than twenty-one years of age and maintain a place of  
35 business in the city or county where the license is issued. For such  
36 business, if the applicant is a firm or partnership, each member thereof  
37 shall comply with all of the requirements set forth in this subdivision  
38 and if the applicant is a corporation, each officer thereof shall so  
39 comply.

40 7. License: form. Any license issued pursuant to this section shall,  
41 except in the city of New York, be approved as to form by the super-  
42 intendent of state police. A license to carry or possess a pistol or  
43 revolver shall have attached the licensee's photograph, and a coupon  
44 which shall be removed and retained by any person disposing of a firearm  
45 to the licensee. Such license shall specify the weapon covered by cali-  
46 bre, make, model, manufacturer's name and serial number, or if none, by  
47 any other distinguishing number or identification mark, and shall indi-  
48 cate whether issued to carry on the person or possess on the premises,  
49 and if on the premises shall also specify the place where the licensee  
50 shall possess the same. If such license is issued to ~~[an alien]~~ a  
51 noncitizen, or to a person not a citizen of and usually a resident in  
52 the state, the licensing officer shall state in the license the partic-  
53 ular reason for the issuance and the names of the persons certifying to  
54 the good character of the applicant. Any license as gunsmith or dealer  
55 in firearms shall mention and describe the premises for which it is  
56 issued and shall be valid only for such premises.



§ 55. Subdivision 3 of section 1020-v of the public authorities law, as added by chapter 517 of the laws of 1986, is amended to read as follows:

3. In the performance of projects pursuant to this title, minority and women-owned business enterprises shall be given the opportunity for meaningful participation. The authority shall establish quantifiable standards and measures and procedures to secure meaningful participation and identify those contracts and items of work for which minority and women-owned business enterprises may best bid to actively and affirmatively promote and assist their participation in projects, so as to facilitate the award of a fair share of contracts to such enterprises; provided, however, that nothing in this title shall be construed to limit the ability of the authority to assure that ~~[qualified]~~ qualified minority and women-owned business enterprises may participate in the program. For purposes hereof, minority business enterprise shall mean any business enterprise which is at least fifty-one per centum owned by, or in the case of a publicly owned business, at least fifty-one per centum of the stock or other voting interest is owned by citizens or permanent resident ~~[aliens]~~ noncitizens who are Black, Hispanic, Asian, American Indian, Pacific islander, or Alaskan native, and such ownership interest is real, substantial and continuing and has the authority to independently control the day to day business decisions of the entity for at least one year; and women-owned business enterprise shall mean any business enterprise which is at least fifty-one per centum owned by, or in the case of a publicly owned business, at least fifty-one per centum of the stock to other voting interests of which is owned by citizens or permanent resident ~~[aliens]~~ noncitizens who are women, and such ownership interest is real, substantial and continuing and has the authority to independently control the day to day business decisions of the entity for at least one year.

The provisions of this subdivision shall not be construed to limit the ability of any minority business enterprise to bid on any contract.

§ 56. Subdivision 3 of section 1045-x of the public authorities law, as added by chapter 513 of the laws of 1984, is amended to read as follows:

3. Any contracting agency empowered to award contracts for design, construction, services or materials shall seek meaningful participation in the performance of contracts by minority business enterprises and shall establish measures and procedures to identify those contracts and items of work for which minority business enterprises may best bid to actively and affirmatively promote and assist their participation so as to facilitate the award of a fair share of contracts to such enterprises. For purposes hereof, "minority business enterprise" shall mean any business enterprise which is at least fifty-one per centum owned by, or in the case of a publicly owned business, at least fifty-one per centum of the stock of which is owned by citizens or permanent resident ~~[aliens]~~ noncitizens who are Black, Hispanic, Asian, American Indian or women, and such ownership interest is real, substantial and continuing. The provisions of this subdivision shall not be construed to limit the ability of any minority business enterprise to bid on any contract.

§ 57. Subdivision 3 of section 1048-x of the public authorities law, as added by chapter 796 of the laws of 1985, is amended to read as follows:

3. Any contracting agency empowered to award contracts for design, construction, services or materials shall seek meaningful participation in the performance of contracts by minority business enterprises and

1 shall establish measures and procedures to identify those contracts and  
2 items of work for which minority business enterprises may best bid to  
3 actively and affirmatively promote and assist their participation so as  
4 to facilitate the award of a fair share of contracts to such enter-  
5 prises. For purposes hereof, "minority business enterprise" shall mean  
6 any business enterprise which is at least fifty-one per centum owned by,  
7 or in the case of a publicly owned business, at least fifty-one per  
8 centum of the stock of which is owned by citizens or permanent resident  
9 [~~aliens~~] noncitizens who are Black, Hispanic, Asian, American Indian or  
10 women, and such ownership interest is real, substantial and continuing.  
11 The provisions of this subdivision shall not be construed to limit the  
12 ability of any minority business enterprise to bid on any contract.

13 § 58. Subdivision 3 of section 1115-x of the public authorities law,  
14 as added by chapter 868 of the laws of 1986, is amended to read as  
15 follows:

16 3. Any contracting agency empowered to award contracts for design,  
17 construction, services or materials shall seek meaningful participation  
18 in the performance of contracts by minority business enterprises and  
19 shall establish measures and procedures to identify those contracts and  
20 items of work for which minority business enterprises may best bid to  
21 actively and affirmatively promote and assist their participation so as  
22 to facilitate the award of a fair share of contracts to such enter-  
23 prises. For purposes hereof, "minority business enterprise" shall mean  
24 any business enterprise which is at least fifty-one per centum owned by,  
25 or in the case of a publicly owned business, at least fifty-one per  
26 centum of the stock of which is owned by citizens or permanent resident  
27 [~~aliens~~] noncitizens who are Black, Hispanic, Asian, American Indian or  
28 women, and such ownership interest is real, substantial and continuing.  
29 The provisions of this subdivision shall not be construed to limit the  
30 ability of any minority business enterprise to bid on any contract.

31 § 59. Subdivision 3 of section 1197-q of the public authorities law,  
32 as added by chapter 795 of the laws of 1985, is amended to read as  
33 follows:

34 3. The authority shall seek meaningful participation in the perform-  
35 ance of contracts by minority business enterprises and shall establish  
36 measures and procedures to identify those contracts and items of work  
37 for which minority business enterprises may best bid to actively and  
38 affirmatively promote and assist their participation so as to facilitate  
39 the award of a fair share of contracts to such enterprises. For purposes  
40 hereof, "minority business enterprise" shall mean any business enter-  
41 prise which is at least fifty-one per centum owned by, or in the case of  
42 a publicly owned business, at least fifty-one per centum of the stock of  
43 which is owned by citizens or permanent resident [~~aliens~~] noncitizens  
44 who are Black, Hispanic, Asian, American Indian or women, and such  
45 ownership interest is real, substantial and continuing. The provisions  
46 of this subdivision shall not be construed to limit the ability of any  
47 minority business enterprise to bid on any contract.

48 § 60. Subdivision 3 of section 1199-v of the public authorities law,  
49 as added by chapter 723 of the laws of 1986, is amended to read as  
50 follows:

51 3. Any contracting agency empowered to award contracts for design,  
52 construction, services or materials shall seek meaningful participation  
53 in the performance of contracts by minority business enterprises and  
54 shall establish measures and procedures to identify those contracts and  
55 items of work for which minority business enterprises may best bid to  
56 actively and affirmatively promote and assist their participation so as

1 to facilitate the award of a fair share of contracts to such enter-  
2 prises. For purposes hereof, "minority business enterprise" shall mean  
3 any business enterprise which is at least fifty-one per centum owned by,  
4 or in the case of a publicly owned business, at least fifty-one per  
5 centum of the stock of which is owned by citizens or permanent resident  
6 [~~aliens~~] noncitizens who are Black, Hispanic, Asian, American Indian or  
7 women, and such ownership interest is real, substantial and continuing.  
8 The provisions of this subdivision shall not be construed to limit the  
9 ability of any minority business enterprise to bid on any contract.

10 § 61. Subparagraph (i) of paragraph (a) of subdivision 14 of section  
11 1266-c of the public authorities law, as added by chapter 929 of the  
12 laws of 1986, is amended to read as follows:

13 (i) In the performance of projects pursuant to this title minority and  
14 women-owned business enterprises shall be given the opportunity for  
15 meaningful participation. The authority provided for in this title shall  
16 establish measures and procedures to secure meaningful participation and  
17 identify those contracts and items of work for which minority and  
18 women-owned business enterprises may best bid to actively and affirma-  
19 tively promote and assist their participation in the projects, so as to  
20 facilitate the award of a fair share of contracts to such enterprises;  
21 provided, however, that nothing in this title shall be construed to  
22 limit the ability of the authority to assure that qualified minority and  
23 women-owned business enterprises may participate in the program. For  
24 purposes hereof, minority business enterprise shall mean any business  
25 enterprise which is at least fifty-one per centum owned by, or in the  
26 case of a publicly owned business, at least fifty-one per centum of the  
27 stock of which is owned by citizens or permanent resident [~~aliens~~]  
28 noncitizens who are Black, Hispanic, Asian or American Indian, Pacific  
29 Islander or Alaskan natives and such ownership interest is real,  
30 substantial and continuing and have the authority to independently  
31 control the day to day business decisions of the entity for at least one  
32 year; and women-owned business enterprise shall mean any business enter-  
33 prise which is at least fifty-one per centum owned by, or in the case of  
34 a publicly owned business, at least fifty-one per centum of the stock of  
35 which is owned by citizens or permanent resident [~~aliens~~] noncitizens  
36 who are women, and such ownership interest is real, substantial and  
37 continuing and have the authority to independently control the day to  
38 day business decisions of the entity for at least one year.

39 The provisions of this paragraph shall not be construed to limit the  
40 ability of any minority or women-owned business enterprise to bid on any  
41 contract.

42 § 62. Section 1974-d of the public authorities law, as added by chap-  
43 ter 32 of the laws of 1986, is amended to read as follows:

44 § 1974-d. Contracts. In connection with development, construction,  
45 operations and maintenance contracts for projects of the authority,  
46 minority and women-owned business enterprises and minority group members  
47 and women shall be given the opportunity for meaningful participation.  
48 The authority shall establish measures and procedures to secure meaning-  
49 ful participation by minority and women-owned business enterprises on  
50 contracts for projects of the authority. Such measures and procedures  
51 shall also promote the employment of minority group members and women on  
52 such contracts. For the purposes thereof, "minority business enterprise"  
53 shall mean any business enterprise which is at least fifty-one per  
54 centum owned by, or in the case of a publicly owned business, at least  
55 fifty-one per centum of the stock of which is owned by citizens or  
56 permanent resident [~~aliens~~] noncitizens who are Black, Hispanic, Asian

1 or American Indian, and such ownership interest is real, substantial and  
2 continuing and "women-owned business enterprise" shall mean any business  
3 enterprise which is at least fifty-one per centum owned by, or in the  
4 case of a publicly owned business, at least fifty-one percent of the  
5 stock of which is owned by citizens or permanent resident [~~aliens~~  
6 noncitizens who are women and such ownership interest is real, substan-  
7 tial and continuing. The provisions of this section shall not be  
8 construed to limit the ability of any minority or women-owned business  
9 enterprise to bid on any contract. In order to implement the require-  
10 ments and objectives of this section in connection with such projects,  
11 the authority shall be responsible for monitoring compliance with the  
12 provisions hereof, providing advice on the availability of competitive  
13 qualified minority and women-owned business enterprises to perform  
14 contracts proposed to be awarded, and making recommendations to improve  
15 the access of minority and women-owned business enterprises to these  
16 contracts.

17 § 63. Subdivision 3 of section 2050-v of the public authorities law,  
18 as amended by chapter 174 of the laws of 1987, is amended to read as  
19 follows:

20 3. The agency in awarding contracts for design, construction, services  
21 or materials, shall seek meaningful participation in the performance of  
22 contracts by minority business enterprises and shall establish measures  
23 and procedures to identify those contracts and items of work for which  
24 minority business enterprises may best bid to actively and affirmatively  
25 promote and assist their participation so as to facilitate the award of  
26 a fair share of contracts to such enterprises. For purposes hereof,  
27 "minority business enterprise" shall mean any business enterprise which  
28 is at least fifty-one per centum owned by, or in the case of a publicly  
29 owned business, at least fifty-one per centum of the stock of which is  
30 owned by citizens or permanent resident [~~aliens~~ noncitizens who are  
31 Black, Hispanic, Asian, American Indian or women, and such ownership  
32 interest is real, substantial and continuing. The provisions of this  
33 subdivision shall not be construed to limit the ability of any minority  
34 business enterprise to bid on any contract.

35 § 64. Subdivision 4 of section 2799-gggg of the public authorities  
36 law, as added by chapter 383 of the laws of 2019, is amended to read as  
37 follows:

38 4. The corporation shall seek meaningful participation by minority  
39 business enterprises in the programs of the corporation and shall  
40 actively and affirmatively promote and assist their participation in the  
41 corporation's programs, so as to facilitate the award of a fair share of  
42 contracts to such enterprises. For purposes hereof, "minority business  
43 enterprise" shall mean any business enterprise which is at least fifty-  
44 one per centum owned by, or in the case of publicly owned business, at  
45 least fifty-one per centum of the stock of which is owned by, citizens  
46 or permanent resident [~~aliens~~ noncitizens who are Black, Hispanic,  
47 Asian, American Indian or women, and such ownership interest is real,  
48 substantial and continuing.

49 § 65. Paragraph (d) and subparagraph (i) of paragraph (e) of subdivi-  
50 sion 3 of section 2879 of the public authorities law, as amended by  
51 chapter 564 of the laws of 1988, are amended to read as follows:

52 (d) For the purposes of this section, a minority group member means a  
53 United States citizen or permanent resident [~~alien~~ noncitizen who is  
54 and can demonstrate membership in one of the following groups:

55 (i) Black persons having origins in any of the Black African racial  
56 groups not of Hispanic origin;

(ii) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American of either Indian or Hispanic origin, regardless of race;

(iii) Asian and Pacific Islander persons having origins in any of the Far East, Southeast Asia, the Indian sub-continent or the Pacific Islands; or

(iv) Native American persons having origins in any of the original peoples of North America.

(i) at least fifty-one percent owned by one or more United States citizens or permanent resident [~~aliens~~] noncitizens who are women or in the case of a publicly-owned business at least fifty-one percent of the common stock or other voting interests of which is owned by United States citizens or permanent resident [~~aliens~~] noncitizens who are women;

§ 66. Paragraph (d) of subdivision 10 of section 268-a of the public health law, as added by section 2 of part T of chapter 57 of the laws of 2019, is amended to read as follows:

(d) is, and is reasonably expected to be, for the entire period for which enrollment is sought, a citizen or national of the United States or [~~an alien~~] a noncitizen lawfully present in the United States.

§ 67. Paragraph (a) of subdivision 2 of section 3421 of the public health law, as amended by chapter 534 of the laws of 1983, is amended to read as follows:

(a) is a citizen of the United States or [~~an alien~~] a noncitizen lawfully admitted for permanent residence in the United States;

§ 68. Subdivision 2 of section 10 of the real property law, as amended by chapter 272 of the laws of 1944, is amended to read as follows:

2. [~~Aliens~~] Noncitizens are empowered to take, hold, transmit, and dispose of real property within this state in the same manner as native-born citizens and their heirs and devisees take in the same manner as citizens.

§ 69. Section 15 of the real property law is amended to read as follows:

§ 15. Title through [~~alien~~] noncitizen. The right, title or interest in or to real property in this state now held or hereafter acquired by any person entitled to hold the same can not be questioned or impeached by reason of the [~~alienage~~] noncitizen status of any person through whom such title may have been derived. Nothing in this section affects or impairs the right of any heir, devisee, mortgagee, or creditor by judgment or otherwise.

§ 70. Section 16 of the real property law is amended to read as follows:

§ 16. Liabilities of [~~alien~~] noncitizen holders of real property. Every [~~alien~~] noncitizen holding real property in this state is subject to duties, assessments, taxes and burdens as if [~~he~~] such noncitizen were a citizen of the state.

§ 71. Paragraph (g) of subdivision 1 of section 321 of the real property law, as added by chapter 873 of the laws of 1948, is amended to read as follows:

(g) If the mortgage is stated in the certificate of discharge to have been taken by the [~~alien~~] noncitizen property custodian under and pursuant to the trading with the enemy act adopted by the United States congress, and approved October sixth, nineteen hundred sixteen, or any act amendatory thereof, or supplemental thereto, such certificate may be executed by such [~~alien~~] noncitizen property custodian or such person as the president may appoint to give full acquittance and discharge for



1 money or property belonging to an enemy or ally of an enemy which may be  
2 conveyed, assigned, delivered or transferred to said ~~[alien]~~ noncitizen  
3 property custodian, with like effect as if the same had been executed by  
4 the mortgagee, ~~[his]~~ or the personal representative or assignee of such  
5 mortgagee. Such certificate may be recorded, and such certificate, the  
6 record thereof and a certified copy of such record may be introduced in  
7 evidence in all courts of this state.

8 § 72. Section 336 of the real property law, as added by chapter 435 of  
9 the laws of 1921, is amended to read as follows:

10 § 336. Effect of recording demands or requirements of ~~[alien]~~ nonciti-  
11 zen property custodian. The recording in any county clerk's or regis-  
12 ter's office of a demand or requirement against real property described  
13 therein, made by or on behalf of the ~~[alien]~~ noncitizen property custo-  
14 dian under and pursuant to the trading with the enemy act adopted by the  
15 United States congress and approved October sixth, nineteen hundred and  
16 seventeen, or any act amendatory thereof or supplemental thereto, or any  
17 executive order or proclamation issued in pursuance thereof, when duly  
18 indexed against the name of the person or corporation whose property has  
19 thereby been demanded or required, shall have the same force and effect  
20 as the making of, delivery and recording of a deed of such real property  
21 or interest therein by such person or corporation to said ~~[alien]~~  
22 noncitizen property custodian. All recitals contained in any such demand  
23 or requirement, and in any deed made by such custodian heretofore or  
24 hereafter recorded of all facts required or permitted by said acts,  
25 proclamations or executive orders to be found or determined by said  
26 ~~[alien]~~ noncitizen property custodian, and all recitals of conclusions  
27 or determinations by said acts, proclamations or executive orders  
28 authorized to be made by ~~[him]~~ such individual, and all recitals of acts  
29 or things done by said custodian or ~~[his]~~ agents thereof in respect to  
30 the seizure of said property shall be evidence of the facts, conclu-  
31 sions, determinations, acts and things so recited in any court of this  
32 state in any action or proceeding affecting the title to or ownership of  
33 such real property. Three months after this section takes effect and the  
34 recording of the instrument containing such recitals, the same shall  
35 become conclusive evidence of all such facts, conclusions, determi-  
36 nations, acts and things as are so recited therein in any action in any  
37 court affecting the title to or ownership of said land, unless said  
38 action shall have been commenced before the expiration of such three  
39 months.

40 § 73. The opening paragraph of subdivision 5 of section 176 of the  
41 retirement and social security law, as added by chapter 171 of the laws  
42 of 2010, is amended to read as follows:

43 The term "minority group member" shall mean a United States citizen or  
44 permanent resident ~~[alien]~~ noncitizen who is and can demonstrate member-  
45 ship in one of the following groups:

46 § 74. Subparagraph (ii) of paragraph (a) and paragraph (e) of subdivi-  
47 sion 3 of section 307 of the surrogate's court procedure act, as amended  
48 by chapter 355 of the laws of 2000, are amended to read as follows:

49 (ii) where a person is alleged to be within a country with which the  
50 United States of America is at war or a place with which the United  
51 States of America does not maintain postal communication, the court may  
52 direct that a copy of the process shall be mailed on behalf of such  
53 person to the officer who may have been appointed to take possession of  
54 the property of ~~[alien]~~ noncitizen enemies, or

55 (e) if the interest of a non-domiciliary ~~[alien]~~ noncitizen in the  
56 estate is less than \$2,500 or his or her address is unknown or such

1 estate's gross assets are less than \$25,000, by delivery of a copy of  
2 the process to a consular official of the [~~alien's~~] noncitizen's nation.

3 § 75. Subdivision 5 of section 401 of the surrogate's court procedure  
4 act is amended to read as follows:

5 5. Termination of appearance of consul. When a consular official shall  
6 have appeared in behalf of [~~an alien~~] a noncitizen, a subsequent appear-  
7 ance by the attorney in fact of the [~~alien~~] noncitizen pursuant to  
8 recorded power of attorney or appearance by an authorized attorney shall  
9 terminate the appearance of the consul.

10 § 76. Paragraph (c) of subdivision 1 of section 707 of the surrogate's  
11 court procedure act, as amended by chapter 469 of the laws of 1995, is  
12 amended to read as follows:

13 (c) a non-domiciliary [~~alien~~] noncitizen except one who is a foreign  
14 guardian as provided in subdivision four of section one thousand seven  
15 hundred sixteen of this chapter, or one who shall serve with one or more  
16 co-fiduciaries, at least one of whom is resident in this state. Any  
17 appointment of a non-domiciliary [~~alien~~] noncitizen fiduciary or a New  
18 York resident fiduciary hereunder shall be made by the court in its  
19 discretion

20 § 77. Section 1119 of the surrogate's court procedure act is amended  
21 to read as follows:

22 § 1119. Notice to consuls

23 When the estate is that of [~~an alien~~] a noncitizen it shall be the  
24 duty of the public administrator when making application for letters to  
25 mail a notice to the consular representative of the nation of which the  
26 decedent was a citizen or subject if any there be in the city of New  
27 York.

28 § 78. Section 1120 of the surrogate's court procedure act, subdivision  
29 1 as amended by chapter 259 of the laws of 1968, subdivision 3 as  
30 amended by chapter 355 of the laws of 2000, and subdivision 4 as amended  
31 by chapter 115 of the laws of 1981, is amended to read as follows:

32 § 1120. Appearance by consuls

33 1. In any action or proceeding brought by or against a public adminis-  
34 trator in which a non-domiciliary [~~alien~~] noncitizen is a necessary or  
35 proper party the consular representative of the country of which the  
36 [~~alien~~] noncitizen is a citizen or subject may appear in person or by  
37 attorney in behalf of the [~~alien~~] noncitizen if the latter shall default  
38 in appearance.

39 2. No power of attorney or other specific authority from the [~~alien~~]  
40 noncitizen shall be required as a condition to such appearance.

41 3. Service upon [~~an alien~~] a noncitizen pursuant to 307, subdivision  
42 3, paragraph (e) may be made without prior service of process personally  
43 or otherwise upon the [~~alien~~] noncitizen.

44 4. The interests of [~~alien~~] noncitizen persons under disability shall,  
45 however, be represented in all such proceedings by their guardians of  
46 the property, committee of the property or conservators of the property,  
47 or by guardians ad litem appointed by the court.

48 § 79. Section 1415 of the surrogate's court procedure act is amended  
49 to read as follows:

50 § 1415. Supplementary letters, executors not named in letters not to act

51 If the disability of an infant or [~~an alien~~] a noncitizen named as an  
52 executor in a will be removed before the administration of the estate is  
53 completed he shall be entitled on petition showing the facts to supple-  
54 mentary letters testamentary to be issued in the same manner as the  
55 original letters to join in the completion of the administration of the  
56 estate with the person or persons previously appointed. A person named

1 in a will as executor shall be deemed to be superseded by the issue to  
2 another person of letters testamentary and shall have no power or  
3 authority as executor until he or she appears and qualifies and letters  
4 testamentary are issued to him or her.

5 § 80. Paragraph (a) of subdivision 1 and subdivision 3 of section 2218  
6 of the surrogate's court procedure act, as amended by chapter 998 of the  
7 laws of 1968, are amended to read as follows:

8 (a) Where it shall appear that [~~an alien~~] a noncitizen legatee,  
9 distributee or beneficiary is domiciled or resident within a country to  
10 which checks or warrants drawn against funds of the United States may  
11 not be transmitted by reason of any executive order, regulation or simi-  
12 lar determination of the United States government or any department or  
13 agency thereof, the court shall direct that the money or property to  
14 which such [~~alien~~] noncitizen would otherwise be entitled shall be paid  
15 into court for the benefit of said [~~alien~~] noncitizen or the person or  
16 persons who thereafter may appear to be entitled thereto. The money or  
17 property so paid into court shall be paid out only upon order of the  
18 surrogate or pursuant to the order or judgment of a court of competent  
19 jurisdiction.

20 3. In any such proceeding where it is uncertain that [~~an alien~~] a  
21 noncitizen beneficiary or fiduciary not residing within the United  
22 States, the District of Columbia, the Commonwealth of Puerto Rico or a  
23 territory or possession of the United States would have the benefit or  
24 use or control of the money or property due him the burden of proving  
25 that the [~~alien~~] noncitizen beneficiary will receive the benefit or use  
26 or control of the money or property due him or her shall be upon him or  
27 her or the person claiming from, through or under him or her.

28 § 81. Paragraph (a) of subdivision 3 of section 117 of the social  
29 services law, as amended by chapter 214 of the laws of 1998, is amended  
30 to read as follows:

31 (a) Notwithstanding any other provision of law, no public assistance  
32 benefits shall be paid to or for any person who is not a resident of the  
33 state as provided in this article, except that assistance shall be  
34 provided to a person who is otherwise eligible during the first twelve  
35 months in the state at a rate not exceeding the higher of fifty percent  
36 of the amount otherwise payable or the standard of need applicable to  
37 the person under the laws of the state, if any, in which he or she  
38 resided immediately prior to arrival in this state, but under no circum-  
39 stances may such allowances exceed the amounts payable to a resident  
40 under this chapter; and no assistance shall be provided for any [~~alien~~]  
41 noncitizen during the first twelve months such person resides in the  
42 United States, except as set forth in paragraph (b) of this subdivision  
43 and except persons domiciled in the state on the effective date of this  
44 section, and except as otherwise required by federal law. For purposes  
45 of this section, the standard of payment applicable in another state  
46 shall refer to a schedule of comparative grants to be promulgated bien-  
47 nially, setting forth the amount of that state's maximum standard of  
48 payment with respect to each such program, if any, for each household  
49 size for any state which financially participates in or mandates a  
50 program under title IV-A of the federal social security act or a general  
51 assistance or disability assistance program.

52 § 82. Section 122 of the social services law, as added by section 7 of  
53 part B of chapter 436 of the laws of 1997, subdivisions 1 and 4 as  
54 amended by chapter 214 of the laws of 1998, subparagraph (v) of para-  
55 graph (a) of subdivision 1 as amended by chapter 490 of the laws of  
56 2019, the opening paragraph of paragraph (c) of subdivision 1 as amended

1 by chapter 672 of the laws of 2019, and subdivision 6 as amended by  
2 chapter 16 of the laws of 2002, is amended to read as follows:

3 § 122. ~~[Aliens]~~ Noncitizens. 1. Notwithstanding any law to the contra-  
4 ry, no person except a citizen or ~~[an-alien]~~ a noncitizen who has been  
5 duly naturalized as a citizen shall be eligible for additional state  
6 payments for aged, blind and disabled persons, family assistance, safety  
7 net assistance, services funded under title XX of the federal social  
8 security act, or medical assistance, subject to the following  
9 exceptions:

10 (a) The following persons shall, if otherwise eligible, receive bene-  
11 fits under such programs:

12 (i) a refugee who entered the United States within the previous five  
13 years with respect to benefits under the temporary assistance to needy  
14 families block grant program and the safety net assistance program and  
15 within the previous seven years with respect to medical assistance;

16 (ii) an asylee who was granted asylum within the previous five years  
17 with respect to benefits under the temporary assistance to needy fami-  
18 lies block grant program and the safety net assistance program and with-  
19 in the previous seven years with respect to medical assistance;

20 (iii) a person for whom deportation was withheld within the previous  
21 five years with respect to benefits under the temporary assistance to  
22 needy families block grant program and the safety net assistance program  
23 and within the previous seven years with respect to medical assistance;

24 (iv) except as otherwise required by federal law, a person lawfully  
25 admitted for permanent residence who has worked for or can be credited  
26 with forty qualifying quarters as defined under title II of the federal  
27 Social Security Act, exclusive of any quarter after the thirty-first day  
28 of December, nineteen hundred ninety-six in which such person or such  
29 person's parent or spouse received any federal means tested assistance;

30 (v) any ~~[alien]~~ noncitizen lawfully residing in the state who is on  
31 active duty in the armed forces (other than active duty for training) or  
32 who (1) has received an honorable discharge (and not on account of  
33 ~~[alienage]~~ noncitizen status) from the armed forces, or (2) has a quali-  
34 fying condition, as defined in section three hundred fifty of the execu-  
35 tive law, and has received a discharge other than bad conduct or  
36 dishonorable (and not on account of ~~[alienage]~~ noncitizen status) from  
37 the armed forces, or (3) is a discharged LGBT veteran, as defined in  
38 section three hundred fifty of the executive law, and has received a  
39 discharge other than bad conduct or dishonorable (and not on account of  
40 ~~[alienage]~~ noncitizen status) from the armed forces, or the spouse,  
41 unremarried surviving spouse or unmarried dependent child of any such  
42 ~~[alien]~~ noncitizen, if such ~~[alien]~~ noncitizen, spouse or dependent  
43 child is a qualified alien as defined in section 431 of the federal  
44 personal responsibility and work opportunity reconciliation act of 1996  
45 (8 U.S. Code 1641), as amended;

46 (vi) ~~[an-alien]~~ a noncitizen granted status as a Cuban and Haitian  
47 entrant as defined in section 501(e) of the federal Refugee Education  
48 Act of 1980 within the previous five years with respect to benefits  
49 under the temporary assistance to needy families block grant program,  
50 and safety net assistance and within the previous seven years with  
51 respect to medical assistance; and

52 (vii) ~~[an-alien]~~ a noncitizen admitted to the United States as an  
53 Amerasian immigrant as described in section 402(a)(2)(A) of the federal  
54 personal responsibility and work opportunity reconciliation act of 1996  
55 within the previous five years with respect to benefits under the tempo-  
56 rary assistance to needy families block grant program, and safety net

1 assistance and within the previous seven years with respect to medical  
2 assistance.

3 (b) The following persons, not described in paragraph (a) of this  
4 subdivision, shall, if otherwise eligible, be eligible for family  
5 assistance, medical assistance, and safety net assistance:

6 (i) ~~[an alien]~~ a noncitizen who is a qualified alien as defined in  
7 section 431 of the federal personal responsibility and work opportunity  
8 reconciliation act of 1996 (8 U.S. Code 1641), as amended, who entered  
9 the United States before the twenty-second day of August, nineteen  
10 hundred ninety-six and continuously resided in the United States until  
11 attaining qualified status; and

12 (ii) a qualified alien who entered the United States five years or  
13 more earlier with a status within the meaning of the term "qualified  
14 alien" as defined in section 431 of the federal personal responsibility  
15 and work opportunity reconciliation act of 1996 (8 U.S. Code 1641), as  
16 amended, if such entry occurred on or after the twenty-second day of  
17 August, nineteen hundred ninety-six.

18 (c) The following persons, not described in paragraph (a) or (b) of  
19 this subdivision, shall, if otherwise eligible, be eligible for safety  
20 net assistance and medical assistance, except that medical assistance  
21 shall be limited to care and services (not including care and services  
22 related to an organ transplant procedure) necessary for the treatment of  
23 an emergency medical condition as that term is defined in section 1903  
24 of the federal social security act unless and until federal financial  
25 participation is available for the costs of providing medical assistance  
26 provided, however, that any such person who, on the fourth day of  
27 August, nineteen hundred ninety-seven was residing in a residential  
28 health care facility licensed by the department of health or in a resi-  
29 dential facility licensed, operated or funded by the office of mental  
30 health or the office for people with developmental disabilities, and was  
31 in receipt of a medical assistance authorization based on a finding that  
32 he or she was a person permanently residing in the United States under  
33 color of law shall, if otherwise eligible, be eligible for medical  
34 assistance and provided, further, that any such person who, on the  
35 fourth day of August, nineteen hundred ninety-seven, was diagnosed as  
36 having AIDS, as defined in subdivision one of section two thousand seven  
37 hundred eighty of the public health law, and was in receipt of medical  
38 assistance authorization pursuant to title eleven of article five of  
39 this chapter based on a finding that he or she was a person permanently  
40 residing in the United States under color of law shall, if otherwise  
41 eligible, be eligible for medical assistance:

42 (i) a qualified alien who entered the United States less than five  
43 years earlier or for less than five years has had a status within the  
44 meaning of the term "qualified alien" as defined in section 431 of the  
45 federal personal responsibility and work opportunity reconciliation act  
46 of 1996 (8 U.S. Code 1641), as amended, if such entry occurred on or  
47 after the twenty-second day of August, nineteen hundred ninety-six; and

48 (ii) ~~[an alien]~~ a noncitizen whose status is not within the meaning of  
49 the term "qualified alien" as defined in section 431 of the federal  
50 personal responsibility and work opportunity reconciliation act of 1996  
51 (8 U.S. Code 1641), as amended, but who is otherwise permanently resid-  
52 ing in the United States under color of law.

53 (d) A person paroled into the United States for a period of less than  
54 one year shall, if otherwise eligible, be eligible to receive any state  
55 or local non-federal assistance provided under this chapter on the same  
56 terms as such programs are available to persons who are qualified aliens



1 as defined in section 431 of the federal personal responsibility and  
2 work opportunity reconciliation act of 1996 (8 U.S. Code 1641), as  
3 amended.

4 (e) Nothing herein shall preclude the receipt by any [~~alien~~] nonciti-  
5 zen of community based non-cash assistance in accordance with the  
6 directions of the United States attorney general or the receipt of  
7 medical assistance for care and services (not including care and  
8 services related to an organ transplant procedure) necessary to treat an  
9 emergency medical condition as that term is defined in section 1903 of  
10 the federal social security act.

11 (f) [~~An-alien~~] A noncitizen who is not ineligible for federal supple-  
12 mental security income benefits by reason of [~~alien~~] noncitizen status  
13 shall, if otherwise eligible, be eligible to receive additional state  
14 payments for aged, blind or disabled persons under section two hundred  
15 nine of this chapter.

16 (g) [~~Aliens~~] Noncitizens receiving supplemental security income bene-  
17 fits or additional state payments for aged, blind and disabled persons  
18 under section two hundred nine of this chapter shall be eligible for  
19 medical assistance if otherwise eligible.

20 (h) Qualified aliens as defined in section 431 of the federal personal  
21 responsibility and work opportunity reconciliation act of 1996 (8 U.S.  
22 Code 1641), as amended, if otherwise eligible and except as otherwise  
23 provided by federal law, shall be eligible for services pursuant to  
24 title XX of the federal social security act.

25 2. Any [~~alien~~] noncitizen, including [~~an-alien~~] a noncitizen who is  
26 not a qualified alien as defined in section 431 of the federal personal  
27 responsibility and work opportunity reconciliation act of 1996 (8 U.S.  
28 Code 1641), as amended, is eligible for adult protective services and  
29 services and assistance relating to child protection to the extent that  
30 such person is otherwise eligible pursuant to this chapter and the regu-  
31 lations of the department.

32 3. Each social services district shall report to the department, in  
33 accordance with regulations of the department, the name and address and  
34 other identifying information known to it with respect to any [~~alien~~]  
35 noncitizen known to be unlawfully in the United States.

36 4. To the extent permitted by federal law and regulation, the income  
37 and resources of a sponsor of [~~an-alien~~] a noncitizen, who has signed an  
38 affidavit of support pursuant to section 213A of the immigration and  
39 naturalization act, and the income and resources of such sponsor's  
40 spouse, shall be deemed available to such [~~alien~~] noncitizen for  
41 purposes of determining the eligibility of such [~~alien~~] noncitizen for  
42 assistance funded under the temporary for assistance funded under the  
43 temporary assistance to needy families block grant and medical assist-  
44 ance.

45 5. If and to the extent that the family assistance, safety net assist-  
46 ance, state additional payments in the supplemental security income  
47 program, emergency assistance to aged, blind or disabled adults or  
48 medical assistance is paid to or on behalf of [~~an-alien~~] a noncitizen  
49 for whom an affidavit of support pursuant to section 213A of the immi-  
50 gration and naturalization act has been signed, the social services  
51 district shall request reimbursement by the sponsor in the amount of  
52 such assistance, and, if the sponsor does not within forty-five days of  
53 such request indicate a willingness to commence payments, such social  
54 services district may commence an action against the sponsor pursuant to  
55 the affidavit. Remedies available to enforce an affidavit of support  
56 include all of the remedies described in sections 3201, 3202, 3204 and

1 3205 of title 28 of the United States Code, as well as an order for  
2 specific performance and payment of legal fees and other costs of  
3 collection, and include corresponding remedies available under state  
4 law; provided, however, that no action shall be brought more than ten  
5 years after assistance was last given.

6 6. Nothing in this section shall be interpreted as affecting the  
7 eligibility for pre-natal care benefits for persons otherwise eligible  
8 for such benefits.

9 § 83. Section 131-k of the social services law, as amended by chapter  
10 77 of the laws of 1977, is amended to read as follows:

11 § 131-k. [~~illegal aliens~~] Undocumented noncitizens. [~~2.~~] An otherwise  
12 eligible applicant or recipient who has been determined to be ineligible  
13 for aid to dependent children, home relief or medical assistance because  
14 [~~he is an alien~~] such individual is a noncitizen unlawfully residing in  
15 the United States or because [~~he~~] such individual failed to furnish  
16 evidence that [~~he~~] such individual is lawfully residing in the United  
17 States shall be immediately referred to the United States immigration  
18 and naturalization service, or the nearest consulate of the country of  
19 the applicant or the recipient for such service or consulate to take  
20 appropriate action or furnish assistance.

21 § 84. Paragraph (g) of subdivision 1 of section 158 of the social  
22 services law, as added by section 44 of part B of chapter 436 of the  
23 laws of 1997, is amended to read as follows:

24 (g) is a qualified alien who is ineligible to receive assistance fund-  
25 ed under the temporary assistance for needy families block grant solely  
26 because of section four hundred three of the federal personal responsi-  
27 bility and work opportunity reconciliation act of 1996 (P.L. 104-193)  
28 or is [~~an alien~~] a noncitizen who is permanently residing under color of  
29 law but is not a qualified alien.

30 § 85. Subparagraph (iv) of paragraph (a) of subdivision 1 of section  
31 209 of the social services law, as amended by section 4 of part E of  
32 chapter 57 of the laws of 2012, is amended to read as follows:

33 (iv) is a resident of the state and is either a citizen of the United  
34 States or is not [~~an alien~~] a noncitizen who is or would be ineligible  
35 for federal supplemental security income benefits solely by reason of  
36 [~~alien~~] noncitizen status.

37 § 86. Paragraph (d) of subdivision 3 of section 369-gg of the social  
38 services law, as amended by section 2 of part H of chapter 57 of the  
39 laws of 2021, is amended to read as follows:

40 (d) (i) has household income at or below two hundred percent of the  
41 federal poverty line defined and annually revised by the United States  
42 department of health and human services for a household of the same  
43 size; and (ii) has household income that exceeds one hundred thirty-  
44 three percent of the federal poverty line defined and annually revised  
45 by the United States department of health and human services for a  
46 household of the same size; however, MAGI eligible [~~aliens~~] noncitizens  
47 lawfully present in the United States with household incomes at or below  
48 one hundred thirty-three percent of the federal poverty line shall be  
49 eligible to receive coverage for health care services pursuant to the  
50 provisions of this title if such [~~alien~~] noncitizen would be ineligible  
51 for medical assistance under title eleven of this article due to his or  
52 her immigration status.

53 An applicant who fails to make an applicable premium payment, if any,  
54 shall lose eligibility to receive coverage for health care services in  
55 accordance with time frames and procedures determined by the commission-  
56 er.

§ 86-a. Paragraph (d) of subdivision 3 of section 369-gg of the social services law, as amended by section 51 of part C of chapter 60 of the laws of 2014, is amended to read as follows:

(d) (i) has household income at or below two hundred percent of the federal poverty line defined and annually revised by the United States department of health and human services for a household of the same size; and (ii) has household income that exceeds one hundred thirty-three percent of the federal poverty line defined and annually revised by the United States department of health and human services for a household of the same size; however, MAGI eligible ~~[aliens]~~ noncitizens lawfully present in the United States with household incomes at or below one hundred thirty-three percent of the federal poverty line shall be eligible to receive coverage for health care services pursuant to the provisions of this title if such ~~[alien]~~ noncitizen would be ineligible for medical assistance under title eleven of this article due to his or her immigration status.

An applicant who fails to make an applicable premium payment shall lose eligibility to receive coverage for health care services in accordance with time frames and procedures determined by the commissioner.

§ 87. Section 398-e of the social services law, as amended by chapter 3 of the laws of 2012, is amended to read as follows:

§ 398-e. Eligibility for protective services, foster care services, and residential services for victims of domestic violence. ~~[An alien]~~ A noncitizen, including a non-qualified alien, as determined by applicable federal statute and regulation, is eligible for protective services for adults and children, foster care services, and residential services for victims of domestic violence, to the extent such person is otherwise eligible pursuant to this chapter and the regulations of the office of children and family services and the office of temporary and disability assistance.

§ 88. Subsection (g) of section 651 of the tax law, as added by chapter 424 of the laws of 1970, is amended to read as follows:

(g) Nonresident ~~[aliens]~~ noncitizens. Notwithstanding the provisions of subsection (a) of this section, the due date for the filing of an income tax return under this article for the taxable year by a nonresident ~~[alien]~~ noncitizen individual shall be the date prescribed for the filing of his or her federal income tax return for the taxable year.

§ 89. Paragraph 1 of subsection (c) of section 658 of the tax law, as amended by section 12 of part Q of chapter 60 of the laws of 2016, is amended to read as follows:

(1) Partnerships. Every partnership having a resident partner or having any income derived from New York sources, determined in accordance with the applicable rules of section six hundred thirty-one of this article as in the case of a nonresident individual, shall make a return for the taxable year setting forth all items of income, gain, loss and deduction and such other pertinent information as the commissioner may by regulations and instructions prescribe. Such return shall be filed on or before the fifteenth day of the fourth month following the close of each taxable year, for taxable years beginning before January first, two thousand sixteen, and on or before the fifteenth day of the third month following the close of each taxable year, for taxable years beginning on or after January first, two thousand sixteen, except that the due date for the return of a partnership consisting entirely of nonresident ~~[aliens]~~ noncitizens shall be the date prescribed for the filing of its federal partnership return for the taxable year. For purposes of this paragraph, "taxable year" means a year or a period which would be a

1 taxable year of the partnership if it were subject to tax under this  
2 article.

3 § 90. Subsection (b) of section 1304-C of the tax law, as added by  
4 chapter 576 of the laws of 1994, is amended to read as follows:

5 (b) Any local law imposing the filing fee authorized by this section  
6 shall provide that every partnership having any income derived from city  
7 sources, determined in accordance with the applicable rules of section  
8 six hundred thirty-one of this chapter as in the case of a state nonres-  
9 ident individual (except that in making such determination any refer-  
10 ences in such section to "New York source" or "New York sources" shall  
11 be read as references to "New York city source" or "New York city sourc-  
12 es" and any references in such section to "this state" or "the state"  
13 shall be read as references to "this city" or "the city"), shall make a  
14 return for the taxable year setting forth all items of income, gain,  
15 loss and deduction and such other pertinent information as the commis-  
16 sioner may by regulations and instructions prescribe. Such return shall  
17 be filed on or before the fifteenth day of the fourth month following  
18 the close of each taxable year except that the due date for the return  
19 of a partnership consisting entirely of nonresident ~~[aliens]~~ noncitizens  
20 shall be the date prescribed for the filing of its federal partnership  
21 return for the taxable year. For purposes of this subsection, "taxable  
22 year" means a year or a period which would be a taxable year of the  
23 partnership if it were subject to the taxes imposed under the authority  
24 of this article.

25 § 91. Paragraph a of subdivision 2 of section 428 of the transporta-  
26 tion law, as added by chapter 836 of the laws of 1983, is amended to  
27 read as follows:

28 a. In the performance of transportation infrastructure renewal  
29 projects, minority and women-owned business enterprises shall be given  
30 the opportunity for meaningful participation. The governor shall estab-  
31 lish measures and procedures to secure meaningful participation and  
32 identify those contracts and items of work for which minority and  
33 women-owned business enterprises may best bid to actively and affirma-  
34 tively promote and assist their participation in the department's  
35 construction and procurement program for transportation infrastructure  
36 renewal projects, so as to facilitate the award of a fair share of  
37 contracts to such enterprises; provided, however, that nothing in this  
38 article shall be construed to limit the ability of the governor to  
39 assure that qualified minority and women-owned business enterprises may  
40 participate in the transportation infrastructure renewal program. For  
41 purposes hereof, minority business enterprise shall mean any business  
42 enterprise which is at least fifty-one per centum owned by, or in the  
43 case of a publicly owned business, at least fifty-one per centum of the  
44 stock of which is owned by citizens or permanent resident ~~[aliens]~~  
45 noncitizens who are Black, Hispanic, Asian or American Indian, and such  
46 ownership interest is real, substantial and continuing; and women-owned  
47 business enterprise shall mean any business enterprise which is at least  
48 fifty-one per centum owned by, or in the case of a publicly owned busi-  
49 ness, at least fifty-one per centum of the stock of which is owned by  
50 citizens or permanent resident ~~[aliens]~~ noncitizens who are women, and  
51 such ownership interest is real, substantial and continuing.

52 The provisions of this paragraph shall not be construed to limit the  
53 ability of any minority business enterprise to bid on any contract.

54 § 92. Section 17 of the volunteer ambulance workers' benefit law, as  
55 amended by chapter 481 of the laws of 1988, is amended to read as  
56 follows:

1     § 17. [~~Aliens~~] Noncitizens. Financial benefits payable under this  
2 chapter to [~~aliens~~] noncitizens not residents or about to become nonres-  
3 idents of the United States or Canada shall be in the same amount as  
4 provided for residents, except that dependents in any foreign country  
5 shall be limited to surviving spouse and child or children, or, if there  
6 be no surviving spouse or child or children, to the surviving father or  
7 mother whom the volunteer ambulance worker has supported, either wholly  
8 or in part, for a period of one year prior to the date of the injury.

9     § 93. Section 17 of the volunteer firefighters' benefit law, as  
10 amended by chapter 621 of the laws of 1988, is amended to read as  
11 follows:

12     § 17. [~~Aliens~~] Noncitizens. Financial benefits payable under this  
13 chapter to [~~aliens~~] noncitizens not residents or about to become nonres-  
14 idents of the United States or Canada shall be in the same amount as  
15 provided for residents, except that dependents in any foreign country  
16 shall be limited to surviving spouse and child or children, or, if there  
17 be no surviving spouse or child or children, to the surviving father or  
18 mother whom the volunteer firefighter has supported, either wholly or in  
19 part, for a period of one year prior to the date of the injury.

20     § 94. Section 17 of the workers' compensation law, as amended by chap-  
21 ter 538 of the laws of 1985, is amended to read as follows:

22     § 17. [~~Aliens~~] Noncitizens. Compensation under this chapter to  
23 [~~aliens~~] noncitizens not residents or about to become nonresidents of  
24 the United States or Canada, shall be the same in amount as provided for  
25 residents, except that dependents in any foreign country shall be limit-  
26 ed to surviving spouse and child or children, or, if there is no surviv-  
27 ing spouse or child or children, to surviving father or mother whom the  
28 employee has supported, either wholly or in part, for the period of one  
29 year prior to the date of the accident.

30     § 95. Subdivision 1 of section 24-a of the workers' compensation law,  
31 as amended by section 8 of part D of chapter 55 of the laws of 2015, is  
32 amended to read as follows:

33     1. No person, firm or corporation, other than an attorney and counsel-  
34 lor-at-law, shall appear on behalf of any claimant or person entitled to  
35 the benefits of this chapter, before the board or any officer, agent or  
36 employee of the board assigned to conduct any hearing, investigation or  
37 inquiry relative to a claim for compensation or benefits under this  
38 chapter, unless he or she shall be a citizen of the United States or [~~an~~  
39 ~~alien~~] a noncitizen lawfully admitted for permanent residence in the  
40 United States, and shall have obtained from the board a license author-  
41 izing him or her to appear in matters or proceedings before the board.  
42 Such license shall be issued by the board in accordance with the rules  
43 established by it. Any person, firm or corporation violating the afore-  
44 said provisions shall be guilty of a misdemeanor. The board, in its  
45 rules, shall provide for the issuance of licenses to representatives of  
46 charitable and welfare organizations, and to associations who employ a  
47 representative to appear for members of such association, upon certifi-  
48 cation of the proper officer of such association or organization, which  
49 licenses shall issue without charge; and may provide for a license with-  
50 out fee in the case of all other persons, firms or corporations in an  
51 amount to be fixed by said rules. The board shall have such tests of  
52 character and fitness with respect to applicants for licenses, and such  
53 rules governing the conduct of those licensed, as aforesaid, as it may  
54 deem necessary.



§ 96. Subdivisions 1 and 4 of section 25-b of the workers' compensation law, as added by chapter 492 of the laws of 1941, are amended to read as follows:

1. There is hereby created a fund to be known as the non-resident compensation fund. Whenever an award is made to or on behalf of ~~[alien]~~ noncitizen dependents, non-residents of the United States, Canada or Newfoundland, or an award is made to a non-resident citizen of the United States, which calls for the payment of compensation or death benefits, or where there is outstanding an unpaid balance of compensation or death benefits payable to such non-resident, and it shall appear that the person or persons to whom the award has been made or any balance of such award is payable, would not have the full benefit or use or control of the money payable under such award, or where other special circumstances made it desirable that present payment of the award shall be withheld, the employer, or if insured, his insurance carrier, or any special fund liable for such payment, may, by order of the board, be required to pay to the comptroller of the state of New York all amounts then due or thereafter to become due under the terms of the award to such non-resident. The moneys so paid in shall be held by the comptroller in the non-residents compensation fund.

4. If at any time there shall be created by any act of the congress of the United States or by any lawful rule or regulation of the president any agency or fund for the safekeeping or custody of moneys belonging to or payable to any non-resident ~~[alien]~~ noncitizen, and if such act or rule shall require the payment into such agency or fund of any moneys theretofore paid into the fund for foreign dependents, the board may make its findings and issue its order thereon directing the transfer of such moneys by the comptroller to such other agency or fund.

§ 97. Paragraph (a) of subdivision 3-b of section 50 of the workers' compensation law, as amended by chapter 139 of the laws of 2008, is amended to read as follows:

(a) Except as provided in subdivision three-d of this section, no person, firm or corporation, other than an attorney and counsellor-at-law, shall solicit the business of representing, or engage in representing self-insurers or group self-insurers, as defined in subdivisions three and three-a of this section, before the board or any officer, agent or employee of the board assigned to conduct any hearing, investigation or inquiry relative to a claim for compensation or benefits under this chapter, unless he or she shall be a citizen of the United States or ~~[an alien]~~ a noncitizen lawfully admitted for permanent residence in the United States, or a corporation organized under the laws of the state of New York, and shall have obtained from the board a license authorizing him or her to appear in matters or proceedings before the board. Such license shall be issued by the board in accordance with the rules established by it. Any person, firm or corporation violating the aforesaid provisions shall be guilty of a misdemeanor. The chair may impose a civil penalty of up to one thousand dollars for each violation against any representative licensed in accordance with this section that violates any provision of this section or of any regulation issued pursuant thereto, in addition to any other sanctions provided for under this chapter.

§ 98. Section 121-a of the workers' compensation law, as amended by chapter 492 of the laws of 1941, is amended to read as follows:

§ 121-a. Proof of dependency in foreign countries. In cases involving the dependency of ~~[aliens]~~ noncitizens residing in foreign countries, transcripts of birth or marriage certificates, also documents and affi-

1 davits, certified by a local official or local magistrate and authenti-  
2 cated as to such official or magistrate by the secretary of state or  
3 other official having charge of foreign affairs, or a United States  
4 consul, in said foreign country, may be received in evidence, but in all  
5 such cases proof of present existence and of dependency may be made by  
6 the personal appearance of each and all persons claiming relationship to  
7 or dependence upon a deceased worker under the provisions of sections  
8 sixteen and seventeen of this chapter, before a diplomatic or consular  
9 officer of the United States, and statements made to or evidence  
10 presented before such diplomatic or consular officer under oath may be  
11 received in evidence in whole or in part by the board upon any such  
12 claim. Questions regarding admissibility and adequacy of evidence aris-  
13 ing in connection with proceedings before the consul shall be determined  
14 by the board. The board may by rule prescribe the conditions under which  
15 proofs other than personal appearance before a diplomatic or consular  
16 officer of the United States may be accepted as proof of the facts of  
17 existence, relationship and dependency.

18 § 99. Paragraph (a) of subdivision 1 of section 9-b of section 1 of  
19 chapter 359 of the laws of 1968 constituting the facilities development  
20 corporation act, as added by chapter 58 of the laws of 1987, is amended  
21 to read as follows:

22 (a) Minority and women-owned business enterprises shall be given the  
23 opportunity for meaningful participation in all contracts executed by  
24 the corporation pursuant to the provisions of this act other than  
25 contracts the cost of which is borne solely by a municipality or munici-  
26 palities. The corporation shall establish measures and procedures to  
27 secure meaningful participation and identify those contracts and items  
28 of work for which minority and women-owned business enterprises may best  
29 bid to actively and affirmatively promote and assist their participation  
30 in the projects, so as to facilitate the award of a fair share of  
31 contracts to such enterprises; provided, however, that nothing in this  
32 act shall be construed to limit the ability of the corporation to assure  
33 that qualified minority and women-owned business enterprises may partic-  
34 ipate in the program. For purposes hereof, minority business enterprise  
35 shall mean any business enterprise which is at least fifty-one per  
36 centum owned by, or in the case of a publicly owned business, at least  
37 fifty-one per centum of the stock of which is owned by citizens or  
38 permanent resident [~~aliens~~] noncitizens who are Black, Hispanic, Asian  
39 or American Indian, Pacific Islander or Alaskan natives and such owner-  
40 ship interest is real, substantial and continuing and have the authority  
41 to independently control the day to day business decisions of the entity  
42 for at least one year; and women-owned business enterprise shall mean  
43 any business enterprise which is at least fifty-one per centum owned by,  
44 or in the case of a publicly owned business, at least fifty-one per  
45 centum of the stock of which is owned by citizens or permanent resident  
46 [~~aliens~~] noncitizens who are women, and such ownership interest is real,  
47 substantial and continuing and have the authority to independently  
48 control the day to day business decisions of the entity for at least one  
49 year.

50 The provisions of this paragraph shall not be construed to limit the  
51 ability of any minority or women-owned business enterprise to bid on any  
52 contract.

53 § 100. Paragraph a of subdivision 1 of section 16-b of section 1 of  
54 chapter 392 of the laws of 1973 constituting the medical care facilities  
55 finance agency act, as added by chapter 58 of the laws of 1987, is  
56 amended to read as follows:

1 a. In the performance of projects pursuant to this act minority and  
2 women-owned business enterprises shall be given the opportunity for  
3 meaningful participation. The agency shall establish measures and proce-  
4 dures to secure meaningful participation and identify those contracts  
5 and items of work for which minority and women-owned business enter-  
6 prises may best bid to actively and affirmatively promote and assist  
7 their participation in the projects, so as to facilitate the award of a  
8 fair share of contracts to such enterprises; provided, however, that  
9 nothing in this act shall be construed to limit the ability of the agen-  
10 cy to assure that qualified minority and women-owned business enter-  
11 prises may participate in the program. For purposes hereof, minority  
12 business enterprise shall mean any business enterprise which is at least  
13 fifty-one per centum owned by, or in the case of a publicly owned busi-  
14 ness, at least fifty-one per centum of the stock of which is owned by  
15 citizens or permanent resident [~~aliens~~] noncitizens who are Black,  
16 Hispanic, Asian or American Indian, Pacific Islander or Alaskan natives  
17 and such ownership interest is real, substantial and continuing and have  
18 the authority to independently control the day to day business decisions  
19 of the entity for at least one year; and women-owned business enterprise  
20 shall mean any business enterprise which is at least fifty-one per  
21 centum owned by, or in the case of a publicly owned business, at least  
22 fifty-one per centum of the stock of which is owned by citizens or  
23 permanent resident [~~aliens~~] noncitizens who are women, and such owner-  
24 ship interest is real, substantial and continuing and have the authority  
25 to independently control the day to day business decisions of the entity  
26 for at least one year.

27 The provisions of this paragraph shall not be construed to limit the  
28 ability of any minority or women-owned business enterprise to bid on any  
29 contract.

30 § 101. Subdivision 20 of section 3 of section 1 of chapter 174 of the  
31 laws of 1968 constituting the New York state urban development corpo-  
32 ration act, as added by chapter 839 of the laws of 1987, is amended to  
33 read as follows:

34 (20) "Women business enterprise". A business enterprise which is at  
35 least fifty-one percent owned, or in the case of a publicly-owned busi-  
36 ness at least fifty-one percent of the common stock or other voting  
37 interests of which is owned, by United States citizens or permanent  
38 resident [~~aliens~~] noncitizens who are women, regardless of race or  
39 ethnicity, and such ownership interest is real, substantial and continu-  
40 ing and such women have and exercise the authority to independently  
41 control the day to day business decisions of the enterprises.

42 § 102. This act shall take place immediately; provided, however, that:

43 (a) the amendments to subdivision 8 and paragraph (a) of subdivision  
44 15 of section 310 of the executive law made by section three of this  
45 act shall not affect the repeal of such section and shall be deemed to  
46 repeal therewith;

47 (b) the amendments to clause (i) of paragraph (a) of subdivision 2-a  
48 of section 314 of the executive law made by section four of this act  
49 shall not affect the repeal of such section and shall be deemed to  
50 repeal therewith;

51 (c) the amendments to subdivision 6 of section 821 of the executive  
52 law made by section five of this act shall not affect the repeal of such  
53 section and shall be deemed to repeal therewith;

54 (d) the amendments to paragraphs (a) and (a-1) of subdivision 7 of  
55 section 6206 of the education law made by section twenty-five of this

1 act shall not affect the repeal of such paragraphs and shall be deemed  
2 to repeal therewith; and  
3 (e) the amendments to paragraph (d) of subdivision 3 of section 369-gg  
4 of the social services law made by section eighty-six of this act  
5 shall be subject to the expiration and reversion of such subdivision  
6 pursuant to section 2 of part H of chapter 57 of the laws of 2021, as  
7 amended, when upon such date the provisions of section eighty-six-a  
8 of this act shall take effect.