

STATE OF NEW YORK

1952

2021-2022 Regular Sessions

IN ASSEMBLY

January 13, 2021

Introduced by M. of A. CRUZ -- read once and referred to the Committee on Governmental Operations

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

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

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

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

ARTICLE 4-D

RIGHTS OF IMMIGRANTS IN LICENSING

Section 49. Definitions.

8 49-a. Nondiscrimination and extension of licenses.

9 49-b. Application; confidentiality.

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

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

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

18 § 49-a. Nondiscrimination and extension of licenses. 1. Notwithstand-
19 ing any other provision of law, no applicant shall be denied a license

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

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

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

16 § 49-b. Application; confidentiality. 1. Notwithstanding any other
17 provision of law, no issuing or registering entity shall inquire into an
18 applicant's citizenship or immigration status, or lack thereof, nor
19 shall it ask an applicant for proof of such status, or lack thereof.

20 2. Issuing or registering entities shall not inquire regarding infor-
21 mation or documents that may be probative of an applicant's place of
22 birth, including, but not limited to, country of passport issuance,
23 birth certificate, consular identification card, or passport, with the
24 exception of a social security number or social security card, or indi-
25 vidual taxpayer identification number or individual taxpayer identifica-
26 tion card, unless such information or document is necessary to establish
27 age, if relevant, or identity. A New York driver's license or learner's
28 permit, or similar document issued by another state, district, or terri-
29 tory within the United States, shall be sufficient to establish age
30 and/or identity.

31 3. Whenever an applicant for a license is asked to provide a social
32 security number or social security card, an individual taxpayer iden-
33 tification number or individual taxpayer identification card shall be
34 sufficient. No issuing or registering entity shall inquire into the
35 reasons why an applicant does not provide a social security number or
36 social security card, nor shall it ask the applicant for proof of the
37 lack of a social security number or social security card. No other
38 entity that receives information from such issuing or registering enti-
39 ty, including but not limited to the department of taxation and finance,
40 shall inquire of the issuing or registering entity regarding such infor-
41 mation or proof.

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

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

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

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

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

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

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

20 (e) All issuing or registering entities, and any other state entity
 21 that may subsequently receive confidential information and/or documents,
 22 shall ensure any information and/or documents that are stored electron-
 23 ically, including but not limited to in databases, shall be compliant
 24 with the provisions of paragraph (b) of this subdivision. Passive elec-
 25 tronic access to confidential information and/or documents by external
 26 individuals or entities, when disclosure is not otherwise permitted
 27 pursuant to paragraph (b) of this subdivision, shall constitute an
 28 unlawful disclosure.

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

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

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

40 ix. disclosure of information obtained through application for a
 41 professional, occupational, commercial, or business license, permit,
 42 certificate, or any substantially similar permission, or related regis-
 43 tration, that might indicate the applicant's citizenship or immigration
 44 status.

45 § 4. Subdivision 2 and subparagraph 3 of paragraph (a) of subdivision
 46 3 of section 5 of the tax law, as amended by chapter 170 of the laws of
 47 1994, are amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (1) A person who fulfills all requirements for a license as a physi-
2 cian except those relating to the examination [~~and citizenship or perma-
3 nent residence in the United States~~];

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

55 1. The department may issue a limited permit to practice massage ther-
56 apy as a licensed massage therapist, masseur or masseuse to a person who

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

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

7 (6) Meet no requirements as to United States citizenship or immi-
8 gration status.

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

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

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

17 (a) A statement of identity as follows:

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

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

33 (iii) If the applicant is a partnership, its name, its main business
34 address (and if such main business address is not within the state, the
35 address of its main place of business within the state), other names by
36 which it has been known or has conducted business at any time, its tele-
37 phone number, its federal employer identification number, and the names,
38 ages, [~~citizenship,~~] and permanent home addresses of each of its part-
39 ners.

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

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

45 4. A copartnership or a corporation, unless each member of the part-
46 nership, or each of the principal officers and directors of the corpo-
47 ration, is [~~a citizen of the United States or an alien lawfully admitted~~
48 ~~for permanent residence in the United States,~~] not less than twenty-one
49 years of age[~~7~~] and has not been convicted of any felony or any of the
50 misdemeanors, specified in section eleven hundred forty-six of the
51 former penal law as in force and effect immediately prior to September
52 first, nineteen hundred sixty-seven, or of an offense defined in section
53 230.20 or 230.40 of the penal law, or if so convicted has received,
54 subsequent to such conviction, an executive pardon therefor removing
55 this disability a certificate of good conduct granted by the department
56 of corrections and community supervision, or a certificate of relief

1 from disabilities granted by the department of corrections and community
2 supervision or a court of this state pursuant to the provisions of arti-
3 cle twenty-three of the correction law to remove the disability under
4 this section because of such conviction; provided however [~~that a corpo-~~
5 ~~ration which otherwise conforms to the requirements of this section and~~
6 ~~chapter may be licensed if each of its principal officers and more than~~
7 ~~one-half of its directors are citizens of the United States or aliens~~
8 ~~lawfully admitted for permanent residence in the United States; and~~
9 ~~provided further~~] that a corporation organized under the not-for-profit
10 corporation law or the education law which otherwise conforms to the
11 requirements of this section and chapter may be licensed if each of its
12 principal officers and more than one-half of its directors are not less
13 than twenty-one years of age and none of its directors are less than
14 eighteen years of age; and provided further that a corporation organized
15 under the not-for-profit corporation law or the education law and
16 located on the premises of a college as defined by section two of the
17 education law which otherwise conforms to the requirements of this
18 section and chapter may be licensed if each of its principal officers
19 and each of its directors are not less than eighteen years of age.

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

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

31 This license shall be revocable only for cause.

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

34 § 40. Section 41 of the general business law, as amended by chapter
35 321 of the laws of 1983, is amended to read as follows:

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

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

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

13 1. No manufacturer or contractor shall engage in the apparel industry
14 unless he or she registers with the commissioner, in writing, on a form
15 provided by the commissioner, which shall contain the following informa-
16 tion: whether it is a sole proprietorship, partnership or corporation,
17 its name, address and number of production employees, the name, home
18 address and social security number or individual taxpayer identification
19 number of each owner or partner, or if the registrant is a corporation,
20 no shares of which are listed on a national securities exchange or regu-
21 larly quoted in an over-the-counter market by one or more members of a
22 national or an affiliated securities association, of each officer and of
23 each of the ten largest shareholders thereof, how long it has been in
24 business, its tax identification number, whether it is a manufacturer or
25 contractor, the name and address of each person with a financial inter-
26 est in the manufacturer's or contractor's business and the amount of
27 that interest, except that if the manufacturer or contractor is a publ-
28 ically-traded corporation, only the names and addresses of the corporation
29 officers shall be required, whether it is in contractual relations with
30 a labor organization and, if so, the name and address of such labor
31 organization, a statement as to whether the registrant or any owner of
32 or partner in, or if the registrant is a corporation, no shares of which
33 are listed on a national securities exchange or regularly quoted in an
34 over-the-counter market by one or more members of a national or an
35 affiliated securities association, any officer or any of the ten largest
36 shareholders thereof has, within the last three years, been found by any
37 court or administrative body to have violated this chapter and, if so,
38 the nature and date of such violation and, if the registrant is a
39 contractor, whether that contractor subcontracts the cutting or sewing
40 of apparel or sections or components thereof. Such registration form
41 shall also require that each owner or partner, or if the registrant is a
42 corporation, then each officer, submit photographic proof of identity.
43 Divisions, subsidiary corporations or related companies may, at the
44 option of the manufacturer or contractor, be named and included under
45 one omnibus registration. Such registration shall be filed on or before
46 January fifteenth of each year. The commissioner shall issue a certif-
47 icate of registration, which shall be effective for a period of twelve
48 months, upon receipt of a completed registration form accompanied by the
49 requisite photographic proof of identity and documentation that such
50 manufacturer or contractor has paid any surety bond required pursuant to
51 subdivision eight of section three hundred forty-five of this article
52 and that a workers' compensation insurance policy is in effect for the
53 registrant's production employees working in New York state. The initial
54 registration fee shall be two hundred dollars and each subsequent annual
55 renewal registration fee shall be one hundred fifty dollars. With
56 respect to new employers, such registration shall be filed upon the

1 commencement of manufacturing or contracting in the apparel industry and
2 shall be effective until the following January fifteenth. The commis-
3 sioner may pro rate the initial annual registration fee in such
4 instances.

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

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

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

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