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

AN ACT intentionally omitted (Part A); to amend the penal law, the vehicle and traffic law and the transportation law, in relation to transportation worker safety; and to amend the state finance law, in relation to establishing the work zone safety fund (Subpart A); to amend the vehicle and traffic law and the highway law, in relation to highway clearance (Subpart B); to amend the vehicle and traffic law, in relation to increased fines for injury to pedestrians (Subpart C); and to amend the vehicle and traffic law and the public officers law, in relation to establishing a demonstration program implementing speed violation monitoring systems in work zones by means of photo devices; and providing for the repeal of such provisions upon expiration thereof (Subpart D) (Part B); to amend the public authorities law, in relation to electronic bidding (Part C); intentionally omitted (Part D); to amend the penal law, in relation to including the intentional use of any toll highway, parkway, road, bridge or tunnel or entry into or remaining in a tolled central business district without payment of the lawful toll or charge as a theft of services; and to amend the vehicle and traffic law, in relation to the penalty imposed upon the operator of a vehicle with an altered or obscured license plate while on a toll highway, bridge or tunnel (Part E); intentionally omitted (Part F); intentionally omitted (Part G); intentionally omitted (Part H); to amend the penal law, in relation to assaulting or harassing certain employees of a transit agency or authority (Part I); to amend chapter 393 of the laws of 1994 amending the New York state urban development corporation act relating to the powers of the New York state urban development corporation to make loans, in relation to extending loan powers (Part J); to amend the urban development corporation act, in relation to extending the authority of the New York state urban development corporation to administer the empire state economic development fund (Part K); intentionally omitted (Part L); to amend section 3 of part S of chapter 58 of the laws of 2016, relating

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

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to transferring the statutory authority for the promulgation of marketing orders from the department of agriculture and markets to the New York state urban development corporation, in relation to the effectiveness thereof (Part M); to amend chapter 21 of the laws of 2003, amending the executive law relating to permitting the secretary of state to provide special handling for all documents filed or issued by the division of corporations and to permit additional levels of such expedited service, in relation to the effectiveness thereof (Part N); to amend the business corporation law, the general associations law, the limited liability company law, the not-for-profit corporation law, the partnership law and the real property law, in relation to service of process (Part O); to amend the executive law, in relation to providing for electronic notarization (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); to amend part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority, in relation to the utility debt securitization authority; in relation to permitting the issuance of securitized restructuring bonds to finance system resiliency costs; and to amend the public authorities law, in relation to contracts between service providers and third parties (Part T); to amend the economic development law, in relation to recharge New York power for eligible small businesses and not-for-profit corporations (Part U); to amend the insurance law, the public authorities law and the tax law, in relation to authorizing the energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY program, as well as climate change related expenses of the department of environmental conservation and the department of agriculture and markets' Fuel NY program, from an assessment on gas and electric corporations (Part W); to amend the environmental conservation law and the state finance law, in relation to hunting; and to repeal certain provisions of the environmental conservation law relating thereto (Part X); intentionally omitted (Part Y); to authorize the county of Nassau, to permanently and temporarily convey certain easements and to temporarily alienate certain parklands (Subpart A); to authorize the village of East Rockaway, county of Nassau, to permanently and temporarily convey certain easements and to temporarily alienate certain parklands (Subpart B); and to authorize the village of Rockville Centre, county of Nassau, to permanently and temporarily convey certain easements and to temporarily alienate certain parklands (Subpart C) (Part Z); to amend the tax law, in relation to extending certain brownfield credit periods that expire on or after 3/20/20 and before 12/31/21 for two years (Part AA); to authorize the grant of certain easements to AlleCatt Wind Energy LLC on a proportion of real property within the Farmersville State Forest, Swift Hill State Forest, and Lost Nation State Forest in the county of Allegany; and providing for the repeal of such provisions upon the expiration thereof (Part BB); to amend chapter 58 of the laws of 2013 amending the environmental conservation law and the state finance law relating to the "Cleaner, Greener NY Act of 2013", in relation to the effectiveness thereof (Part CC); in relation to establishing the "rail advantaged housing act" (Part DD); to amend the public authorities law, in relation to the clean energy resources development and incentives program (Part EE); to amend chapter 166 of
the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; and to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee (Part FF); in relation to establishing the New York task force on automated vehicle technology; to amend part FF of chapter 55 of the laws of 2017 relating to motor vehicles equipped with autonomous vehicle technology, in relation to the effectiveness thereof; and providing for the repeal of certain provisions upon expiration thereof (Part GG); intentionally omitted (Part HH); to amend Part BB of chapter 58 of the laws of 2012, amending the public authorities law, relating to authorizing the dormitory authority to enter into certain design and construction management agreements, in relation to the effectiveness thereof (Part II); authorizing the superintendent of financial services to convene a motor vehicle insurance task force to examine alternatives to the no-fault insurance system and deliver a report relating thereto (Part JJ); intentionally omitted (Part KK); intentionally omitted (Part LL); intentionally omitted (Part MM); to amend subpart H of part C of chapter 20 of the laws of 2015, appropriating money for certain municipal corporations and school districts, in relation to funding to local government entities from the urban development corporation (Part NN); intentionally omitted (Part OO); to amend the general obligations law, in relation to the discontinuance of the London interbank offered rate (Part PP); intentionally omitted (Part QQ); intentionally omitted (Part RR); to amend the New York state medical care facilities finance agency act, in relation to the ability to issue certain bonds and notes (Part SS); to amend the economic development law and the tax law, in relation to establishing the small business return-to-work tax credit program (Subpart A); to amend the economic development law and the tax law, in relation to establishing the restaurant return-to-work tax credit program (Subpart B); and to amend the tax law and the state finance law, in relation to establishing the New York city musical and theatrical production tax credit; and providing for the repeal of such provisions upon expiration thereof (Subpart C) (Part TT); intentionally omitted (Part UU); intentionally omitted (Part VV); to authorize utility and cable television assessments that provide funds to the department of health from cable television assessment revenues and to the department of agriculture and markets, department of environmental conservation, department of state, and the office of parks, recreation and historic preservation from utility assessment revenues; and providing for the repeal of such provisions upon expiration thereof (Part WW); to amend the highway law, in relation to the rate paid by the state to a city for maintenance and repair of highways (Part XX); to amend the private housing finance law and the state finance law, in relation to enacting the "housing our neighbors with dignity act" (Part YY); to amend the public authorities law and the general municipal law, in relation to the procurement of electric-powered buses, vehicles or other related equipment (Part ZZ); authorizing the creation of state debt in the amount of three billion dollars, in relation to creating the environmental bond act of 2021 "clean water, green jobs, green New York" for the purposes of environmental improvements that preserve, enhance, and restore New York's natural resources and reduce the impact of climate change; and providing for the submission to the people of a proposition or question therefor to be voted upon at the general election to be held in November, 2021 (Part...
AAA); to amend the environmental conservation law and the state finance law, in relation to the implementation of the environmental bond act of 2021 "clean water, green jobs, green New York" (Part BBB); to amend the environmental conservation law, in relation to establishing the extended producer responsibility act (Part CCC); to amend the agriculture and markets law, in relation to the Nourish New York program (Part DDD); to amend the public service law, in relation to directing the public service commission to review broadband and fiber optic services within the state (Part EEE); to amend the education law, the tax law, the state finance law and the public service law, in relation to ensuring all children have access to the delivery of technology through high-quality broadband internet connectivity in support of the constitutional education obligations of the state; and providing for the repeal of such provisions upon expiration thereof (Part FFF); to amend the infrastructure investment act, in relation to public employees' supervision, examination, review, and determination of acceptability of public works projects performed by contractors (Part GGG); and to amend the New York state urban development corporation act, in relation to establishing a small business grant program (Part HHH).

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

Section 1. This act enacts into law major components of legislation necessary to implement the state transportation, economic development and environmental conservation budget for the 2021-2022 state fiscal year. Each component is wholly contained within a Part identified as Parts A through HHH. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Intentionally Omitted

PART B

Section 1. This act enacts into law components of legislation which are necessary to implement legislation relating to the safety of transportation workers, pedestrians, and the traveling public. Each component is wholly contained within a Subpart identified as Subparts A through D. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it
Section 1. Subdivisions 3 and 11 of section 120.05 of the penal law, subdivision 3 as amended by chapter 267 of the laws of 2016, and subdivision 11 as separately amended by chapters 268 and 281 of the laws of 2016, are amended to read as follows:

3. With intent to prevent a peace officer, a police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, a firefighter, including a firefighter acting as a paramedic or emergency medical technician administering first aid in the course of performance of duty as such firefighter, an emergency medical service paramedic or emergency medical service technician, or medical or related personnel in a hospital emergency department, a city marshal, a school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, a traffic enforcement officer, traffic enforcement agent, highway worker as defined in section one hundred eighteen-a of the vehicle and traffic law, a motor vehicle inspector and motor carrier investigator as defined in section one hundred eighteen-b of the vehicle and traffic law, employee of the New York state department of motor vehicles or a county clerk performing motor vehicle transactions on behalf of such department, or employee of any entity governed by the public service law in the course of performing an essential service, from performing a lawful duty, by means including releasing or failing to control an animal under circumstances evincing the actor's intent that the animal obstruct the lawful activity of such peace officer, police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, firefighter, paramedic, technician, city marshal, school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, traffic enforcement officer, traffic enforcement agent, highway worker as defined by section one hundred eighteen-a of the vehicle and traffic law, motor vehicle inspector and motor carrier investigator as defined in section one hundred eighteen-b of the vehicle and traffic law, employee of the New York state department of motor vehicles or a county clerk performing motor vehicle transactions on behalf of such department, or employee of an entity governed by the public service law, he or she causes physical injury to such peace officer, police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, firefighter, paramedic, technician or medical or related personnel in a hospital emergency department, city marshal, school crossing guard, traffic enforcement officer, traffic enforcement agent, highway worker as defined by section eighteen-a of the vehicle and traffic law, motor vehicle inspector and motor carrier investigator as defined in section one hundred eighteen-b of the vehicle and traffic law, employee of the New York state department of motor vehicles or a county clerk performing
motor vehicle transactions on behalf of such department, or employee of
an entity governed by the public service law; or
11. With intent to cause physical injury to a train operator, ticket
inspector, conductor, signalperson, bus operator, station agent, station
cleaner or terminal cleaner employed by any transit agency, authority or
company, public or private, whose operation is authorized by New York
state or any of its political subdivisions, a city marshal, a school
crossing guard appointed pursuant to section two hundred eight-a of the
general municipal law, a traffic enforcement officer, traffic enforce-
ment agent, a highway worker as defined in section one hundred eigh-
teen-a of the vehicle and traffic law, a motor vehicle inspector and
motor carrier investigator as defined in section one hundred eighteen-b
of the vehicle and traffic law, employee of the New York state depart-
ment of motor vehicles or a county clerk performing motor vehicle trans-
actions on behalf of such department, prosecutor as defined in subdivi-
sion thirty-one of section 1.20 of the criminal procedure law,
sanitation enforcement agent, New York city sanitation worker, public
health sanitarian, New York city public health sanitarian, registered
nurse, licensed practical nurse, emergency medical service paramedic, or
emergency medical service technician, he or she causes physical injury
to such train operator, ticket inspector, conductor, signalperson, bus
operator, station agent, station cleaner or terminal cleaner, city
marshal, school crossing guard appointed pursuant to section two hundred
eight-a of the general municipal law, traffic enforcement officer, traf-
cfic enforcement agent, highway worker as defined in section one hundred
eighteen-a of the vehicle and traffic law, motor vehicle inspector and
motor carrier investigator as defined in section one hundred eighteen-b
of the vehicle and traffic law, employee of the New York state depart-
ment of motor vehicles or a county clerk performing motor vehicle trans-
actions on behalf of such department, prosecutor as defined in subdivi-
sion thirty-one of section 1.20 of the criminal procedure law,
registered nurse, licensed practical nurse, public health sanitarian,
New York city public health sanitarian, sanitation enforcement agent,
New York city sanitation worker, emergency medical service paramedic, or
emergency medical service technician, while such employee is performing
an assigned duty on, or directly related to, the operation of a train or
bus, including the cleaning of a train or bus station or terminal, or
such city marshal, school crossing guard, traffic enforcement officer,
traffic enforcement agent, highway worker as defined by section one
hundred eighteen-a of the vehicle and traffic law, motor vehicle inspec-
tor and motor carrier investigator as defined in section one hundred
eighteen-b of the vehicle and traffic law, employee of the New York
state department of motor vehicles or a county clerk performing motor
vehicle transactions on behalf of such department, prosecutor as defined
in subdivision thirty-one of section 1.20 of the criminal procedure law,
registered nurse, licensed practical nurse, public health sanitarian,
New York city public health sanitarian, sanitation enforcement agent,
New York city sanitation worker, emergency medical service paramedic, or
emergency medical service technician is performing an assigned duty; or
§ 2. The penal law is amended by adding a new section 120.19 to read
as follows:
§ 120.19 Menacing a highway worker.
A person is guilty of menacing a highway worker when he or she inten-
tionally places or attempts to place a highway worker in reasonable fear
of death, imminent serious physical injury or physical injury. For
purposes of this section, a highway worker shall have the same meaning
Menacing a highway worker is a class E felony.

§ 3. The vehicle and traffic law is amended by adding two new sections 118-a and 118-b to read as follows:

§ 118-a. Highway worker. Any person employed by or on behalf of the state, a county, city, town or village, a public authority, a local authority, or a public utility company, or the agent or contractor of any such entity, who has been assigned to perform work on a highway, including maintenance, repair, flagging, utility work, construction, reconstruction or operation of equipment on public highway infrastructure and associated rights-of-way in highway work areas, and shall also include any flagperson as defined in section one hundred fifteen-b of this article.

§ 118-b. Motor vehicle inspector and motor carrier investigator. Any person employed by the New York state department of transportation who has been assigned to perform inspections of any motor vehicles or investigation of any carriers regulated by the commissioner of the New York state department of transportation.

§ 4. Subparagraphs (xii) and (xiii) of paragraph a of subdivision 2 of section 510 of the vehicle and traffic law, as added by section 1 of part B of chapter 55 of the laws of 2014, are amended to read as follows:

(xii) of a second or subsequent conviction of a violation of section twelve hundred twenty-five-c or section twelve hundred twenty-five-d of this chapter committed where such person is the holder of a probationary license, as defined in subdivision four of section five hundred one of this title, at the time of the commission of such violation and such second or subsequent violation was committed within six months following the restoration or issuance of such probationary license; [xx]

(xiii) of a second or subsequent conviction of a violation of section twelve hundred twenty-five-c or section twelve hundred twenty-five-d of this chapter committed where such person is the holder of a class DJ or MJ learner's permit or a class DJ or MJ license at the time of the commission of such violation and such second or subsequent violation was committed within six months following the restoration of such permit or license; or

(xiv) of menacing a highway worker, or menacing in the first, second or third degree, as defined in article one hundred twenty of the penal law, where such offense was committed against a highway worker.

§ 5. The vehicle and traffic law is amended by adding a new section 1221-a to read as follows:

§ 1221-a. Endangerment of a highway worker. 1. A driver of a motor vehicle commits endangerment of a highway worker if the driver is operating a motor vehicle within a work area as defined in section one hundred sixty-one of this chapter at any time one or more highway workers are in the work area and does any of the following:

(a) enters a work area in any lane not clearly designated for use by motor vehicles; or

(b) fails to obey traffic control devices controlling the flow of motor vehicles through the work area for any reason other than:

(i) an emergency;

(ii) the avoidance of an obstacle; or

(iii) the protection of the health and safety of another person.

2. (a) A driver of a motor vehicle who violates this section shall be guilty of a traffic infraction punishable by a fine of not more than one
thousand dollars and not less than five hundred dollars or by imprisonment for not more than fifteen days or by both such fine and imprisonment.

(b) A driver of a motor vehicle who causes physical injury as defined in article ten of the penal law to a highway worker in the work area while violating paragraph one of this section shall be guilty of a traffic infraction punishable by a fine of not more than two thousand dollars and not less than one thousand dollars or by imprisonment for not more than forty-five days or by both such fine and imprisonment.

(c) A driver of a motor vehicle who causes serious physical injury as defined in article ten of the penal law to a highway worker in the work area while violating paragraph one of this section shall be guilty of a traffic infraction punishable by a fine of not more than five thousand dollars and not less than two thousand dollars or by imprisonment for not more than ninety days or by both such fine and imprisonment.

3. In any case wherein the charge laid before the court alleges a violation of this section, any plea of guilty thereafter entered in satisfaction of such charge must include the fine imposed pursuant to this section and no other plea of guilty to any other charge in satisfaction of such charge shall be authorized; provided, however, if the prosecuting attorney, upon reviewing the available evidence, determines that the charge of a violation of this section is not warranted, such prosecuting attorney may consent, and the court may allow a disposition by plea of guilty to another charge in satisfaction of such charge; provided, however, in all such cases, the court shall set forth upon the record the basis for such disposition. Such fine shall not be waived or reduced below the minimum as provided in subdivision two of this section. Sixty percent of fines collected pursuant to this section shall be paid to the work zone safety fund established by section ninety-nine-ii of the state finance law.

4. No person shall be guilty of endangerment of a highway worker for any act or omission otherwise constituting a violation under this section if the act or omission results, in whole or in part, from mechanical failure of the person's motor vehicle or from the negligence of a highway worker or another person.

5. Nothing contained in this section shall prohibit the imposition of a charge of any other offense set forth in this or any other provision of law for any acts arising out of the same incident.

§ 6. The vehicle and traffic law is amended by adding a new section 1221-b to read as follows:

§ 1221-b. Work area safety and outreach. The governor's traffic safety committee, upon consultation with the commissioner of transportation, the superintendent of state police, the commissioner, the chairman of the New York state thruway authority, local law enforcement agencies, and representatives for contractors, laborers, and public employees, shall design and implement a public education and outreach program to increase motorist awareness of the importance of highway work area safety, to reduce the number of work area incidents, including speeding, unauthorized intrusions into work areas, and any conduct resulting in hazards or injuries to highway workers, and to increase and promote work area safety.

§ 7. Section 161 of the vehicle and traffic law, as added by chapter 92 of the laws of 1984 and as renumbered by chapter 303 of the laws of 2014, is amended to read as follows:

§ 161. Work area or work zone. [That part of a highway being used or occupied for the conduct of highway work, within which workers, vehi-
The area of a highway, bridge, shoulder, median, or associated right-of-way, where construction, maintenance, utility work, accident response, or other incident response is being performed. The work area must be marked by signs, traffic control devices, traffic-control signals, barriers, pavement markings, authorized emergency vehicles, or hazard vehicles, and extends from the first traffic control device erected for purposes of controlling the flow of motor vehicles through the work area, including signs reducing the normal speed limit but excluding signs notifying motorists of an impending speed limit reduction, to the "END ROAD WORK" sign or the last temporary traffic control device. The signs, traffic control devices, traffic control signals, barriers, pavement markings, or authorized emergency vehicles, or hazard vehicles must meet department of transportation standards and the provisions of this chapter, and must be installed properly so that they are clearly visible to motorists in accordance with the manual on uniform traffic control devices.

§ 8. Section 22 of the transportation law, as added by chapter 223 of the laws of 2005, is amended to read as follows:

§ 22. Work zone safety and enforcement. The department shall, in cooperation with the superintendent of state police, the commissioner of motor vehicles, the chairman of the New York state thruway authority, local law enforcement agencies and representatives for contractors and laborers, develop and implement rules and regulations for the increased safety of work zones. Such rules and regulations shall include, but shall not be limited to, a police presence at all major active work zones as defined by rules and regulations set forth by the commissioner, the use of radar speed display signs at all major active work zones as defined by rules and regulations set forth by the commissioner, and a system for reviewing work zone safety and design for all work zones under the jurisdiction of the department.

§ 9. The state finance law is amended by adding a new section 99-ii to read as follows:

§ 99-ii. Work zone safety fund. 1. There is hereby established in the custody of the state comptroller a special fund to be known as the "work zone safety fund."

2. The fund shall consist of all monies appropriated for its purpose, all monies required by this section or any other provision of law to be paid into or credited to such fund, collected by the mandatory fines imposed pursuant to section twelve hundred twenty-one-a of the vehicle and traffic law, and all other monies appropriated, credited, or transferred thereto from any other fund or source pursuant to law. Any interest received by the comptroller on monies on deposit in the work zone safety fund shall be retained in and become a part of such fund.

3. Monies of the fund shall, following appropriation by the legislature, be disbursed to provide work zone safety enforcement, work zone markings, radar speed display signs, and police monitoring of work zones pursuant to section twenty-two of the transportation law. Monies of the fund shall be expended only for the purposes listed in this paragraph, and shall not be used to supplant any other funds which would otherwise have been expended for work zone safety and enforcement, including without limitation work zone safety enforcement, work zone markings, radar speed display signs, and police monitoring of work zones.

4. Monies shall be payable from the fund on the audit and warrant of the comptroller.
5. On or before the first day of February each year, the comptroller shall certify to the governor, temporary president of the senate, speaker of the assembly, and chairs of the assembly and senate transportation committees, the amount of money deposited in the work zone safety fund during the preceding calendar year as the result of revenue derived pursuant to section one thousand two hundred twenty-one-a of the vehicle and traffic law.

6. On or before the first day of February each year, the director of the division of budget, in consultation with the relevant agencies and authorities, shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate and assembly transportation committees, the state comptroller and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:
(i) the amount of money disbursed from the fund and the award process used for such disbursements;
(ii) recipients of disbursements from the fund;
(iii) the amount awarded to each;
(iv) the purposes for which such disbursements were made; and
(v) a summary financial plan for such monies which shall include estimates of all receipts and all disbursements for the current and succeeding fiscal years, along with the actual results of the prior fiscal year.

§ 10. This act shall take effect on the one hundred eightieth day after it shall have become a law.

SUBPART B

Section 1. Section 600 of the vehicle and traffic law is amended by adding a new subdivision 4 to read as follows:
4. Any person operating a motor vehicle involved in an accident not involving personal injury or death who moves such vehicle to a location off the roadway but as near as possible to the place where the damage occurred, so as not to obstruct the regular flow of traffic, shall not be construed to be in violation of subdivision one of this section because of such movement.

§ 2. Subdivision 2 of section 15 of the highway law, as amended by chapter 1110 of the laws of 1971, is amended to read as follows:
2. The commissioner, a police officer, or any hazard vehicle operator acting at the direction of the commissioner or a police officer shall have the power to cause the immediate removal, from the right of way of any state highway, of any vehicle, cargo, or debris which obstructs or interferes with the use of such a highway for public travel; or which obstructs or interferes with the construction, reconstruction or maintenance of such a highway; or which obstructs or interferes with the clearing or removal of snow or ice from such a highway; or which obstructs or interferes with any operation of the department of transportation during a public emergency. The commissioner, or a police officer, or any hazard vehicle operator acting at the direction of the commissioner or a police officer, shall not be liable for any damage to such vehicle, cargo, or debris, unless such removal was carried out in a negligent manner. For the purposes of this subdivision, the term "police officer" shall have the same meaning as defined by subdivision thirty-four of section 1.20 of the criminal procedure law.

§ 3. The commissioner of transportation, in conjunction with the commissioner of motor vehicles and the superintendent of state police,
shall undertake a public education campaign to alert motorists and law
enforcement officers of their rights and responsibilities under subdivi-
sion 4 of section 600 of the vehicle and traffic law and subdivision 2
of section 15 of the highway law.
§ 4. The commissioner of motor vehicles shall incorporate the amend-
ments to subdivision 4 of section 600 of the vehicle and traffic law
into its training materials and driver's manual in the regular course of
business.
§ 5. This act shall take effect on the one hundred eightieth day after
it shall have become a law. Effective immediately, the addition, amend-
ment and/or repeal of any rule or regulation necessary for the implemen-
tation of this act on its effective date are authorized to be made and
completed on or before such effective date.

SUBPART C

Section 1. Paragraph 1 of subdivision (b) of section 1146 of the vehi-
cle and traffic law, as amended by chapter 333 of the laws of 2010, is
amended to read as follows:
1. A driver of a motor vehicle who causes physical injury as defined
in article ten of the penal law to a pedestrian or bicyclist while fail-
ing to exercise due care in violation of subdivision (a) of this
section, shall be guilty of a traffic infraction punishable by a fine of
not more than [five hundred] one thousand dollars or by imprisonment for
not more than fifteen days or by both such fine and imprisonment.
§ 2. Paragraph 1 of subdivision (c) of section 1146 of the vehicle and
traffic law, as amended by chapter 333 of the laws of 2010, is amended
to read as follows:
1. A driver of a motor vehicle who causes serious physical injury as
defined in article ten of the penal law to a pedestrian or bicyclist
while failing to exercise due care in violation of subdivision (a) of this
section, shall be guilty of a traffic infraction punishable by a fine of
not more than [seven hundred fifty] one thousand five hundred
dollars or by imprisonment for not more than fifteen days or by required
participation in a motor vehicle accident prevention course pursuant to
paragraph (e-1) of subdivision two of section 65.10 of the penal law or
by any combination of such fine, imprisonment or course, and by suspen-
sion of a license or registration pursuant to subparagraph (xiv) or (xv)
of paragraph b of subdivision two of section five hundred ten of this
chapter.
§ 3. Subdivision (d) of section 1146 of the vehicle and traffic law,
as amended by chapter 333 of the laws of 2010, is amended to read as
follows:
(d) A violation of subdivision (b) or (c) of this section committed by
a person who has previously been convicted of any violation of such
subdivisions within the preceding five years, shall constitute a class B
misdemeanor punishable by a fine of not more than [one] two thousand
dollars in addition to any other penalties provided by law.
§ 4. This act shall take effect on the one hundred eightieth day after
it shall have become a law.

SUBPART D

Section 1. Subdivision 1 of section 235 of the vehicle and traffic
law, as separately amended by sections 1 of chapters 145 and 148 of the
laws of 2019, is amended to read as follows:
1. Notwithstanding any inconsistent provision of any general, special
or local law or administrative code to the contrary, in any city which
heretofore or hereafter is authorized to establish an administrative
tribunal to hear and determine complaints of traffic infractions consti-
tuting parking, standing or stopping violations, or to adjudicate the
liability of owners for violations of subdivision (d) of section eleven
hundred eleven of this chapter in accordance with section eleven hundred
eleven-a of this chapter, or to adjudicate the liability of owners for
violations of subdivision (d) of section eleven hundred eleven of this
chapter in accordance with sections eleven hundred eleven-b of this
chapter as added by sections sixteen of chapters twenty, and twenty-two
of the laws of two thousand nine, or to adjudicate the liability of
owners for violations of subdivision (d) of section eleven hundred elev-
en of this chapter in accordance with section eleven hundred eleven-d of
this chapter, or to adjudicate the liability of owners for violations of
section eleven hundred seventy-four of this chapter in accordance with
section eleven hundred seventy-four-a of this chapter, or to adjudicate
violations of bus lane restrictions as defined in subdivision (b), (c),
(d), (f) or (g) of such section, or to adjudicate the liability of
owners for violations of section eleven hundred eighty of this chapter
in accordance with section eleven hundred eighty-b of this chapter, or
to adjudicate the liability of owners for violations of subdivision (d) of section eleven
hundred eighty of this chapter in accordance with section eleven hundred
eighty-d of this chapter, or to adjudicate the liability of owners for
violations of section eleven hundred eighty of this chapter in accordance with
section eleven hundred eighty-e of this chapter, such tribunal
and the rules and regulations pertaining thereto shall be constituted in
substantial conformance with the following sections.

§ 1-a. Subdivision 1 of section 235 of the vehicle and traffic law, as
amended by section 1 of chapter 145 of the laws of 2019, is amended to
read as follows:

1. Notwithstanding any inconsistent provision of any general, special
or local law or administrative code to the contrary, in any city which
heretofore or hereafter is authorized to establish an administrative
tribunal to hear and determine complaints of traffic infractions consti-
tuting parking, standing or stopping violations, or to adjudicate the
liability of owners for violations of subdivision (d) of section eleven
hundred eleven of this chapter in accordance with section eleven hundred
eleven-a of this chapter, or to adjudicate the liability of owners for
violations of subdivision (d) of section eleven hundred eleven of this
chapter in accordance with sections eleven hundred eleven-b of this
chapter as added by sections sixteen of chapters twenty, and twenty-two
of the laws of two thousand nine, or to adjudicate the liability of
owners for violations of subdivision (d) of section eleven hundred elev-
en of this chapter in accordance with section eleven hundred eleven-d of
this chapter, or to adjudicate the liability of owners for violations of
section eleven hundred seventy-four of this chapter in accordance with
section eleven hundred seventy-four-a of this chapter, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or to adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate the liability of owners in accordance with section eleven hundred eleven-c of this chapter for violations of bus lane restrictions as defined in subdivision (b), (c), (d), (f) or (g) of such section, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty-d of this chapter, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty-e of this chapter, or to adjudicate the liability of owners for violations of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections.

§ 1-b. Section 235 of the vehicle and traffic law, as separately amended by sections 1-a of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

§ 235. Jurisdiction. Notwithstanding any inconsistent provision of any general, special or local law or administrative code to the contrary, in any city which heretofore or hereafter is authorized to establish an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven-d of this chapter, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven-e of this chapter, or to adjudicate the liability of owners for violations of section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, or to adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate liability of owners in accordance with section eleven hundred eleven-c of this chapter for violations of bus lane restrictions as defined in such section, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty-d of this chapter, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty-e of this chapter, or to adjudicate the liability of owners for violations of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections.

§ 1-b. Section 235 of the vehicle and traffic law, as separately amended by sections 1-a of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

§ 235. Jurisdiction. Notwithstanding any inconsistent provision of any general, special or local law or administrative code to the contrary, in any city which heretofore or hereafter is authorized to establish an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven-d of this chapter, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven-e of this chapter, or to adjudicate the liability of owners for violations of section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, or to adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate liability of owners in accordance with section eleven hundred eleven-c of this chapter for violations of bus lane restrictions as defined in such section, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty-d of this chapter, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty-e of this chapter, or to adjudicate the liability of owners for violations of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections.
(b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections.

§ 1-c. Section 235 of the vehicle and traffic law, as separately amended by sections 1-b of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

§ 235. Jurisdiction. Notwithstanding any inconsistent provision of any general, special or local law or administrative code to the contrary, in any city which heretofore or hereafter is authorized to establish an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with sections eleven hundred eleven-b of this chapter in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate liability of owners in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate liability of owners in accordance with section eleven hundred eleven-c of this chapter for violations of bus lane restrictions as defined in such section, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections.

§ 1-d. Section 235 of the vehicle and traffic law, as separately amended by sections 1-c of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

§ 235. Jurisdiction. Notwithstanding any inconsistent provision of any general, special or local law or administrative code to the contrary, in any city which heretofore or hereafter is authorized to establish an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, or to adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate liability of owners in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate liability of owners in accordance with section eleven hundred eleven-c of this chapter for violations of bus lane restrictions as defined in such section, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections.
eleven-e of this chapter, or to adjudicate the liability of owners for
violations of section eleven hundred seventy-four of this chapter in
accordance with section eleven hundred seventy-four-a of this chapter,
or to adjudicate the liability of owners for violations of toll
collection regulations as defined in and in accordance with the
provisions of section two thousand nine hundred eighty-five of the
public authorities law and sections sixteen-a, sixteen-b and sixteen-c
of chapter seven hundred seventy-four of the laws of nineteen hundred
fifty, or to adjudicate liability of owners in accordance with section
eleven hundred eleven-c of this chapter for violations of bus lane
restrictions as defined in such section, or to adjudicate the liability
of owners for violations of subdivision (b), (c), (d), (f) or (g) of
section eleven hundred eighty of this chapter in accordance with section
eleven hundred eighty-b of this chapter, or to adjudicate the liability
of owners for violations of subdivision (b), (c), (d), (f) or (g) of
section eleven hundred eighty-d of this chapter,
or to adjudicate the liability
of owners for violations of subdivision (b), (d), (f) or (g) of section
eleven hundred eighty-e of this chapter,
such tribunal and the rules and regu-
lations pertaining thereto shall be constituted in substantial confor-
mance with the following sections.
§ 1-e. Section 235 of the vehicle and traffic law, as separately
amended by sections 1-d of chapters 145 and 148 of the laws of 2019, is
amended to read as follows:
§ 235. Jurisdiction. Notwithstanding any inconsistent provision of any
general, special or local law or administrative code to the contrary, in
any city which heretofore or hereafter is authorized to establish an
administrative tribunal to hear and determine complaints of traffic
infractions constituting parking, standing or stopping violations, or to
adjudicate the liability of owners for violations of subdivision (d) of
section eleven hundred eleven of this chapter in accordance with section
eleven hundred eleven-d of this chapter, or to adjudicate the liability
of owners for violations of subdivision (d) of section eleven hundred
eleven-e of this chapter, or to adjudicate the liability of owners for
violations of section eleven hundred seventy-four of this chapter in
accordance with section eleven hundred seventy-four-a of this chapter,
or to adjudicate the liability of owners for violations of toll
collection regulations as defined in and in accordance with the
provisions of section two thousand nine hundred eighty-five of the
public authorities law and sections sixteen-a, sixteen-b and sixteen-c
of chapter seven hundred seventy-four of the laws of nineteen hundred
fifty, or to adjudicate liability of owners for violations of subdivi-
sions (c) and (d) of section eleven hundred eighty of this chapter in
accordance with section eleven hundred eighty-b of this chapter, or to
adjudicate the liability of owners for violations of subdivision (b),
(c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
accordance with section eleven hundred eighty-d of this chapter, or to
adjudicate the liability of owners for violations of subdivision (b),
(d), (f) or (g) of section eleven hundred eighty-e of this chapter,
such tribunal and the rules and regulations pertaining thereto shall be
constituted in substantial conformance with the following sections.
§ 1-f. Section 235 of the vehicle and traffic law, as separately amended by sections 1-e of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

§ 235. Jurisdiction. Notwithstanding any inconsistent provision of any general, special or local law or administrative code to the contrary, in any city which heretofore or hereafter is authorized to establish an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven-e of this chapter, or to adjudicate the liability of owners for violations of section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, or to adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, shall be constituted in substantial conformance with the following sections.

§ 1-g. Section 235 of the vehicle and traffic law, as separately amended by sections 1-f of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

§ 235. Jurisdiction. Notwithstanding any inconsistent provision of any general, special or local law or administrative code to the contrary, in any city which heretofore or hereafter is authorized to establish an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or to adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, shall be constituted in substantial conformance with the following sections.
§ 1-h. Section 235 of the vehicle and traffic law, as separately amended by sections 1-g of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

§ 235. Jurisdiction. Notwithstanding any inconsistent provision of any general, special or local law or administrative code to the contrary, in any city which heretofore or hereafter is authorized to establish an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations, or to adjudicate the liability of owners for violations of section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, or to adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of sections two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections.

§ 1-i. Section 235 of the vehicle and traffic law, as separately amended by chapter 715 of the laws of 1972 and chapter 379 of the laws of 1992, is amended to read as follows:

§ 235. Jurisdiction. Notwithstanding any inconsistent provision of any general, special or local law or administrative code to the contrary, in any city which heretofore or hereafter is authorized to establish an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations, or to adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of sections two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections.

§ 2. Subdivision 1 of section 236 of the vehicle and traffic law, as separately amended by sections 2 of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

1. Creation. In any city as hereinbefore or hereafter authorized such tribunal when created shall be known as the parking violations bureau and shall have jurisdiction of traffic infractions which constitute a parking violation and, where authorized by local law adopted pursuant to subdivision (a) of section eleven hundred eleven-a of this chapter or subdivisions (a) of sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine, or subdivision (a) of section eleven hundred eleven-d of this chapter, or subdivision (a) of section eleven hundred
eleven-e of this chapter, or subdivision (a) of section eleven hundred seventy-four-a of this chapter, shall adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with such section eleven hundred eleven-a, sections eleven hundred eleven-b as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine, or section eleven hundred eleven-d or section eleven hundred eleven-e and shall adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty and shall adjudicate liability of owners in accordance with section eleven hundred eleven-c of this chapter for violations of bus lane restrictions as defined in such section and shall adjudicate liability of owners in accordance with section eleven hundred seventy-four-a of this chapter and shall adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter, and shall adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter.

§ 2-a. Subdivision 1 of section 236 of the vehicle and traffic law, as amended by section 2 of chapter 145 of the laws of 2019, is amended to read as follows:

1. Creation. In any city as hereinbefore or hereafter authorized such tribunal when created shall be known as the parking violations bureau and shall have jurisdiction of traffic infractions which constitute a parking violation and, where authorized by local law adopted pursuant to subdivision (a) of section eleven hundred eleven-a of this chapter or subdivisions (a) of sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine, or subdivision (a) of section eleven hundred eleven-d of this chapter, or subdivision (a) of section eleven hundred eleven-e of this chapter, or subdivision (a) of section eleven hundred seventy-four-a of this chapter in accordance with such section eleven hundred eleven-a, sections eleven hundred eleven-b as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine, or section eleven hundred eleven-d or section eleven hundred eleven-e and shall adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law. Such tribunal, except in a city with a population of one million or more, shall also have jurisdiction of abandoned vehicle violations. For the purposes of this article, a parking violation is the violation of any law, rule or regulation providing for or regulating the parking, stopping or standing of a vehicle. In addition for purposes of this article, "commissioner" shall mean and include the commissioner of traffic of the city or an official possessing authority as such a commissioner.
law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven
hundred seventy-four of the laws of nineteen hundred fifty and shall
adjudicate liability of owners in accordance with section eleven hundred
eleven-c of this chapter for violations of bus lane restrictions as
defined in such section and shall adjudicate liability of owners in
accordance with section eleven hundred seventy-four-a of this chapter
for violations of section eleven hundred seventy-four of this chapter
and shall adjudicate the liability of owners for violations of subdivi-
sion (b), (c), (d), (f) or (g) of section eleven hundred eighty of this
chapter in accordance with section eleven hundred eighty of this chapter,
and shall adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter.

Such tribunal, except in a city with a population of one
million or more, shall also have jurisdiction of abandoned vehicle
violations. For the purposes of this article, a parking violation is the
violation of any law, rule or regulation providing for or regulating the
parking, stopping or standing of a vehicle. In addition for purposes of
this article, "commissioner" shall mean and include the commissioner of
traffic of the city or an official possessing authority as such a
commissioner.

§ 2-b. Subdivision 1 of section 236 of the vehicle and traffic law, as
separately amended by sections 2-a of chapters 145 and 148 of the laws
of 2019, is amended to read as follows:

1. Creation. In any city as hereinbefore or hereafter authorized such
tribunal when created shall be known as the parking violations bureau
and shall have jurisdiction of traffic infractions which constitute a
parking violation and, where authorized by local law adopted pursuant to
subdivisions (a) of sections eleven hundred eleven-b of this chapter as
added by sections sixteen of chapters twenty, and twenty-two of the laws
of two thousand nine, or subdivision (a) of section eleven hundred
eleven-e of this chapter, or subdivision (a) of section eleven hundred
seventy-four-a of this chapter, shall adjudicate the liability of owners
for violations of subdivision (d) of section eleven hundred eleven of
this chapter in accordance with such sections eleven hundred eleven-b as
added by sections sixteen of chapters twenty, and twenty-two of the laws
of two thousand nine or section eleven hundred eleven-d or section elev-

For the purposes of this article, a parking
violations is the violation of any law, rule or regulation providing for
or regulating the parking, stopping or standing of a vehicle. In addi-
tion for purposes of this article, "commissioner" shall mean and include
the commissioner of traffic of the city or an official possessing
authority as such a commissioner.

§ 2-c. Subdivision 1 of section 236 of the vehicle and traffic law, as
separately amended by sections 2-b of chapters 145 and 148 of the laws
of 2019, is amended to read as follows:
1. Creation. In any city as hereinbefore or hereafter authorized such
tribunal when created shall be known as the parking violations bureau
and shall have jurisdiction of traffic infractions which constitute a
parking violation and, where authorized by local law adopted pursuant to
subdivision (a) of section eleven hundred eleven-d or subdivision (a) of
section eleven hundred eleven-e of this chapter, or subdivision (a) of
section eleven hundred seventy-four-a of this chapter, shall adjudicate
liability of owners in accordance with section eleven hundred eleven-c
of this chapter for violations of bus lane restrictions as defined in
such section; and shall adjudicate the liability of owners for
violations of subdivision (b), (c), (d), (f) or (g) of section eleven
hundred eighty of this chapter in accordance with section eleven hundred
eighty-b of this chapter; and shall adjudicate the liability of owners
for violations of subdivision (b), (d), (f) or (g) of section eleven
hundred eighty of this chapter in accordance with section eleven hundred
eighty-d of this chapter, and shall adjudicate the liability of owners
for violations of subdivision (b), (d), (f) or (g) of section eleven
hundred eighty-e of this chapter. For the purposes of this article, a parking
violation is the violation of any law, rule or regulation providing for
or regulating the parking, stopping or standing of a vehicle. In addi-
tion for purposes of this article, "commissioner" shall mean and include
the commissioner of traffic of the city or an official possessing
authority as such a commissioner.

§ 2-d. Subdivision 1 of section 236 of the vehicle and traffic law, as
separately amended by sections 2-c of chapters 145 and 148 of the laws
of 2019, is amended to read as follows:
1. Creation. In any city as hereinbefore or hereafter authorized such
tribunal when created shall be known as the parking violations bureau
and, where authorized by local law adopted pursuant to subdivision (a)
of section eleven hundred eleven-d of this chapter or subdivision (a) of
section eleven hundred eleven-e of this chapter, or subdivision (a) of
section eleven hundred seventy-four-a of this chapter, shall have juris-
diction of traffic infractions which constitute a parking violation and
shall adjudicate the liability of owners for violations of subdivision
(b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
and shall adjudicate the liability of owners for violations of subdivi-
sion (b), (c), (d), (f) or (g) of section eleven hundred eighty of this
chapter in accordance with section eleven hundred eighty-d of this chapter,
and shall adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter. For the purposes of this article, a parking violation is the violation of any law, rule or regulation providing for or regulating the parking, stopping or standing of a vehicle. In addition for purposes of this article, "commissioner" shall mean and include the commissioner of traffic of the city or an official possessing authority as such a commissioner.
§ 2-e. Subdivision 1 of section 236 of the vehicle and traffic law, as separately amended by sections 2-d of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

1. Creation. In any city as hereinbefore or hereafter authorized such tribunal when created shall be known as the parking violations bureau and, where authorized by local law adopted pursuant to subdivision (a) of section eleven hundred eleven-d of this chapter or subdivision (a) of section eleven hundred seventy-four-a of this chapter, shall have jurisdiction of traffic infractions which constitute a parking violation and shall adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, and shall adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter.

For the purposes of this article, a parking violation is the violation of any law, rule or regulation providing for or regulating the parking, stopping or standing of a vehicle. In addition for purposes of this article, "commissioner" shall mean and include the commissioner of traffic of the city or an official possessing authority as such a commissioner.

§ 2-f. Subdivision 1 of section 236 of the vehicle and traffic law, as separately amended by sections 2-e of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

1. Creation. In any city as hereinbefore or hereafter authorized such tribunal when created shall be known as the parking violations bureau and where authorized by local law adopted pursuant to subdivision (a) of section eleven hundred eleven-e or subdivision (a) of section eleven hundred seventy-four-a of this chapter, shall have jurisdiction of traffic infractions which constitute a parking violation and shall adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, and shall adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter.

For the purposes of this article, a parking violation is the violation of any law, rule or regulation providing for or regulating the parking, stopping or standing of a vehicle. In addition for purposes of this article, "commissioner" shall mean and include the commissioner of traffic of the city or an official possessing authority as such a commissioner.

§ 2-g. Subdivision 1 of section 236 of the vehicle and traffic law, as separately amended by sections 2-f of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

1. Creation. In any city as hereinbefore or hereafter authorized such tribunal when created shall be known as the parking violations bureau and where authorized by local law adopted pursuant to subdivision (a) of section eleven hundred seventy-four-a of this chapter, shall have jurisdiction of traffic infractions which constitute a parking violation and shall adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, and shall adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter.

For the purposes of this article, a parking violation is the violation of any law, rule or regulation providing for or regulating the parking, stopping or standing of a vehicle. In addition for purposes of this article, "commissioner" shall mean and include the commissioner of traffic of the city or an official possessing authority as such a commissioner.
For the purposes of this article, a parking violation is the violation of any law, rule or regulation providing for or regulating the parking, stopping or standing of a vehicle. In addition for purposes of this article, "commissioner" shall mean and include the commissioner of traffic of the city or an official possessing authority as such a commissioner.

§ 2-h. Subdivision 1 of section 236 of the vehicle and traffic law, as added by chapter 715 of the laws of 1972, is amended to read as follows:

1. Creation. In any city as hereinbefore or hereafter authorized such tribunal when created shall be known as the parking violations bureau and shall have jurisdiction of traffic infractions which constitute a parking violation and, where authorized by local law adopted pursuant to section eleven hundred eighty-e of this chapter, shall adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter. For the purposes of this article, a parking violation is the violation of any law, rule or regulation providing for or regulating the parking, stopping or standing of a vehicle. In addition for purposes of this article, "commissioner" shall mean and include the commissioner of traffic of the city or an official possessing authority as such a commissioner.

§ 3. Section 237 of the vehicle and traffic law is amended by adding a new subdivision 17 to read as follows:

17. To adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter.

§ 4. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as separately amended by sections 4 of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article, but shall not be deemed to include a notice of liability issued pursuant to authorization set forth in section eleven hundred eleven-a of this chapter, or sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine, or section eleven hundred eleven-d of this chapter, or section eleven hundred eleven-e of this chapter, or section eleven hundred seventy-four-a of this chapter, and shall not be deemed to include a notice of liability issued pursuant to section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-b of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-d of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-e of this chapter.

§ 4-a. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as amended by section 4 of chapter 145 of the laws of 2019, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article, but shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-e of this chapter.
§ 4-b. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as separately amended by sections 4-a of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article but shall not be deemed to include a notice of liability issued pursuant to authorization set forth in sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine, or section eleven hundred eleven-d of this chapter, or section eleven hundred seventy-four-a of this chapter, and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eight-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eleven-c of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-b of this chapter, and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-e of this chapter.

§ 4-c. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as separately amended by sections 4-b of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eleven-b of this chapter or to a notice of liability issued pursuant to authorization set forth in section eleven hundred eleven-d of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-b of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-e of this chapter.

§ 4-d. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as separately amended by sections 4-c of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article and
shall not be deemed to include a notice of liability issued pursuant to authorization set forth in section eleven hundred eleven-d of this chapter or to a notice of liability issued pursuant to authorization set forth in section eleven hundred seventy-four-a of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-d of this chapter, and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-e of this chapter.

§ 4-e. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as separately amended by sections 4-d of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article and shall not be deemed to include a notice of liability issued pursuant to authorization set forth in section eleven hundred eleven-d of this chapter or to a notice of liability issued pursuant to authorization set forth in section eleven hundred seventy-four-a of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-d of this chapter, and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-e of this chapter.

§ 4-f. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as separately amended by sections 4-e of chapters 145 and 148 of the laws of 2019, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article and shall not be deemed to include a notice of liability issued pursuant to authorization set forth in section eleven hundred eleven-d of this chapter or to a notice of liability issued pursuant to authorization set forth in section eleven hundred seventy-four-a of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-d of this chapter, and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-e of this chapter.

§ 4-g. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as added by chapter 180 of the laws of 1980, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article, but shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-d of this chapter, and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-e of this chapter.

§ 4-h. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as added by chapter 180 of the laws of 1980, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article, but shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-d of this chapter, and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-e of this chapter.
§ 5. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic law, as separately amended by sections 5 of chapters 145 and 148 of the laws of 2019, are amended to read as follows:

1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty or a person alleged to be liable in accordance with section eleven hundred eleven-a of this chapter or sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine or section eleven hundred eleven-d of this chapter, or section eleven hundred eleven-e of this chapter, or section eleven hundred seventy-four-a of this chapter, for a violation of subdivision (d) of section eleven hundred eleven of this chapter contests such allegation, or a person alleged to be liable in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or a person alleged to be liable in accordance with the provisions of section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section contests such allegation, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-b of this chapter or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter, or an allegation of liability in accordance with section eleven

1-a. Fines and penalties. Whenever a plea of not guilty has been entered, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eleven-a of this chapter or sections eleven hundred eleven-b of this chapter [as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine] or section eleven hundred eleven-d of this chapter or section eleven hundred eleven-e of this chapter or section eleven hundred seventy-four-a of this chapter or an allegation of liability in accordance with section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty or an allegation of liability in accordance with section eleven hundred eleven-c of this chapter or an allegation of liability in accordance with section eleven hundred eighty-b of this chapter or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter, or an allegation of liability in accordance with section eleven
§ 5-a. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic law, as amended by section 5 of chapter 145 of the laws of 2019, are amended to read as follows:

1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty or a person alleged to be liable in accordance with section eleven hundred eleven-a of this chapter or sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine or section eleven hundred eleven-d of this chapter, or section eleven hundred eleven-e of this chapter, or section eleven hundred seventy-four-a of this chapter, or section eleven hundred eighty-b of this chapter, or section eleven hundred eighty-e of this chapter, or section eleven hundred eighty-a of this chapter, or a person alleged to be liable in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or a person alleged to be liable in accordance with the provisions of section eleven hundred eleven-c of this chapter or an allegation of liability in accordance with section eleven hundred eighty-e of this chapter is being contested, by a person in a timely fashion and a hearing upon the merits has been demanded, but has not yet been held, the bureau shall not issue any notice of fine or penalty to that person prior to the date of the hearing.

or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-a of this chapter, or an allegation of liability in accordance with section eleven hundred eighty-e of this chapter is being contested, by a person in a timely fashion and a hearing upon the merits has been demanded, but has not yet been held, the bureau shall

or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-a of this chapter, or an allegation of liability in accordance with section eleven hundred eighty-e of this chapter is being contested, by a person in a timely fashion and a hearing upon the merits has been demanded, but has not yet been held, the bureau shall
not issue any notice of fine or penalty to that person prior to the date
of the hearing.

§ 5-b. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-
fic law, as separately amended by sections 5-a of chapters 145 and 148
of the laws of 2019, are amended to read as follows:
1. Notice of hearing. Whenever a person charged with a parking
violation enters a plea of not guilty or a person alleged to be liable
in accordance with sections eleven hundred eleven-b of this chapter as
added by sections sixteen of chapters twenty, and twenty-two of the laws
of two thousand nine or section eleven hundred eleven-d of this chapter
or section eleven hundred eleven-e of this chapter or section eleven
hundred seventy-four-a of this chapter for a violation of subdivision
(d) of section eleven hundred eleven of this chapter, or a person
alleged to be liable in accordance with the provisions of section eleven
hundred eleven-c of this chapter for a violation of a bus lane
restriction as defined in such section contests such allegation, or a
person alleged to be liable in accordance with the provisions of section
eleven hundred eighty-b of this chapter for violations of subdivision
(b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
ter contests such allegation, or a person alleged to be liable in
accordance with the provisions of section eleven hundred eighty-d of
this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of
section eleven hundred eighty of this chapter contests such allegation,
or a person alleged to be liable in accordance with the provisions of
section eleven hundred eighty-e of this chapter for a violation of
subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
this chapter contests such allegation, the bureau shall advise such
person personally by such form of first class mail as the director may
direct of the date on which he or she must appear to answer the charge
at a hearing. The form and content of such notice of hearing shall be
prescribed by the director, and shall contain a warning to advise the
person so pleading or contesting that failure to appear on the date
designated, or on any subsequent adjourned date, shall be deemed an
admission of liability, and that a default judgment may be entered ther-

1-a. Fines and penalties. Whenever a plea of not guilty has been
entered, or the bureau has been notified that an allegation of liability
in accordance with sections eleven hundred eleven-b of this chapter, as
added by sections sixteen of chapters twenty, and twenty-two of the laws
of two thousand nine or in accordance with section eleven hundred
eleven-d of this chapter, or in accordance with section eleven hundred
eleven-e of this chapter or section eleven hundred seventy-four-a of
this chapter or an allegation of liability in accordance with section
eleven hundred eleven-c of this chapter or an allegation of liability in
accordance with section eleven hundred eighty-b of this chapter or an
allegation of liability in accordance with section eleven hundred eight-
y-d of this chapter, or an allegation of liability in accordance with
section eleven hundred eighty-e of this chapter is being contested, by a
person in a timely fashion and a hearing upon the merits has been
demanded, but has not yet been held, the bureau shall not issue any
notice of fine or penalty to that person prior to the date of the hear-
ing.

§ 5-c. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-
fic law, as separately amended by sections 5-b of chapters 145 and 148
of the laws of 2019, are amended to read as follows:
1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty or a person alleged to be liable in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred eleven-e of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or in accordance with the provisions of section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section, contests such allegation, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-b of this chapter for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-d of this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-e of this chapter for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, shall advise such person personally by such form of first class mail as the director may direct of the date on which he or she must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.

1-a. Fines and penalties. Whenever a plea of not guilty has been entered, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred eleven-e of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or in accordance with section eleven hundred eighty-b of this chapter or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter, or an allegation of liability in accordance with section eleven hundred eighty-e of this chapter, is being contested, by a person in a timely fashion and a hearing upon the merits has been demanded, but has not yet been held, the bureau shall not issue any notice of fine or penalty to that person prior to the date of the hearing.

§ 5-d. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic law, as separately amended by sections 5-c of chapters 145 and 148 of the laws of 2019, are amended to read as follows:

1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty, or a person alleged to be liable in accordance with section eleven hundred eleven-d of this chapter, or a person alleged to be liable in accordance with section eleven hundred eleven-e of this chapter, or a person alleged to be liable in accordance with section eleven hundred seventy-four-a of this chapter, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-b of this chapter for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-e of this chapter contests such allegation, or a person
person alleged to be liable in accordance with the provisions of section eleven hundred eighty-e of this chapter for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, the bureau shall advise such person personally by such form of first class mail as the director may direct of the date on which he or she must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.

1-a. Fines and penalties. Whenever a plea of not guilty has been entered, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eleven-d of this chapter, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eighty of this chapter contests such allegation, or a person alleged to be liable in accordance with section eleven hundred eighty-e of this chapter contests such allegation, the bureau shall advise such person personally by such form of first class mail as the director may direct of the date on which he or she must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.

§ 5-e. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic law, as separately amended by sections 5-d of chapters 145 and 148 of the laws of 2019, are amended to read as follows:
1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty, or a person alleged to be liable in accordance with section eleven hundred eleven-d of this chapter contests such allegation, or a person alleged to be liable in accordance with section eleven hundred eighty of this chapter contests such allegation, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty of this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, the bureau shall advise such person personally by such form of first class mail as the director may direct of the date on which he or she must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.

1-a. Fines and penalties. Whenever a plea of not guilty has been entered, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eleven-d of this chapter, is being contested, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eighty-e of this chapter
chapter, or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter, is being contested, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eighty-e of this chapter is being contested, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred seventy-four-a of this chapter, is being contested, by a person in a timely fashion and a hearing upon the merits has been demanded, but has not yet been held, the bureau shall not issue any notice of fine or penalty to that person prior to the date of the hearing.

§ 5-f. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic law, as separately amended by sections 5-e of chapters 145 and 148 of the laws of 2019, are amended to read as follows:

1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty, or a person alleged to be liable in accordance with section eleven hundred eleven-e of this chapter contests such allegation, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-d of this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-e of this chapter for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, or a person alleged to be liable in accordance with section eleven hundred seventy-four-a of this chapter contests such allegation, the bureau shall advise such person personally by such form of first class mail as the director may direct of the date on which he or she must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.

1-a. Fines and penalties. Whenever a plea of not guilty has been entered, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eleven-e of this chapter, or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter, is being contested, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eighty-e of this chapter is being contested, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred seventy-four-a of this chapter, is being contested, by a person in a timely fashion and a hearing upon the merits has been demanded, but has not yet been held, the bureau shall not issue any notice of fine or penalty to that person prior to the date of the hearing.

§ 5-g. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic law, as separately amended by sections 5-f of chapters 145 and 148 of the laws of 2019, are amended to read as follows:

1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-d of this chapter contests such allegation, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-e of this chapter contests such allegation, or a person alleged to be liable in accordance with section eleven hundred eighty of this chapter contests such allegation, or a person alleged to be liable in accordance with section eleven hundred eighty-e of this chapter contests such
subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, or a person alleged to be liable in accordance with section eleven hundred seventy-four-a of this chapter contests such allegation, the bureau shall advise such person personally by such form of first class mail as the director may direct of the date on which he or she must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.

§ 5-h. Subdivision 1 of section 240 of the vehicle and traffic law, as added by chapter 715 of the laws of 1972, is amended to read as follows:

1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-e of this chapter for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, the bureau shall advise such person personally by such form of first class mail as the director may direct of the date on which he must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.

§ 5-i. Subdivision 1-a of section 240 of the vehicle and traffic law, as added by chapter 365 of the laws of 1978, is amended to read as follows:

1-a. Fines and penalties. Whenever a plea of not guilty has been entered, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred seventy-four-a of this chapter, is being contested, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eighty-d of this chapter is being contested, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eighty-e of this chapter is being contested, by a person in a timely fashion and a hearing upon the merits has been demanded, but has not yet been held, the bureau shall not issue any notice of fine or penalty to that person prior to the date of the hearing.

§ 6. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as separately amended by sections 6 of chapters 145 and 148 of the laws of 2019, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter or in accordance
with section eleven hundred eleven-e of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or an allegation of liability in accordance with section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter, or an allegation of liability in accordance with section eleven hundred eighty-e of this chapter, shall be held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.

g. A record shall be made of a hearing on a plea of not guilty or of a hearing at which liability in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter is contested or in accordance with section eleven hundred seventy-four-a of this chapter is contested or of a hearing at which liability in accordance with section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty is contested or of a hearing at which liability in accordance with section eleven hundred eighty-b of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.

§ 6-a. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as amended by section 6 of chapter 145 of the laws of 2019, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-d of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.

b. A record shall be made of a hearing on a plea of not guilty or of a hearing at which liability in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-d of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.

g. A record shall be made of a hearing on a plea of not guilty or of a hearing at which liability in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-d of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.

§ 6-a. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as amended by section 6 of chapter 145 of the laws of 2019, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or of a hearing at which liability in accordance with section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty is contested or of a hearing at which liability in accordance with section eleven hundred eighty-b of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.

§ 6-a. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as amended by section 6 of chapter 145 of the laws of 2019, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or of a hearing at which liability in accordance with section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty is contested or of a hearing at which liability in accordance with section eleven hundred eighty-b of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.
eleven-b of this chapter as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter is contested or in accordance with section eleven hundred eleven-e of this chapter is contested or in accordance with section eleven hundred seventy-four-a of this chapter is contested or of a hearing at which liability in accordance with section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty is contested or of a hearing at which liability in accordance with section eleven hundred eleven-c of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-b of this chapter or of a hearing at which liability in accordance with sections eleven hundred eleven-d of this chapter or in accordance with section eleven hundred eleven-e of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or a hearing at which liability in accordance with section eleven hundred eighty-d of this chapter or an allegation of liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.

§ 6-b. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as separately amended by sections 6-a of chapters 145 and 148 of the laws of 2019, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with sections eleven hundred eleven-b of this chapter, as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred eleven-e of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or an allegation of liability in accordance with section eleven hundred eleven-c of this chapter or an allegation of liability in accordance with section eleven hundred eighty-b of this chapter or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter or an allegation of liability in accordance with section eleven hundred eighty-e of this chapter shall be held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.

g. A record shall be made of a hearing on a plea of not guilty or of a hearing at which liability in accordance with sections eleven hundred eleven-b of this chapter, as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred eleven-e of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or a hearing at which liability in accordance with section eleven hundred eleven-c of this chapter or a hearing at which liability at which liability in accordance with section eleven hundred eighty-b of this chapter or a hearing at which liability in accordance with section eleven hundred eighty-d of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.

§ 6-c. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as separately amended by sections 6-b of chapters 145 and 148 of the laws of 2019, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred seventy-four-a of this chapter or an allegation of liability in accordance with section eleven hundred eighty-a of this chapter or an allegation of liability in accordance with section eleven hundred eighty-b of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-d of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.
accordance with section eleven hundred eighty-b of this chapter or an
allegation of liability in accordance with section eleven hundred eight-
y-d of this chapter or an allegation of liability in accordance with
section eleven hundred eighty-e of this chapter shall be held before a
hearing examiner in accordance with rules and regulations promulgated by
the bureau.

g. A record shall be made of a hearing on a plea of not guilty or of a
hearing at which liability in accordance with section eleven hundred
seventy-four-a of this chapter or of a hearing at which liability in
accordance with section eleven hundred eleven-e of this chapter or of a
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§ 6-d. Paragraphs a and g of subdivision 2 of section 240 of the vehi-
cle and traffic law, as separately amended by sections 6-c of chapters
145 and 148 of the laws of 2019, are amended to read as follows:
a. Every hearing for the adjudication of a charge of parking violation
or an allegation of liability in accordance with section eleven hundred
seventy-four-a of this chapter or an allegation of liability in accord-
ance with section eleven hundred eleven-e of this chapter or an allega-
tion of liability in accordance with section eleven hundred eleven-d of
this chapter or an allegation of liability in accordance with section
eleven hundred eighty-b of this chapter or an allegation of liability in
accordance with section eleven hundred eighty-d of this chapter
or an
allegation of liability in accordance with section eleven hundred eight-
y-e of this chapter shall be held before a hearing examiner in accord-
ance with rules and regulations promulgated by the bureau.

g. A record shall be made of a hearing on a plea of not guilty or of a
hearing at which liability in accordance with section eleven hundred
seventy-four-a of this chapter or of a hearing at which liability in
accordance with section eleven hundred eleven-e of this chapter or of a
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§ 6-e. Paragraphs a and g of subdivision 2 of section 240 of the vehi-
cle and traffic law, as separately amended by section 6-d of chapters
145 and 148 of the laws of 2019, are amended to read as follows:
a. Every hearing for the adjudication of a charge of parking violation
or an allegation of liability in accordance with section eleven hundred
seventy-four-a of this chapter or an allegation of liability in accord-
ance with section eleven hundred eleven-e of this chapter or an allega-
tion of liability in accordance with section eleven hundred eleven-d of
this chapter or an allegation of liability in accordance with section
eleven hundred eighty-b of this chapter or an allegation of liability in
accordance with section eleven hundred eighty-d of this chapter
or an
allegation of liability in accordance with section eleven hundred eight-
y-e of this chapter is contested. Recording devices may be used for the making
of the record.

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held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.

g. A record shall be made of a hearing on a plea of not guilty or a hearing at which liability in accordance with section eleven hundred eleven-d of this chapter is contested or of a hearing at which liability in accordance with section eleven hundred seventy-four-a of this chapter or a hearing at which liability in accordance with section eleven hundred eighty-d of this chapter or of a hearing at which liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.

§ 6-f. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as separately amended by section 6-e of chapters 145 and 148 of the laws of 2019, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred eleven-e of this chapter or an allegation of liability in accordance with section eleven hundred seventy-four-a of this chapter or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter or an allegation of liability in accordance with section eleven hundred eighty-e of this chapter shall be held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.

g. A record shall be made of a hearing on a plea of not guilty or a hearing at which liability in accordance with section eleven hundred eleven-e of this chapter or a hearing at which liability in accordance with section eleven hundred eighty-d of this chapter or a hearing at which liability in accordance with section eleven hundred seventy-four-a of this chapter or an allegation of liability in accordance with section eleven hundred eighty-e of this chapter is contested or a hearing at which liability in accordance with section eleven hundred seventy-four-a of this chapter is contested.

§ 6-g. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as separately amended by sections 6-f of chapters 145 and 148 of the laws of 2019, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred seventy-four-a of this chapter or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter or an allegation of liability in accordance with section eleven hundred eighty-e of this chapter shall be held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.

g. A record shall be made of a hearing on a plea of not guilty or a hearing at which liability in accordance with section eleven hundred seventy-four-a of this chapter is contested or a hearing at which liability in accordance with section eleven hundred eighty-d of this chapter is contested or a hearing at which liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.

§ 6-h. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as added by chapter 715 of the laws of 1972, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred eighty-e of this chapter shall be held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.
g. A record shall be made of a hearing on a plea of not guilty or of a hearing at which liability in accordance with section eleven hundred eighty-e of this chapter is contested. Recording devices may be used for the making of the record.

§ 7. Subdivisions 1 and 2 of section 241 of the vehicle and traffic law, as separately amended by sections 7 of chapters 145 and 148 of the laws of 2019, are amended to read as follows:

1. The hearing examiner shall make a determination on the charges, either sustaining or dismissing them. Where the hearing examiner determines that the charges have been sustained he or she may examine either the prior parking violations record or the record of liabilities incurred in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter [as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine] or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred eleven-e of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter or in accordance with section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or fails to contest an allegation of liability in accordance with section eleven hundred eighty-b of this chapter, or in accordance with section eleven hundred eighty-d of this chapter or fails to contest an allegation of liability in accordance with section eleven hundred eighty-e of this chapter or fails to contest an allegation of liability in accordance with section twelve thousand nine hundred eighty-d of this chapter.

2. Where an operator or owner fails to enter a plea to a charge of a parking violation or contest an allegation of liability in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter [as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine] or in accordance with section eleven hundred eleven-c of this chapter or fails to contest an allegation of liability in accordance with section eleven hundred eighty-b of this chapter, or in accordance with section eleven hundred eighty-d of this chapter or fails to appear on a designated hearing date or subsequent adjourned date or fails after a hearing to comply with the determination of a hearing examiner, as prescribed by this article or by rule or regulation of the bureau, such failure to plead or contest, appear or comply shall be deemed, for all purposes, an admission of liability and shall be grounds for rendering and entering a
default judgment in an amount provided by the rules and regulations of
the bureau. However, after the expiration of the original date
prescribed for entering a plea and before a default judgment may be
rendered, in such case the bureau shall pursuant to the applicable
provisions of law notify such operator or owner, by such form of first
class mail as the commission may direct; (1) of the violation charged,
or liability in accordance with section eleven hundred eleven-a of this
chapter or in accordance with sections eleven hundred eleven-b of this
chapter [as added by sections sixteen of chapters twenty, and twenty-two
of the laws of two thousand nine] or in accordance with section eleven
hundred eleven-d of this chapter or in accordance with section eleven
hundred eleven-e of this chapter or in accordance with section eleven
hundred seventy-four-a of this chapter alleged or liability in accord-
ance with section two thousand nine hundred eighty-five of the public
authorities law or sections sixteen-a, sixteen-b and sixteen-c of chap-
ter seven hundred seventy-four of the laws of nineteen hundred fifty
alleged or liability in accordance with section eleven hundred eleven-c
of this chapter or liability in accordance with section eleven hundred
eighty-b of this chapter alleged, or liability in accordance with
section eleven hundred eighty-d of this chapter alleged, or liability in
accordance with section eleven hundred eighty-e of this chapter alleged.
(2) of the impending default judgment, (3) that such judgment will be
entered in the Civil Court of the city in which the bureau has been
established, or other court of civil jurisdiction or any other place
provided for the entry of civil judgments within the state of New York,
and (4) that a default may be avoided by entering a plea or contesting
an allegation of liability in accordance with section eleven hundred
eleven-a of this chapter or in accordance with sections eleven hundred
eleven-b of this chapter as added by sections sixteen of chapters twen-
ty, and twenty-two of the laws of two thousand nine or in accordance
with section eleven hundred eleven-d of this chapter or in accordance
with section eleven hundred eleven-e of this chapter or in accordance
with section eleven hundred seventy-four-a of this chapter or contesting
an allegation of liability in accordance with section two thousand nine
hundred eighty-five of the public authorities law or sections sixteen-a,
sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
laws of nineteen hundred fifty or contesting an allegation of liability
in accordance with section eleven hundred eleven-c of this chapter or
contesting an allegation of liability in accordance with section eleven
hundred eighty-b of this chapter or contesting an allegation of liabil-
ity in accordance with section eleven hundred eighty-d of this chapter,
or contesting an allegation of liability in accordance with section
eleven hundred eighty-e of this chapter, as appropriate, or making an
appearance within thirty days of the sending of such notice. Pleas
entered and allegations contested within that period shall be in the
manner prescribed in the notice and not subject to additional penalty or
fee. Such notice of impending default judgment shall not be required
prior to the rendering and entry thereof in the case of operators or
owners who are non-residents of the state of New York. In no case shall
a default judgment be rendered or, where required, a notice of impending
default judgment be sent, more than two years after the expiration of
the time prescribed for entering a plea or contesting an allegation.
When a person has demanded a hearing, no fine or penalty shall be
imposed for any reason, prior to the holding of the hearing. If the
hearing examiner shall make a determination on the charges, sustaining
them, he or she shall impose no greater penalty or fine than those upon
which the person was originally charged.
§ 7-a. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
law, as amended by section 7 of chapter 145 of the laws of 2019, are
amended to read as follows:
1. The hearing examiner shall make a determination on the charges,
either sustaining or dismissing them. Where the hearing examiner deter-
mines that the charges have been sustained he or she may examine either
the prior parking violations record or the record of liabilities
incurred in accordance with section eleven hundred eleven-a of this
chapter or in accordance with sections eleven hundred eleven-b of this
chapter [as added by sections sixteen of chapters twenty, and twenty-two
of the laws of two thousand nine] or in accordance with section eleven
hundred eleven-d of this chapter or in accordance with section eleven
hundred eleven-e of this chapter or in accordance with section eleven
hundred seventy-four-a of this chapter or the record of liabilities
incurred in accordance with section two thousand nine hundred eighty-
five of the public authorities law or sections sixteen-a, sixteen-b and
sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
hundred fifty of the person charged, or the record of liabilities
incurred in accordance with section eleven hundred eleven-c of this
chapter, or the record of liabilities incurred in accordance with
section eleven hundred eighty-b of this chapter, or the record of
liabilities incurred in accordance with section eleven hundred eighty-e
of this chapter of the person charged, as applicable prior to rendering
a final determination. Final determinations sustaining or dismissing
charges shall be entered on a final determination roll maintained by the
bureau together with records showing payment and nonpayment of penal-
alties.
2. Where an operator or owner fails to enter a plea to a charge of a
parking violation or contest an allegation of liability in accordance
with section eleven hundred eleven-a of this chapter or in accordance
with sections eleven hundred eleven-b of this chapter [as added by
sections sixteen of chapters twenty, and twenty-two of the laws of two
thousand nine] or in accordance with section eleven hundred eleven-d of
this chapter or in accordance with section eleven hundred eleven-e of
this chapter or in accordance with section eleven hundred seventy-four-a
of this chapter or fails to contest an allegation of liability in
accordance with section two thousand nine hundred eighty-five of the
public authorities law or sections sixteen-a, sixteen-b and sixteen-c of
chapter seven hundred seventy-four of the laws of nineteen
hundred fifty, or fails to contest an allegation of liability in accordance
with section eleven hundred eleven-c of this chapter or fails to contest an
allegation of liability in accordance with section eleven hundred eighty-b of this
chapter, or fails to contest an allegation of liability incurred in accordance with section eleven hundred eighty-e of this chapter, or fails to appear on a designated hearing date or subsequent
adjourned date or fails after a hearing to comply with the determination
of a hearing examiner, as prescribed by this article or by rule or regu-
lation of the bureau, such failure to plead [or] contest, appear or
comply shall be deemed, for all purposes, an admission of liability and
shall be grounds for rendering and entering a default judgment in an
amount provided by the rules and regulations of the bureau. However,
after the expiration of the original date prescribed for entering a plea
and before a default judgment may be rendered, in such case the bureau
shall pursuant to the applicable provisions of law notify such operator
or owner, by such form of first class mail as the commission may direct;
(1) of the violation charged, or liability in accordance with section
eleven hundred eleven-a of this chapter or in accordance with sections
eleven hundred eleven-b of this chapter [as added by sections sixteen of
chapters twenty, and twenty-two of the laws of two thousand nine] or in
accordance with section eleven hundred eleven-d of this chapter or in
accordance with section eleven hundred eleven-e of this chapter or in
accordance with section eleven hundred seventy-four-a of this chapter
alleged or liability in accordance with section two thousand nine
hundred eighty-five of the public authorities law or sections sixteen-a,
sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
laws of nineteen hundred fifty alleged or liability in accordance with
section eleven hundred eighty-a of this chapter or contesting an
allegation of liability in accordance with section eleven
hundred eighty-a of this chapter or contesting an allegation of liability in accordance with
section eleven hundred eighty-b of this chapter, or
liability in accordance with section eleven hundred eighty-e of this chapter alleged, or
(2) of the impending default judgment, (3) that such
judgment will be entered in the Civil Court of the city in which the
bureau has been established, or other court of civil jurisdiction or any
other place provided for the entry of civil judgments within the state
of New York, and (4) that a default may be avoided by entering a plea or
contesting an allegation of liability in accordance with section eleven
hundred eleven-a of this chapter or in accordance with sections eleven
hundred eleven-b of this chapter [as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine] or in
accordance with section eleven hundred eleven-d of this chapter or in
accordance with section eleven hundred seventy-four-a of this chapter or
contesting an allegation of liability in accordance with section eleven
hundred eighty-a of this chapter or contesting an allegation of liability in accordance with section eleven
hundred eighty-b of this chapter, or
contesting an allegation of liability in accordance with section eleven
hundred eighty-e of this chapter, as appropriate, or making an appearance
within thirty days of the sending of such notice. Pleas entered and
allegations contested within that period shall be in the manner
prescribed in the notice and not subject to additional penalty or fee.
Such notice of impending default judgment shall not be required prior to
the rendering and entry thereof in the case of operators or owners who
are non-residents of the state of New York. In no case shall a default
judgment be rendered or, where required, a notice of impending default
judgment be sent, more than two years after the expiration of the time
prescribed for entering a plea or contesting an allegation. When a
person has demanded a hearing, no fine or penalty shall be imposed for
any reason, prior to the holding of the hearing. If the hearing examiner
shall make a determination on the charges, sustaining them, he or she
shall impose no greater penalty or fine than those upon which the person
was originally charged.
§ 7-b. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
law, as separately amended by sections 7-a of chapters 145 and 148 of
the laws of 2019, are amended to read as follows:
1. The hearing examiner shall make a determination on the charges,
either sustaining or dismissing them. Where the hearing examiner deter-
mines that the charges have been sustained he or she may examine either
the prior parking violations record or the record of liabilities incurred in accordance with sections eleven hundred eleven-b of this chapter [as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine] or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred eleven-e of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter of the person charged, or the record of liabilities incurred in accordance with section eleven hundred eleven-c of this chapter, or the record of liabilities incurred in accordance with section eleven hundred eighty-b of this chapter, or the record of liabilities incurred in accordance with section eleven hundred eighty-d of this chapter of the person charged, or the record of liabilities incurred in accordance with section eleven hundred eighty-e of this chapter of the person charged, as applicable prior to rendering a final determination. Final determinations sustaining or dismissing charges shall be entered on a final determination roll maintained by the bureau together with records showing payment and nonpayment of penalties.

2. Where an operator or owner fails to enter a plea to a charge of a parking violation or contest an allegation of liability in accordance with sections eleven hundred eleven-b of this chapter [as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine] or in accordance with section eleven hundred eleven-d of this chapter, or in accordance with section eleven hundred eleven-e of this chapter, or in accordance with section eleven hundred seventy-four-a of this chapter, or fails to contest an allegation of liability in accordance with section eleven hundred eleven-c of this chapter, or fails to contest an allegation of liability incurred in accordance with section eleven hundred eighty-b of this chapter, or fails to contest an allegation of liability incurred in accordance with section eleven hundred eighty-d of this chapter, or fails to contest an allegation of liability incurred in accordance with section eleven hundred eighty-e of this chapter, or fails to appear on a designated hearing date or subsequent adjourned date or fails after a hearing to comply with the determination of a hearing examiner, as prescribed by this article or by rule or regulation of the bureau, such failure to plead, contest, appear or comply shall be deemed, for all purposes, an admission of liability and shall be grounds for rendering and entering a default judgment in an amount provided by the rules and regulations of the bureau. However, after the expiration of the original date prescribed for entering a plea and before a default judgment may be rendered, in such case the bureau shall pursuant to the applicable provisions of law notify such operator or owner, by such form of first class mail as the commission may direct; (1) of the violation charged, or liability in accordance with sections eleven hundred eleven-b of this chapter, [as added by sections sixteen of chapters twenty, and twenty-two of the laws of two thousand nine] or in accordance with section eleven hundred eleven-d of this chapter, or in accordance with section eleven hundred eleven-e of this chapter, or in accordance with section eleven hundred seventy-four-a of this chapter, or liability in accordance with section eleven hundred eighty-b of this chapter alleged, or liability in accordance with section eleven hundred eighty-d of this chapter alleged, or alleged liability in accordance with section eleven hundred eighty-e of this chapter, (2) of the impending default judgment, (3) that such judgment will be entered in the Civil Court of
the city in which the bureau has been established, or other court of
civil jurisdiction or any other place provided for the entry of civil
judgments within the state of New York, and (4) that a default may be
avoided by entering a plea or contesting an allegation of liability in
accordance with sections eleven hundred eleven-b of this chapter [as
added by sections sixteen of chapters twenty, and twenty-two of the laws
of two thousand nine] or in accordance with section eleven hundred
eleven-d of this chapter or in accordance with section eleven hundred
seventy-four-a of this chapter, or contesting an allegation of liability
in accordance with section eleven hundred eleven-c of this chapter or
contesting an allegation of liability in accordance with section eleven
hundred eighty-b of this chapter or contesting an allegation of liabil-
ity in accordance with section eleven hundred eighty-d of this chapter,
or contesting an allegation of liability in accordance with section
eleven hundred eighty-e of this chapter, as appropriate, or making an
appearance within thirty days of the sending of such notice. Pleas
entered and allegations contested within that period shall be in the
manner prescribed in the notice and not subject to additional penalty or
fee. Such notice of impending default judgment shall not be required
prior to the rendering and entry thereof in the case of operators or
owners who are non-residents of the state of New York. In no case shall
a default judgment be rendered or, where required, a notice of impending
default judgment be sent, more than two years after the expiration of
the time prescribed for entering a plea or contesting an allegation.
When a person has demanded a hearing, no fine or penalty shall be
imposed for any reason, prior to the holding of the hearing. If the
hearing examiner shall make a determination on the charges, sustaining
them, he or she shall impose no greater penalty or fine than those upon
which the person was originally charged.

§ 7-c. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
law, as separately amended by sections 7-b of chapters 145 and 148 of
the laws of 2019, are amended to read as follows:
1. The hearing examiner shall make a determination on the charges,
either sustaining or dismissing them. Where the hearing examiner deter-
mines that the charges have been sustained he or she may examine the
prior parking violations record or the record of liabilities incurred in
accordance with section eleven hundred eleven-e of this chapter of the
person charged, or the record of liabilities incurred in accordance with
section eleven hundred seventy-four-a of this chapter of the person
charged, or the record of liabilities incurred in accordance with
section eleven hundred eleven-d of this chapter of the person charged,
or the record of liabilities incurred in accordance with section eleven
hundred eleven-c of this chapter, or the record of liabilities incurred
in accordance with section eleven hundred eighty-b of this chapter, or
the record of liabilities incurred in accordance with section eleven
hundred eighty-d of this chapter of the person charged, or the record of
liabilities incurred in accordance with section eleven hundred eighty-e
of this chapter of the person charged, as applicable, prior to rendering
a final determination. Final determinations sustaining or dismissing
charges shall be entered on a final determination roll maintained by the
bureau together with records showing payment and nonpayment of penal-
ties.
2. Where an operator or owner fails to enter a plea to a charge of a
parking violation or contest an allegation of liability in accordance
with section eleven hundred seventy-four-a of this chapter, or contest
an allegation of liability in accordance with section eleven hundred eleven-e of this chapter, or contest an allegation of liability in accordance with section eleven hundred eleven-d of this chapter, or fails to contest an allegation of liability in accordance with section eleven hundred eighty-b of this chapter, or fails to contest an allegation of liability incurred in accordance with section eleven hundred eighty-d of this chapter, or fails to contest an allegation of liability incurred in accordance with section eleven hundred eighty-e of this chapter, or fails to appear on a designated hearing date or subsequent adjourned date or fails after a hearing to comply with the determination of a hearing examiner, as prescribed by this article or by rule or regulation of the bureau, such failure to plead, appear or comply shall be deemed, for all purposes, an admission of liability and shall be grounds for rendering and entering a default judgment in an amount provided by the rules and regulations of the bureau. However, after the expiration of the original date prescribed for entering a plea and before a default judgment may be rendered, in such case the bureau shall pursuant to the applicable provisions of law notify such operator or owner, by such form of first class mail as the commission may direct; (1) of the violation charged, or liability in accordance with section eleven hundred seventy-four-a of this chapter, or liability in accordance with section eleven hundred eleven-e of this chapter, or liability in accordance with section eleven hundred eleven-d of this chapter, or alleged liability in accordance with section eleven hundred eighty-b of this chapter, or alleged liability in accordance with section eleven hundred eighty-d of this chapter, or alleged liability in accordance with section eleven hundred eighty-e of this chapter alleged, (2) of the impending default judgment, (3) that such judgment will be entered in the Civil Court of the city in which the bureau has been established, or other court of civil jurisdiction or any other place provided for the entry of civil judgments within the state of New York, and (4) that a default may be avoided by entering a plea or contesting an allegation of liability in accordance with section eleven hundred seventy-four-a of this chapter or contesting an allegation of liability in accordance with section eleven hundred eleven-e of this chapter or contesting an allegation of liability in accordance with section eleven hundred eighty-b of this chapter or contesting an allegation of liability in accordance with section eleven hundred eighty-d of this chapter or contesting an allegation of liability in accordance with section eleven hundred eighty-e of this chapter or contesting an allegation of liability in accordance with section eleven hundred eighteen-c of this chapter or contesting an allegation of liability incurred in accordance with section eleven hundred eighty-c of this chapter or making an appearance within thirty days of the sending of such notice. Pleas entered and allegations contested within that period shall be in the manner prescribed in the notice and not subject to additional penalty or fee. Such notice of impending default judgment shall not be required prior to the rendering and entry thereof in the case of operators or owners who are non-residents of the state of New York. In no case shall a default judgment be rendered or, where required, a notice of impending default judgment be sent, more than two years after the expiration of the time prescribed for entering a plea or contesting an allegation. When a person has demanded a hearing, no fine or penalty shall be imposed for any reason, prior to the holding of the
hearing. If the hearing examiner shall make a determination on the
charges, sustaining them, he or she shall impose no greater penalty or
fine than those upon which the person was originally charged.

§ 7-d. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
law, as separately amended by sections 7-c of chapters 145 and 148 of
the laws of 2019, are amended to read as follows:
1. The hearing examiner shall make a determination on the charges,
either sustaining or dismissing them. Where the hearing examiner deter-
moves that the charges have been sustained he or she may examine either
the prior parking violations record or the record of liabilities
incurred in accordance with section eleven hundred eleven-d of this
chapter of the person charged, or the record of liabilities incurred in
accordance with section eleven hundred seventy-four-a of this chapter of
the person charged, or the record of liabilities incurred in accordance
with section eleven hundred eleven-e of this chapter of the person
charged or the record of liabilities incurred in accordance with section
eleven hundred eighty-b of this chapter, or the record of liabilities
incurred in accordance with section eleven hundred eighty-d of this
chapter of the person charged, or the record of liabilities incurred in accordance
with section eleven hundred eighty-e of this chapter of the
person charged, as applicable, prior to rendering a final determination.
Final determinations sustaining or dismissing charges shall be entered
on a final determination roll maintained by the bureau together with
records showing payment and nonpayment of penalties.
2. Where an operator or owner fails to enter a plea to a charge of a
parking violation or contest an allegation of liability in accordance
with section eleven hundred seventy-four-a of this chapter, or contest
an allegation of liability in accordance with section eleven hundred
eleven-e of this chapter or contest an allegation of liability in
accordance with section eleven hundred eleven-d of this chapter or fails
to contest an allegation of liability incurred in accordance with
section eleven hundred eighty-b of this chapter or fails to contest an
allegation of liability incurred in accordance with section eleven
hundred eighty-d of this chapter or fails to contest an
allegation of liability incurred in accordance with section eleven
hundred eighty-e of this chapter or fails to contest an allegation of
liability incurred in accordance with section eleven
hundred seventy-four-a of this chapter or liability in accordance
with section eleven hundred eleven-e of this chapter or liability in
accordance with section eleven hundred eleven-d of this chapter or
liability in accordance with section eleven hundred eighty-b of this
chapter alleged, or liability in accordance with section eleven hundred
eighty-d of this chapter alleged, or liability in accordance with
section eleven hundred eighty-e of this chapter alleged, (2) of the
impending default judgment, (3) that such judgment will be entered in
the Civil Court of the city in which the bureau has been established, or
other court of civil jurisdiction or any other place provided for the
entry of civil judgments within the state of New York, and (4) that a
default may be avoided by entering a plea or contesting an allegation of
liability in accordance with section eleven hundred seventy-four-a of
this chapter or contesting an allegation of liability in accordance with
section eleven hundred eleven-e of this chapter or contesting an allega-
tion of liability in accordance with section eleven hundred eleven-d of
this chapter or contesting an allegation of liability in accordance with
section eleven hundred eighty-b of this chapter or contesting an allega-
tion of liability in accordance with section eleven hundred eighty-d of
this chapter or contesting an allegation of liability in accordance with
section eleven hundred eighty-e of this chapter or making an appearance
within thirty days of the sending of such notice. Pleas entered and
allegations contested within that period shall be in the manner
prescribed in the notice and not subject to additional penalty or fee.
Such notice of impending default judgment shall not be required prior to
the rendering and entry thereof in the case of operators or owners who
are non-residents of the state of New York. In no case shall a default
judgment be rendered or, where required, a notice of impending default
judgment be sent, more than two years after the expiration of the time
prescribed for entering a plea or contesting an allegation. When a
person has demanded a hearing, no fine or penalty shall be imposed for
any reason, prior to the holding of the hearing. If the hearing examiner
shall make a determination on the charges, sustaining them, he or she
shall impose no greater penalty or fine than those upon which the person
was originally charged.
§ 7-e. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
law, as separately amended by sections 7-d of chapters 145 and 148 of
the laws of 2019, are amended to read as follows:
1. The hearing examiner shall make a determination on the charges,
either sustaining or dismissing them. Where the hearing examiner deter-
mines that the charges have been sustained he or she may examine either
the prior parking violations record or the record of liabilities
incurred in accordance with section eleven hundred seventy-four-a of
this chapter of the person charged or the record of liabilities incurred
in accordance with section eleven hundred eleven-e of this chapter of
the person charged or the record of liabilities incurred in accordance
with section eleven hundred eleven-d of this chapter of the person
charged or the record of liabilities incurred in accordance with section
eleven hundred eighty-d of this chapter of the person charged, or the
record of liabilities incurred in accordance with section eleven hundred
eighty-e of this chapter of the person charged, as applicable, prior to
rendering a final determination. Final determinations sustaining or
dismissing charges shall be entered on a final determination roll main-
tained by the bureau together with records showing payment and nonpay-
ment of penalties.
2. Where an operator or owner fails to enter a plea to a charge of a
parking violation or contest an allegation of liability in accordance
with section eleven hundred seventy-four-a of this chapter, or contest
an allegation of liability in accordance with section eleven hundred
eleven-e of this chapter or contest an allegation of liability in
accordance with section eleven hundred eleven-d of this chapter or
contest an allegation of liability incurred in accordance with section
eleven hundred eighty-d of this chapter or contest an allegation of liability incurred in accordance with section
eleven hundred eighty-e of this chapter or fails to appear on a designated hearing date or subse-
quent adjourned date or fails after a hearing to comply with the deter-
mination of a hearing examiner, as prescribed by this article or by rule
or regulation of the bureau, such failure to plead, contest, appear or
comply shall be deemed, for all purposes, an admission of liability and
shall be grounds for rendering and entering a default judgment in an
amount provided by the rules and regulations of the bureau. However,
after the expiration of the original date prescribed for entering a plea
and before a default judgment may be rendered, in such case the bureau
shall pursuant to the applicable provisions of law notify such operator
or owner, by such form of first class mail as the commission may direct;
(1) of the violation charged or liability in accordance with section
eleven hundred seventy-four-a of this chapter or liability in accordance
with section eleven hundred eleven-e of this chapter alleged or liabil-
ity in accordance with section eleven hundred eleven-d of this chapter
alleged or liability in accordance with section eleven hundred eighty-d
of this chapter alleged or liability in accordance with section eleven
hundred eighty-e of this chapter alleged, (2) of the impending default
judgment, (3) that such judgment will be entered in the Civil Court of
the city in which the bureau has been established, or other court of
civil jurisdiction or any other place provided for the entry of civil
judgments within the state of New York, and (4) that a default may be
avoided by entering a plea or contesting an allegation of liability in
accordance with section eleven hundred seventy-four-a of this chapter or
contesting an allegation of liability in accordance with section eleven
hundred eleven-e of this chapter or contesting an allegation of liabil-
ity in accordance with section eleven hundred eleven-d of this chapter
or contesting an allegation of liability in accordance with section
eleven hundred eighty-d of this chapter or contesting an allegation of
liability in accordance with section eleven hundred eighty-e of this
chapter or making an appearance within thirty days of the sending of
such notice. Pleas entered and allegations contested within that period
shall be in the manner prescribed in the notice and not subject to addi-
tional penalty or fee. Such notice of impending default judgment shall
not be required prior to the rendering and entry thereof in the case of
operators or owners who are non-residents of the state of New York. In
no case shall a default judgment be rendered or, where required, a
notice of impending default judgment be sent, more than two years after
the expiration of the time prescribed for entering a plea or contesting
an allegation. When a person has demanded a hearing, no fine or penalty
shall be imposed for any reason, prior to the holding of the hearing. If
the hearing examiner shall make a determination on the charges, sustain-
ing them, he or she shall impose no greater penalty or fine than those
upon which the person was originally charged.
§ 7-f. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
law, as separately amended by sections 7-e of chapters 145 and 148 of
the laws of 2019, are amended to read as follows:
1. The hearing examiner shall make a determination on the charges,
either sustaining or dismissing them. Where the hearing examiner deter-
mines that the charges have been sustained he or she may examine the
prior parking violations record or the record of liabilities incurred in
accordance with section eleven hundred eleven-e of this chapter of the
person charged or the record of liabilities incurred in accordance with
section eleven hundred eighty-d of this chapter or the record of liabilities incurred in accordance with
section eleven hundred eighty-e of this chapter of the person charged, as applicable, prior to rendering a
final determination or the record of liabilities incurred in accordance
with section eleven hundred seventy-four-a of this chapter of the person charged, as applicable, prior to rendering a final determination. Final determinations sustaining or dismissing charges shall be entered on a final determination roll maintained by the bureau together with records showing payment and nonpayment of penalties.

2. Where an operator or owner fails to enter a plea to a charge of a parking violation or contest an allegation of liability in accordance with section eleven hundred seventy-four-a of this chapter, or contest an allegation of liability in accordance with section eleven hundred eleven-e of this chapter or contest an allegation of liability incurred in accordance with section eleven hundred eighty-d of this chapter or contest an allegation of liability incurred in accordance with section eleven hundred eighty-e of this chapter or fails to appear on a designated hearing date or subsequent adjourned date or fails after a hearing to comply with the determination of a hearing examiner, as prescribed by this article or by rule or regulation of the bureau, such failure to plead, contest, appear or comply shall be deemed, for all purposes, an admission of liability and shall be grounds for rendering and entering a default judgment in an amount provided by the rules and regulations of the bureau. However, after the expiration of the original date prescribed for entering a plea and before a default judgment may be rendered, in such case the bureau shall pursuant to the applicable provisions of law notify such operator or owner, by such form of first class mail as the commission may direct; (1) of the violation charged or liability in accordance with section eleven hundred eleven-e of this chapter alleged or liability in accordance with section eleven hundred seventy-four-a of this chapter or liability in accordance with section eleven hundred eighty-d of this chapter alleged or liability in accordance with section eleven hundred eighty-e of this chapter alleged, (2) of the impending default judgment, (3) that such judgment will be entered in the Civil Court of the city in which the bureau has been established, or other court of civil jurisdiction or any other place provided for the entry of civil judgments within the state of New York, and (4) that a default may be avoided by entering a plea or contesting an allegation of liability in accordance with section eleven hundred eleven-e of this chapter or contesting an allegation of liability in accordance with section eleven hundred seventy-four-a of this chapter or contesting an allegation of liability in accordance with section eleven hundred eighty-d of this chapter or contesting an allegation of liability in accordance with section eleven hundred eighty-e of this chapter or making an appearance within thirty days of the sending of such notice. Pleas entered and allegations contested within that period shall be in the manner prescribed in the notice and not subject to additional penalty or fee. Such notice of impending default judgment shall not be required prior to the rendering and entry thereof in the case of operators or owners who are non-residents of the state of New York. In no case shall a default judgment be rendered or, where required, a notice of impending default judgment be sent, more than two years after the expiration of the time prescribed for entering a plea or contesting an allegation. When a person has demanded a hearing, no fine or penalty shall be imposed for any reason, prior to the holding of the hearing. If the hearing examiner shall make a determination on the charges, sustaining them, he or she shall impose no greater penalty or fine than those upon which the person was originally charged.
§ 7-g. Subdivisions 1 and 2 of section 241 of the vehicle and traffic law, as separately amended by sections 7-f of chapters 145 and 148 of the laws of 2019, are amended to read as follows:

1. The hearing examiner shall make a determination on the charges, either sustaining or dismissing them. Where the hearing examiner determines that the charges have been sustained he or she may examine the prior parking violations record or the record of liabilities incurred in accordance with section eleven hundred seventy-four-a of this chapter or the record of liabilities incurred in accordance with section eleven hundred eighty-d of this chapter or the record of liabilities incurred in accordance with section eleven hundred eighty-e of this chapter of the person charged, as applicable, prior to rendering a final determination. Final determinations sustaining or dismissing charges shall be entered on a final determination roll maintained by the bureau together with records showing payment and nonpayment of penalties.

2. Where an operator or owner fails to enter a plea to a charge of a parking violation or contest an allegation of liability in accordance with section eleven hundred seventy-four-a of this chapter, or contest an allegation of liability incurred in accordance with section eleven hundred eighty-d of this chapter or contest an allegation of liability incurred in accordance with section eleven hundred eighty-e of this chapter or fails to appear on a designated hearing date or subsequent adjourned date or fails after a hearing to comply with the determination of a hearing examiner, as prescribed by this article or by rule or regulation of the bureau, such failure to plead, appear or comply shall be deemed, for all purposes, an admission of liability and shall be grounds for rendering and entering a default judgment in an amount provided by the rules and regulations of the bureau. However, after the expiration of the original date prescribed for entering a plea and before a default judgment may be rendered, in such case the bureau shall pursuant to the applicable provisions of law notify such operator or owner, by such form of first class mail as the commission may direct; (1) of the violation charged or liability in accordance with section eleven hundred eighty-d of this chapter or liability in accordance with section eleven hundred eighty-e of this chapter alleged, (2) of the impending default judgment, (3) that such judgment will be entered in the Civil Court of the city in which the bureau has been established, or other court of civil jurisdiction or any other place provided for the entry of civil judgments within the state of New York, and (4) that a default may be avoided by entering a plea or contesting an allegation of liability in accordance with section eleven hundred eighty-d of this chapter or contesting an allegation of liability in accordance with section eleven hundred eighty-e of this chapter or making an appearance within thirty days of the sending of such notice. Pleas entered and allegations contested within that period shall be in the manner prescribed in the notice and not subject to additional penalty or fee. Such notice of impending default judgment shall not be required prior to the rendering and entry thereof in the case of operators or owners who are non-residents of the state of New York. In no case shall a default judgment be rendered or, where required, a notice of impending default judgment be sent, more than two years after the expiration of the time prescribed for entering a plea or contesting an allegation. When a person has demanded a hearing, no fine or penalty shall be imposed for any reason, prior to the holding of the hearing. If the hearing examiner shall make a determination on the charges, sustain-
§ 7-h. Subdivision 1 of section 241 of the vehicle and traffic law, as added by chapter 715 of the laws of 1972, is amended to read as follows:

1. The hearing examiner shall make a determination on the charges, either sustaining or dismissing them. Where the hearing examiner determines that the charges have been sustained he or she may examine either the prior parking violations record or the record of liabilities incurred in accordance with section eleven hundred eighty-e of this chapter of the person charged, as applicable, prior to rendering a final determination. Final determinations sustaining or dismissing charges shall be entered on a final determination roll maintained by the bureau together with records showing payment and nonpayment of penalties.

§ 7-i. Subdivision 2 of section 241 of the vehicle and traffic law, as amended by chapter 365 of the laws of 1978, is amended to read as follows:

2. Where an operator or owner fails to enter a plea to a charge of a parking violation or contest an allegation of liability incurred in accordance with section eleven hundred eighty-e of this chapter or fails to appear on a designated hearing date or subsequent adjourned date or fails after a hearing to comply with the determination of a hearing examiner, as prescribed by this article or by rule or regulation of the bureau, such failure to plead, contest, appear or comply shall be deemed, for all purposes, an admission of liability and shall be grounds for rendering and entering a default judgment in an amount provided by the rules and regulations of the bureau. However, after the expiration of the original date prescribed for entering a plea or contesting an allegation and before a default judgment may be rendered, in such case the bureau shall pursuant to the applicable provisions of law notify such operator or owner, by such form of first class mail as the commission may direct; (1) of the violation charged, or liability in accordance with section eleven hundred eighty-e of this chapter alleged, (2) of the impending default judgment, (3) that such judgment will be entered in the Civil Court of the city in which the bureau has been established, or other court of civil jurisdiction or any other place provided for the entry of civil judgments within the state of New York, and (4) that a default may be avoided by entering a plea or contesting an allegation of liability in accordance with section eleven hundred eighty-e of this chapter or making an appearance within thirty days of the sending of such notice. Pleas entered and allegations contested within that period shall be in the manner prescribed in the notice and not subject to additional penalty or fee. Such notice of impending default judgment shall not be required prior to the rendering and entry thereof in the case of operators or owners who are non-residents of the state of New York. In no case shall a default judgment be rendered or, where required, a notice of impending default judgment be sent, more than two years after the expiration of the time prescribed for entering a plea or contesting an allegation. When a person has demanded a hearing, no fine or penalty shall be imposed for any reason, prior to the holding of the hearing. If the hearing examiner shall make a determination on the charges, sustaining them, he or she shall impose no greater penalty or fine than those upon which the person was originally charged.

§ 8. The vehicle and traffic law is amended by adding a new section 1180-e to read as follows:
§ 1180-e. Owner liability for failure of operator to comply with certain posted maximum speed limits. (a) 1. Notwithstanding any other provision of law, the commissioner of transportation is hereby authorized to establish a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with posted maximum speed limits in a highway construction or maintenance work area when highway construction or maintenance work is occurring and located on an interstate or auxiliary interstate highway under the commissioner's jurisdiction (i) when a work area speed limit is in effect as provided in paragraph two of subdivision (d) or subdivision (f) of section eleven hundred eighty of this article or (ii) when other speed limits are in effect as provided in subdivision (b) or (g) or paragraph one of subdivision (d) of section eleven hundred eighty of this article. Such demonstration program shall empower the commissioner to install photo speed violation monitoring systems within no more than fifteen highway construction or maintenance work areas located on interstate or auxiliary interstate highways under the commissioner's jurisdiction and to operate such systems when highway construction or maintenance work is occurring and within such work areas (iii) when a work area speed limit is in effect as provided in paragraph two of subdivision (d) or subdivision (f) of section eleven hundred eighty of this article or (iv) when other speed limits are in effect as provided in subdivision (b) or (g) or paragraph one of subdivision (d) of section eleven hundred eighty of this article. The commissioner, in consultation with the superintendent of the division of state police, shall determine the location of the highway construction or maintenance work areas located on an interstate or auxiliary interstate highway under the jurisdiction of the commissioner in which to install and operate photo speed violation monitoring systems. In selecting a highway construction or maintenance work area in which to install and operate a photo speed violation monitoring system, the commissioner shall consider criteria including, but not limited to, the speed data, crash history, and roadway geometry applicable to such highway construction or maintenance work area. A photo speed violation monitoring system shall not be installed or operated on an interstate or auxiliary interstate highway exit ramp.

2. Notwithstanding any other provision of law, after holding a public hearing in accordance with the public officers law and subsequent approval by a majority of the members of the entire board the chair of the thruway authority is hereby authorized to establish a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with posted maximum speed limits in a highway construction or maintenance work area when highway construction or maintenance work is occurring and located on the thruway (i) when a work area speed limit is in effect as provided in paragraph two of subdivision (d) or subdivision (f) of section eleven hundred eighty of this article or (ii) when other speed limits are in effect as provided in subdivision (b) or (g) or paragraph one of subdivision (d) of section eleven hundred eighty of this article. Such demonstration program shall empower the chair to install photo speed violation monitoring systems within no more than five highway construction or maintenance work areas located on the thruway and to operate such systems when highway construction or maintenance work is occurring and within such work areas (iii) when a work area speed limit is in effect as provided in paragraph two of subdivision (d) or subdivision (f) of section eleven hundred eighty of this article or (iv) when other speed limits are in effect as provided in subdivision (b) or (g) or paragraph one of subdivision (d) of section eleven hundred eighty of this article.
vision (d) of section eleven hundred eighty of this article. The chair, in consultation with the superintendent of the division of state police, shall determine the location of the highway construction or maintenance work areas located on the thruway in which to install and operate photo speed violation monitoring systems. In selecting a highway construction or maintenance work area in which to install and operate a photo speed violation monitoring system, the chair shall consider criteria including, but not limited to, the speed data, crash history, and roadway geometry applicable to such highway construction or maintenance work area. A photo speed violation monitoring system shall not be installed or operated on a thruway exit ramp.

3. No photo speed violation monitoring system shall be used in a highway construction or maintenance work area unless (i) on the day it is to be used it has successfully passed a self-test of its functions; and (ii) it has undergone an annual calibration check performed pursuant to paragraph five of this subdivision. The commissioner or chair, as applicable, shall install signs giving notice that a photo speed violation monitoring system is in use, in conformance with standards established in the MUTCD.

4. Operators of photo speed violation monitoring systems shall have completed training in the procedures for setting up, testing, and operating such systems. Each such operator shall complete and sign a daily set-up log for each such system that he or she operates that (i) states the date and time when, and the location where, the system was set up that day, and (ii) states that such operator successfully performed, and the system passed, the self-tests of such system before producing a recorded image that day. The commissioner or the chair, as applicable, shall retain each such daily log until the later of the date on which the photo speed violation monitoring system to which it applies has been permanently removed from use or the final resolution of all cases involving notices of liability issued based on photographs, microphotographs, video or other recorded images produced by such system.

5. Each photo speed violation monitoring system shall undergo an annual calibration check performed by an independent calibration laboratory which shall issue a signed certificate of calibration. The commissioner or the chair, as applicable, shall keep each such annual certificate of calibration on file until the final resolution of all cases involving notices of liability issued during such year which were based on photographs, microphotographs, videotape or other recorded images produced by such photo speed violation monitoring system.

6. (i) Such demonstration program shall utilize necessary technologies to ensure, to the extent practicable, that photographs, microphotographs, videotape or other recorded images produced by such photo speed violation monitoring systems shall not include images that identify the driver, the passengers, or the contents of the vehicle. Provided, however, that no notice of liability issued pursuant to this section shall be dismissed solely because such a photograph, microphotograph, videotape or other recorded image allows for the identification of the driver, the passengers, or the contents of vehicles where the commissioner or the chair, as applicable, shows that they made reasonable efforts to comply with the provisions of this paragraph in such case.

(ii) Photographs, microphotographs, videotape or any other recorded image from a photo speed violation monitoring system shall be for the exclusive use of the commissioner or the chair, as applicable, for the purpose of the adjudication of liability imposed pursuant to this section and of the owner receiving a notice of liability pursuant to
this section, and shall be destroyed by the commissioner or chair, as applicable, upon the final resolution of the notice of liability to which such photographs, microphotographs, videotape or other recorded images relate, or one year following the date of issuance of such notice of liability, whichever is later. Notwithstanding the provisions of any other law, rule or regulation to the contrary, photographs, microphotographs, videotape or any other recorded image from a photo speed violation monitoring system shall not be open to the public, nor subject to civil or criminal process or discovery, nor used by any court or administrative or adjudicatory body in any action or proceeding therein except that which is necessary for the adjudication of a notice of liability issued pursuant to this section, and no public entity or employee, officer or agent thereof shall disclose such information, except that such photographs, microphotographs, videotape or any other recorded images from such systems:

(A) shall be available for inspection and copying and use by the motor vehicle owner and operator for so long as such photographs, microphotographs, videotape or other recorded images are required to be maintained or are maintained by such public entity, employee, officer or agent; and

(B) (1) shall be furnished when described in a search warrant issued by a court authorized to issue such a search warrant pursuant to article six hundred ninety of the criminal procedure law or a federal court authorized to issue such a search warrant under federal law, where such search warrant states that there is reasonable cause to believe such information constitutes evidence of, or tends to demonstrate that, a misdemeanor or felony offense was committed in this state or another state, or that a particular person participated in the commission of a misdemeanor or felony offense in this state or another state, provided, however, that if such offense was against the laws of another state, the court shall only issue a warrant if the conduct comprising such offense would, if occurring in this state, constitute a misdemeanor or felony against the laws of this state; and

(2) shall be furnished in response to a subpoena duces tecum signed by a judge of competent jurisdiction and issued pursuant to article six hundred ten of the criminal procedure law or a judge or magistrate of a federal court authorized to issue such a subpoena duces tecum under federal law, where the judge finds and the subpoena states that there is reasonable cause to believe such information is relevant and material to the prosecution, or the defense, or the investigation by an authorized law enforcement official, of the alleged commission of a misdemeanor or felony in this state or another state, provided, however, that if such offense was against the laws of another state, such judge or magistrate shall only issue such subpoena if the conduct comprising such offense would, if occurring in this state, constitute a misdemeanor or felony in this state; and

(3) may, if lawfully obtained pursuant to this clause and clause (A) of this subparagraph and otherwise admissible, be used in such criminal action or proceeding.

(b) If the commissioner or chair establishes a demonstration program pursuant to subdivision (a) of this section, the owner of a vehicle shall be liable for a penalty imposed pursuant to this section if such vehicle was used or operated with the permission of the owner, express or implied, within a highway construction or maintenance work area located on a controlled-access highway under the jurisdiction of the commissioner or on the thruway in violation of paragraph two of subdivision (d) or subdivision (f), or when other speed limits are in effect in
violation of subdivision (b) or (g) or paragraph one of subdivision (d),
of section eleven hundred eighty of this article, such vehicle was trav-eling at a speed of more than ten miles per hour above the posted speed
limit in effect within such highway construction or maintenance work
area, and such violation is evidenced by information obtained from a
photo speed violation monitoring system; provided however that no owner
of a vehicle shall be liable for a penalty imposed pursuant to this
section where the operator of such vehicle has been convicted of the
underlying violation of subdivision (b), (d), (f) or (g) of section
eleven hundred eighty of this article.

(c) For purposes of this section, the following terms shall have the
following meanings:
1. "chair" shall mean the chair of the New York state thruway authori-
ty;
2. "commissioner" shall mean the commissioner of transportation;
3. "manual on uniform traffic control devices" or "MUTCD" shall mean
the manual and specifications for a uniform system of traffic control
devices maintained by the commissioner of transportation pursuant to
section sixteen hundred eighty of this chapter;
4. "owner" shall have the meaning provided in article two-B of this
chapter;
5. "photo speed violation monitoring system" shall mean a vehicle
sensor installed to work in conjunction with a speed measuring device
which automatically produces two or more photographs, two or more micro-
photographs, a videotape or other recorded images of each vehicle at the
time it is used or operated in a highway construction or maintenance
work area located on a controlled-access highway under the jurisdiction
of the commissioner or on the thruway in violation of subdivision (b),
(d), (f) or (g) of section eleven hundred eighty of this article in
accordance with the provisions of this section;
6. "thruway authority" shall mean the New York state thruway authori-
ty, a body corporate and politic constituting a public corporation
created and constituted pursuant to title nine of article two of the
public authorities law; and
7. "thruway" shall mean generally a divided highway under the juris-
diction of the thruway authority for mixed traffic with access limited
as the authority may determine and generally with grade separations at
intersections.

(d) A certificate, sworn to or affirmed by a technician employed by
the commissioner or chair as applicable, or a facsimile thereof, based
upon inspection of photographs, microphotographs, videotape or other
recorded images produced by a photo speed violation monitoring system,
shall be prima facie evidence of the facts contained therein. Any photo-
graphs, microphotographs, videotape or other recorded images evidencing
such a violation shall include at least two date and time stamped images
of the rear of the motor vehicle that include the same stationary object
near the motor vehicle and shall be available for inspection reasonably
in advance of and at any proceeding to adjudicate the liability for such
violation pursuant to this section.

(e) An owner liable for a violation of subdivision (b), (d), (f) or
(g) of section eleven hundred eighty of this article pursuant to a
demonstration program established pursuant to this section shall be
liable for monetary penalties not to exceed fifty dollars for a first
violation, seventy-five dollars for a second violation committed within
a period of eighteen months, and one hundred dollars for a third or
subsequent violation committed within eighteen months of the previous
violations; provided, however, that an additional penalty not in excess of twenty-five dollars for each violation may be imposed for the failure to respond to a notice of liability within the prescribed time period.

(f) An imposition of liability under the demonstration program established pursuant to this section shall not be deemed a conviction as an operator and shall not be made part of the operating record of the person upon whom such liability is imposed nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.

(g) 1. A notice of liability shall be sent by first class mail to each person alleged to be liable as an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article pursuant to this section, within fourteen business days if such owner is a resident of this state and within forty-five business days if such owner is a non-resident. Personal delivery on the owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the facts contained therein.

2. A notice of liability shall contain the name and address of the person alleged to be liable as an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article pursuant to this section, the registration number of the vehicle involved in such violation, the location where such violation took place, the date and time of such violation, the identification number of the camera which recorded the violation or other document locator number, at least two date and time stamped images of the rear of the motor vehicle that include the same stationary object near the motor vehicle, and the certificate charging the liability.

3. The notice of liability shall contain information advising the person charged of the manner and the time in which he or she may contest the liability alleged in the notice. Such notice of liability shall also contain a prominent warning to advise the person charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.

4. The notice of liability shall be prepared and mailed by the commissioner or chair as applicable, or by any other entity authorized by the commissioner or chair to prepare and mail such notice of liability.

(h) Adjudication of the liability imposed upon owners of this section shall be by a traffic violations bureau established pursuant to section three hundred seventy of the general municipal law where the violation occurred or, if there be none, by the court having jurisdiction over traffic infractions where the violation occurred, except that if a city has established an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations such city may, by local law, authorize such adjudication by such tribunal.

(i) If an owner receives a notice of liability pursuant to this section for any time period during which the vehicle or the number plate or plates of such vehicle was reported to the police department as having been stolen, it shall be a valid defense to an allegation of liability for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article pursuant to this section that the vehicle or the number plate or plates of such vehicle had been reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. For purposes of asserting the defense provided by this subdivision, it shall be sufficient that a certified copy of the police report on the stolen vehicle or number plate or
(j) 1. Where the adjudication of liability imposed upon owners pursuant to this section is by a traffic violations bureau or a court having jurisdiction, an owner who is a lessor of a vehicle to which a notice of liability was issued pursuant to subdivision (g) of this section shall not be liable for the violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article pursuant to this section, provided that he or she sends to the traffic violations bureau or court having jurisdiction a copy of the rental, lease or other such contract document covering such vehicle on the date of the violation, with the name and address of the lessee clearly legible, within thirty-seven days after receiving notice from the bureau or court of the date and time of such violation, together with the other information contained in the original notice of liability. Failure to send such information within such thirty-seven day time period shall render the owner liable for the penalty prescribed by this section. Where the lessor complies with the provisions of this paragraph, the lessee of such vehicle on the date of such violation shall be deemed to be the owner of such vehicle for purposes of this section, shall be subject to liability for the violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article pursuant to this section and shall be sent a notice of liability pursuant to subdivision (g) of this section.

2. (i) In a city which, by local law, has authorized the adjudication of liability imposed upon owners by this section by a parking violations bureau, an owner who is a lessor of a vehicle to which a notice of liability was issued pursuant to subdivision (g) of this section shall not be liable for the violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article pursuant to this section, provided that:

(A) prior to the violation, the lessor has filed with the bureau in accordance with the provisions of section two hundred thirty-nine of this chapter; and

(B) within thirty-seven days after receiving notice from the bureau of the date and time of a liability, together with the other information contained in the original notice of liability, the lessor submits to the bureau the correct name and address of the lessee of the vehicle identified in the notice of liability at the time of such violation, together with such other additional information contained in the rental, lease or other contract document, as may be reasonably required by the bureau pursuant to regulations that may be promulgated for such purpose.

(ii) Failure to comply with clause (B) of subparagraph (i) of this paragraph shall render the owner liable for the penalty prescribed in this section.

(iii) Where the lessor complies with the provisions of this paragraph, the lessee of such vehicle on the date of such violation shall be deemed to be the owner of such vehicle for purposes of this section, shall be subject to liability for such violation pursuant to this section and shall be sent a notice of liability pursuant to subdivision (g) of this section.

(k) 1. If the owner liable for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article pursuant to this section was not the operator of the vehicle at the time of the violation, the owner may maintain an action for indemnification against the operator.
2. Notwithstanding any other provision of this section, no owner of a vehicle shall be subject to a monetary fine imposed pursuant to this section if the operator of such vehicle was operating such vehicle without the consent of the owner at the time such operator operated such vehicle in violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article. For purposes of this subdivision there shall be a presumption that the operator of such vehicle was operating such vehicle with the consent of the owner at the time such operator operated such vehicle in violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article.

(l) Nothing in this section shall be construed to limit the liability of an operator of a vehicle for any violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article.

(m) If the commissioner or chair adopts a demonstration program pursuant to subdivision (a) of this section the commissioner or chair, as applicable, shall conduct a study and submit a report on the results of the use of photo devices to the governor, the temporary president of the senate and the speaker of the assembly on or before June first, two thousand twenty-one and on the same date in each succeeding year in which the demonstration program is operable. The commissioner or chair shall also make such reports available on their public-facing websites, provided that they may provide aggregate data from paragraph one of this subdivision if the commissioner or chair finds that providing specific location data would jeopardize public safety. Such report shall include:

1. the locations where and dates when photo speed violation monitoring systems were used;
2. the aggregate number, type and severity of crashes, fatalities, injuries and property damage reported within all highway construction or maintenance work areas on controlled-access highways under the jurisdiction of the commissioner or on the thruway, to the extent the information is maintained by the commissioner, chair or the department of motor vehicles of this state;
3. the aggregate number, type and severity of crashes, fatalities, injuries and property damage reported within highway construction or maintenance work areas where photo speed violation monitoring systems were used, to the extent the information is maintained by the commissioner, chair or the department of motor vehicles of this state;
4. the number of violations recorded within all highway construction or maintenance work areas on controlled-access highways under the jurisdiction of the commissioner or on the thruway, in the aggregate on a daily, weekly and monthly basis to the extent the information is maintained by the commissioner, chair or the department of motor vehicles of this state;
5. the number of violations recorded within each highway construction or maintenance work area where a photo speed violation monitoring system is used, in the aggregate on a daily, weekly and monthly basis;
6. to the extent the information is maintained by the commissioner, chair or the department of motor vehicles of this state, the number of violations recorded within all highway construction or maintenance work areas on controlled-access highways under the jurisdiction of the commissioner or on the thruway that were:
   (i) more than ten but not more than twenty miles per hour over the posted speed limit;
   (ii) more than twenty but not more than thirty miles per hour over the posted speed limit;
(iii) more than thirty but not more than forty miles per hour over the posted speed limit; and

(iv) more than forty miles per hour over the posted speed limit;

7. the number of violations recorded within each highway construction or maintenance work area where a photo speed violation monitoring system is used that were:

(i) more than ten but not more than twenty miles per hour over the posted speed limit;

(ii) more than twenty but not more than thirty miles per hour over the posted speed limit;

(iii) more than thirty but not more than forty miles per hour over the posted speed limit; and

(iv) more than forty miles per hour over the posted speed limit;

8. the total number of notices of liability issued for violations recorded by such systems;

9. the number of fines and total amount of fines paid after the first notice of liability issued for violations recorded by such systems, to the extent the information is maintained by the commissioner, chair or the department of motor vehicles of this state;

10. the number of violations adjudicated and the results of such adjudications including breakdowns of dispositions made for violations recorded by such systems, to the extent the information is maintained by the commissioner, chair or the department of motor vehicles of this state;

11. the total amount of revenue realized by the state or thruway authority in connection with the program;

12. the expenses incurred by the state or the thruway authority in connection with the program;

13. an itemized list of expenditures made by the state and the thruway authority on work zone safety projects in accordance with subdivisions eleven and twelve of section eighteen hundred three of this chapter; and

14. the quality of the adjudication process and its results, to the extent the information is maintained by the commissioner, chair or the department of motor vehicles of this state.

(n) It shall be a defense to any prosecution for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article pursuant to this section that such photo speed violation monitoring system was malfunctioning at the time of the alleged violation.

§ 9. The opening paragraph and paragraph (c) of subdivision 1 of section 1809 of the vehicle and traffic law, as separately amended by section 10 of chapter 145 and section 9 of chapter 148 of the laws of 2019, are amended to read as follows:

Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for an offense under this chapter or a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, other than a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-b of this chapter, or other than an adjudication in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section, or other than an
adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with the following schedule:

(c) Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for an offense under this chapter other than a crime pursuant to section eleven hundred ninety-two of this chapter, or a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, other than a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of toll collection regulations pursuant to article nine of this chapter or other than an adjudication of liability of an owner for a violation of toll collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty or other than an adjudication in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred
eighty-d of this chapter, or other than an adjudication of liability of
an owner for a violation of subdivision (b), (d), (f) or (g) of section
eleven hundred eighty of this chapter in accordance with section eleven
hundred eighty-e of this chapter, there shall be levied a crime victim
assistance fee in the amount of five dollars and a mandatory surcharge,
in addition to any sentence required or permitted by law, in the amount
of fifty-five dollars.
§ 9-a. The opening paragraph and paragraph (c) of subdivision 1 of
section 1809 of the vehicle and traffic law, as amended by section 10 of
chapter 145 of the laws of 2019, are amended to read as follows:
Whenever proceedings in an administrative tribunal or a court of this
state result in a conviction for an offense under this chapter or a
traffic infraction under this chapter, or a local law, ordinance, rule
or regulation adopted pursuant to this chapter, other than a traffic
infraction involving standing, stopping, or parking or violations by
pedestrians or bicyclists, or other than an adjudication of liability of
an owner for a violation of subdivision (d) of section eleven hundred
eleven-a of this chapter in accordance with section eleven hundred
eleven of this chapter, or other than an adjudication of liability of
an owner for a violation of subdivision (d) of section eleven hundred
eleven of this chapter in accordance with section eleven hundred
eleven-b of this chapter, or other than an adjudication in accordance
with section eleven hundred eleven-c of this chapter for a violation of
a bus lane restriction as defined in such section, or other than an
adjudication of liability of an owner for a violation of subdivision (d)
of section eleven hundred eleven of this chapter in accordance with
section eleven hundred eleven-d of this chapter, or other than an adju-
dication of liability of an owner for a violation of subdivision (b),
(c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
accordance with section eleven hundred eighty-b of this chapter, or
other than an adjudication of liability of an owner for a violation of
subdivision (d) of section eleven hundred eleven of this chapter in
accordance with section eleven hundred eleven-e of this chapter, or
other than an adjudication of liability of an owner for a violation of
subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this
chapter in accordance with section eleven hundred eighty-e of this
chapter, or other than an adjudication of liability of an owner for a
violation of section eleven hundred seventy-four of this chapter in
accordance with section eleven hundred seventy-four-a of this chapter,
there shall be levied a crime victim assistance fee and a mandatory
surcharge, in addition to any sentence required or permitted by law, in
accordance with the following schedule:
(c) Whenever proceedings in an administrative tribunal or a court of
this state result in a conviction for an offense under this chapter
other than a crime pursuant to section eleven hundred ninety-two of this
chapter, or a traffic infraction under this chapter, or a local law,
ordinance, rule or regulation adopted pursuant to this chapter, other
than a traffic infraction involving standing, stopping, or parking or
violations by pedestrians or bicyclists, or other than an adjudication
of liability of an owner for a violation of subdivision (d) of section
eleven hundred eleven of this chapter in accordance with section eleven
eleven-a of this chapter, or other than an adjudication of
liability of an owner for a violation of subdivision (d) of section
eleven hundred eleven of this chapter in accordance with section eleven
eleven-b of this chapter, or other than an adjudication of
liability of an owner for a violation of subdivision (d) of section
eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an infraction pursuant to article nine of this chapter or other than an adjudication of liability of an owner for a violation of toll collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty or other than an adjudication in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, there shall be levied a crime victim assistance fee in the amount of five dollars and a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of fifty-five dollars.

§ 9-b. Subdivision 1 of section 1809 of the vehicle and traffic law, as separately amended by section 10-a of chapter 145 and section 9-a of chapter 148 of the laws of 2019, is amended to read as follows:

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-b of this chapter, or other than an adjudication in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section
eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of twenty-five dollars.

§ 9-c. Subdivision 1 of section 1809 of the vehicle and traffic law, as separately amended by section 10-b of chapter 145 and section 9-b of chapter 148 of the laws of 2019, is amended to read as follows:

  1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

§ 9-d. Subdivision 1 of section 1809 of the vehicle and traffic law, as separately amended by section 10-c of chapter 145 and section 9-c of chapter 148 of the laws of 2019, is amended to read as follows:

  1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven-e of this chapter.
chapter in accordance with section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

§ 9-e. Subdivision 1 of section 1809 of the vehicle and traffic law, as separately amended by section 10-d of chapter 145 and section 9-d of chapter 148 of the laws of 2019, is amended to read as follows:

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

§ 9-f. Subdivision 1 of section 1809 of the vehicle and traffic law, as separately amended by section 10-f of chapter 145 and section 9-f of chapter 148 of the laws of 2019, is amended to read as follows:

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

§ 9-g. Subdivision 1 of section 1809 of the vehicle and traffic law, as separately amended by section 10-g of chapter 145 and section 9-g of chapter 148 of the laws of 2019, is amended to read as follows:
1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, other than an adjudication of liability of an owner for a violation of section eleven hundred seventy-four of this chapter in accordance with section eleven hundred seventy-four-a of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

§ 9-h. Subdivision 1 of section 1809 of the vehicle and traffic law, as separately amended by chapter 16 of the laws of 1983 and chapter 62 of the laws of 1989, is amended to read as follows:

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

§ 10. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as separately amended by section 11 of chapter 145 and section 10 of chapter 148 of the laws of 2019, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter or in accordance with section eleven hundred eleven-d of this chapter, or in accordance with section eleven hundred eleven-e of this chapter, or in accordance with section eleven hundred seventy-four-a of this chapter, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-b of this chapter, and except an adjudication in accordance with section eleven hundred eleven-c of this chapter of a violation of a bus lane restriction as defined in such section, and [except expected an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, and except an adjudication of liability of an owner for a violation of toll
collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, and except an adjudication of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 10-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as amended by section 11 of chapter 145 of the laws of 2019, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter or in accordance with section eleven hundred eleven-d of this chapter, and except an adjudication in accordance with section eleven hundred eleven-c of this chapter of a violation of a bus lane restriction as defined in such section, and except an adjudication of liability of an owner for a violation of toll collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 10-b. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as separately amended by section 11-a of chapter 145 and section 10-a of chapter 148 of the laws of 2019, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic —
fic infraction under this chapter, or a local law, ordinance, rule or
regulation adopted pursuant to this chapter, except a traffic infraction
involving standing, stopping, or parking or violations by pedestrians or
bicyclists, and except an adjudication of liability of an owner for a
violation of subdivision (d) of section eleven hundred eleven of this
chapter in accordance with section eleven hundred eleven-a of this chap-
ter or in accordance with section eleven hundred eleven-d of this chapter
or in accordance with section eleven hundred eleven-e of this chapter,
or in accordance with section eleven hundred seventy-four-a of this
chapter, and except an adjudication in accordance with section eleven
hundred eleven-c of this chapter of a violation of a bus lane
restriction as defined in such section, and except an adjudication of
liability of an owner for a violation of subdivision (b), (c), (d), (f)
or (g) of section eleven hundred eighty of this chapter in accordance
with section eleven hundred eighty-b of this chapter, and except an
adjudication of liability of an owner for a violation of subdivision
(b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
in accordance with section eleven hundred eighty-d of this chapter,
and except an adjudication of liability of an owner for a violation of
subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of
this chapter in accordance with section eleven hundred eighty-e of this
chapter, and except an adjudication of liability of an owner for a
violation of toll collection regulations pursuant to section two thou-
sand nine hundred eighty-five of the public authorities law or sections
sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
of the laws of nineteen hundred fifty, there shall be levied in addition
to any sentence, penalty or other surcharge required or permitted by
law, an additional surcharge of twenty-eight dollars.
§ 10-c. Paragraph a of subdivision 1 of section 1809-e of the vehicle
and traffic law, as separately amended by section 11-b of chapter 145
and section 10-b of chapter 148 of the laws of 2019, is amended to read
as follows:
   a. Notwithstanding any other provision of law, whenever proceedings in
a court or an administrative tribunal of this state result in a
conviction for an offense under this chapter, except a conviction pursu-
ant to section eleven hundred ninety-two of this chapter, or for a traf-
ic infraction under this chapter, or a local law, ordinance, rule or
regulation adopted pursuant to this chapter, except a traffic infraction
involving standing, stopping, or parking or violations by pedestrians or
bicyclists, and except an adjudication of liability of an owner for a
violation of subdivision (d) of section eleven hundred eleven of this
chapter in accordance with section eleven hundred eleven-a of this chap-
ter or in accordance with section eleven hundred eleven-d of this chapter
or in accordance with section eleven hundred eleven-e of this chapter,
or in accordance with section eleven hundred seventy-four-a of this
chapter, and except an adjudication of liability of an owner for a
violation of subdivision (b), (c), (d), (f) or (g) of section eleven
hundred eighty of this chapter in accordance with section eleven hundred
eighty-b of this chapter, and except an adjudication of liability of an
owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven
hundred eighty of this chapter in accordance with section eleven hundred
eighty-d of this chapter, and except an adjudication of liability of an owner for a violation of toll collection regu-
lations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 10-d. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as separately amended by section 11-c of chapter 145 and section 10-c of chapter 148 of the laws of 2019, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter, and except an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, and except an adjudication of liability of an owner for a violation of toll collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 10-e. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as separately amended by section 11-e of chapter 145 and section 10-e of chapter 148 of the laws of 2019, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred seventy-four-a of this chapter, and except an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, and except an adjudication of liability of an owner for a violation of toll collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.
for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, or in accordance with section eleven hundred seventy-four-a of this chapter, and except an adjudication of liability of an owner for a violation of toll collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 10-f. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as separately amended by section 11-f of chapter 145 and section 10-f of chapter 148 of the laws of 2019, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, and except an adjudication of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 10-g. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as amended by section 5 of part C of chapter 55 of the laws of 2013, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter, and except as an adjudication of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.
for a violation of toll collection regulations pursuant to section two
thousand nine hundred eighty-five of the public authorities law or
sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
seventy-four of the laws of nineteen hundred fifty, there shall be
levied in addition to any sentence, penalty or other surcharge required
or permitted by law, an additional surcharge of twenty-eight dollars.
§ 11. Subparagraph (i) of paragraph a of subdivision 5-a of section
401 of the vehicle and traffic law, as separately amended by section 8
of chapter 145 and section 11 of chapter 148 of the laws of 2019, is
amended to read as follows:
(i) If at the time of application for a registration or renewal there-
of there is a certification from a court, parking violations bureau,
traffic and parking violations agency or administrative tribunal of
appropriate jurisdiction or administrative tribunal of appropriate
jurisdiction that the registrant or his or her representative failed to
appear on the return date or any subsequent adjourned date or failed to
comply with the rules and regulations of an administrative tribunal
following entry of a final decision in response to a total of three or
more summonses or other process in the aggregate, issued within an eigh-
ten month period, charging either that: (i) such motor vehicle was
parked, stopped or standing, or that such motor vehicle was operated for
hire by the registrant or his or her agent without being licensed as a
motor vehicle for hire by the appropriate local authority, in violation
of any of the provisions of this chapter or of any law, ordinance, rule
or regulation made by a local authority; or (ii) the registrant was
liable in accordance with section eleven hundred eleven-a, section elev-
en hundred eleven-b or section eleven hundred eleven-d of this chapter
for a violation of subdivision (d) of section eleven hundred eleven of
this chapter; or (iii) the registrant was liable in accordance with
section eleven hundred eleven-c of this chapter for a violation of a bus
lane restriction as defined in such section, or (iv) the registrant was
liable in accordance with section eleven hundred eighty-b of this chap-
ter for a violation of subdivision (c) or (d) of section eleven hundred
eighty of this chapter, or (vi) the registrant was liable in accordance
with section eleven hundred eleven-e of this chapter for a violation of
subdivision (d) of section eleven hundred eleven of this chapter; or
(vii) the registrant was liable in accordance with section eleven
hundred seventy-four-a of this chapter for a violation of section eleven
hundred seventy-four of this chapter, or (vii) the registrant was liable
in accordance with section eleven hundred eighty-d of this chapter,
or (viii) the registrant was liable in accordance with
section eleven hundred eighty-e of this chapter for a violation of
subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
this chapter, the commissioner or his or her agent shall deny the regis-
tration or renewal application until the applicant provides proof from
the court, traffic and parking violations agency or administrative
tribunal wherein the charges are pending that an appearance or answer
has been made or in the case of an administrative tribunal that he or
she has complied with the rules and regulations of said tribunal follow-
ing entry of a final decision. Where an application is denied pursuant
to this section, the commissioner may, in his or her discretion, deny a
registration or renewal application to any other person for the same
vehicle and may deny a registration or renewal application for any other
motor vehicle registered in the name of the applicant where the commis-
sioner has determined that such registrant's intent has been to evade
the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

§ 11-a. Subparagraph (i) of paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law, as amended by section 8 of chapter 145 of the laws of 2019, is amended to read as follows:

(i) If at the time of application for a registration or renewal there is a certification from a court, parking violations bureau, traffic and parking violations agency or administrative tribunal of appropriate jurisdiction or [administrative tribunal of appropriate jurisdiction] that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to a total of three or more summonses or other process in the aggregate, issued within an eighteen month period, charging either that: (i) such motor vehicle was parked, stopped or standing, or that such motor vehicle was operated for hire by the registrant or his or her agent without being licensed as a motor vehicle for hire by the appropriate local authority, in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority; or (ii) the registrant was liable in accordance with section eleven hundred eleven-a, section eleven hundred eleven-b or section eleven hundred eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter; or (iii) the registrant was liable in accordance with section eleven hundred eleven-c of this chapter for a violation of subdivision (c) of section eleven hundred eighty of this chapter, or (iv) the registrant was liable in accordance with section eleven hundred eighty-b of this chapter for a violation of subdivision (d) of section eleven hundred eighty of this chapter, or (v) the registrant was liable in accordance with section eleven hundred eighty of this chapter, or (vi) the registrant was liable in accordance with section eleven hundred eighty-e of this chapter, or (vii) the registrant was liable in accordance with section eleven hundred seventy-four of this chapter, or (viii) the registrant was liable in accordance with section eleven hundred eighty-five of this chapter, and the commissioner or his or her agent shall deny the registration or renewal application until the applicant provides proof from the court, traffic and parking violations agency or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that he or she has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in his or her discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only
remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

§ 11-b. Paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law, as separately amended by section 8-a of chapter 145 of the laws of 2019 and section 11-a of chapter 148 of the laws of 2019, is amended to read as follows:

a. If at the time of application for a registration or renewal thereof there is a certification from a court or administrative tribunal of proper jurisdiction that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to a total of three or more summonses or other process in the aggregate, issued within an eighteen month period, charging either that: (i) such motor vehicle was parked, stopped or standing, or that such motor vehicle was operated for hire by the registrant or his or her agent without being licensed as a motor vehicle for hire by the appropriate local authority, in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority; or (ii) the registrant was liable in accordance with section eleven hundred eleven-b of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter; or (iii) the registrant was liable in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section; or (iv) the registrant was liable in accordance with section eleven hundred eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter; or (v) the registrant was liable in accordance with section eleven hundred eighty-b of this chapter, or (vi) the registrant was liable in accordance with section eleven hundred eighty-b of this chapter, or (vii) the registrant was liable in accordance with section eleven hundred eighty-c of this chapter, or (viii) the registrant was liable in accordance with section eleven hundred eighty-d of this chapter, or (ix) the registrant was liable in accordance with section eleven hundred eighty-e of this chapter.

The commissioner or his or her agent shall deny the registration or renewal application until the applicant provides proof from the court or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that he or she has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in his or her discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivi-
sion. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

§ 11-c. Paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law, as separately amended by section 8-b of chapter 145 and section 11-b of chapter 148 of the laws of 2019, is amended to read as follows:

a. If at the time of application for a registration or renewal thereof there is a certification from a court or administrative tribunal of appropriate jurisdiction that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to three or more summonses or other process, issued within an eighteen month period, charging that: (i) such motor vehicle was parked, stopped or standing, or that such motor vehicle was operated for hire by the registrant or his or her agent without being licensed as a motor vehicle for hire by the appropriate local authority, in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority; or (ii) the registrant was liable in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section; or (iii) the registrant was liable in accordance with section eleven hundred eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter; or (iv) the registrant was liable in accordance with section eleven hundred eighty-b of this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter, or the registrant was liable in accordance with section eleven hundred eighty-d of this chapter for any of the violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter; or (v) the registrant was liable in accordance with section eleven hundred eleven-e of this chapter for a violation of subdivision (b), (f) or (g) of section eleven hundred eighty of this chapter; or (vi) the registrant was liable in accordance with section eleven hundred eighty-e of this chapter for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter; or (vii) the registrant was liable in accordance with section eleven hundred seventy-four-a of this chapter for a violation of section eleven hundred seventy-four of this chapter, the commissioner or his or her agent shall deny the registration or renewal application until the applicant provides proof from the court or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that he or she has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in his or her discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the
case of an administrative tribunal, the registrant fails to comply with
the rules and regulations following entry of a final decision.
§ 11-d. Paragraph a of subdivision 5-a of section 401 of the vehicle
and traffic law, as separately amended by section 8-c of chapter 145 and
section 11-c of chapter 148 of the laws of 2019, is amended to read as
follows:
  a. If at the time of application for a registration or renewal thereof
there is a certification from a court or administrative tribunal of
appropriate jurisdiction that the registrant or his or her represen-
tative failed to appear on the return date or any subsequent adjourned
date or failed to comply with the rules and regulations of an adminis-
trative tribunal following entry of a final decision in response to
three or more summonses or other process, issued within an eighteen
month period, charging that: (i) such motor vehicle was parked, stopped
or standing, or that such motor vehicle was operated for hire by the
registrant or his or her agent without being licensed as a motor vehicle
for hire by the appropriate local authority, in violation of any of the
provisions of this chapter or of any law, ordinance, rule or regulation
made by a local authority; or (ii) the registrant was liable in accord-
ance with section eleven hundred eleven-d of this chapter for a
violation of subdivision (d) of section eleven hundred eleven of this
chapter; or (iii) the registrant was liable in accordance with section
eleven hundred eighty-b of this chapter for violations of subdivision
(b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
ter,[\textsuperscript{r}] or the registrant was liable in accordance with section eleven
hundred eighty-d of this chapter for violations of subdivision (b), (c),
(d), (f) or (g) of section eleven hundred eighty of this chapter; or
(iv) the registrant was liable in accordance with section eleven hundred
eleven-e of this chapter for a violation of subdivision (d) of section
eleven hundred eleven of this chapter; or (v) the registrant was liable
in accordance with section eleven hundred eighty-e of this chapter for a
violation of subdivision (b), (d), (f) or (g) of section eleven hundred
eighty of this chapter; or (vi) the registrant was liable in accordance
with section eleven hundred seventy-four-a of this chapter for a
violation of section eleven hundred seventy-four of this chapter, the
commissioner or his or her agent shall deny the registration or renewal
application until the applicant provides proof from the court or admin-
istrative tribunal wherein the charges are pending that an appearance or
answer has been made or in the case of an administrative tribunal that
he or she has complied with the rules and regulations of said tribunal
following entry of a final decision. Where an application is denied
pursuant to this section, the commissioner may, in his or her
discretion, deny a registration or renewal application to any other
person for the same vehicle and may deny a registration or renewal
application for any other motor vehicle registered in the name of the
applicant where the commissioner has determined that such registrant's
intent has been to evade the purposes of this subdivision and where the
commissioner has reasonable grounds to believe that such registration or
renewal will have the effect of defeating the purposes of this subdi-
vision. Such denial shall only remain in effect as long as the summonses
remain unanswered, or in the case of an administrative tribunal, the
registrant fails to comply with the rules and regulations following
entry of a final decision.
§ 11-e. Paragraph a of subdivision 5-a of section 401 of the vehicle
and traffic law, as separately amended by section 8-d of chapter 145 and
section 11-d of chapter 148 of the laws of 2019, is amended to read as follows:

a. If at the time of application for a registration or renewal thereof there is a certification from a court or administrative tribunal of appropriate jurisdiction that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to three or more summonses or other process, issued within an eighteen month period, charging that such motor vehicle was parked, stopped or standing, or that such motor vehicle was operated for hire by the registrant or his or her agent without being licensed as a motor vehicle for hire by the appropriate local authority, in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority, or the registrant was liable in accordance with section eleven hundred eighty-d of this chapter for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter, or the registrant was liable in accordance with section eleven hundred eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter, or the registrant was liable in accordance with section eleven hundred eighty-e of this chapter, or the registrant was liable in accordance with section eleven hundred seventy-four-a of this chapter for a violation of section eleven hundred seventy-four of this chapter, the commissioner or his or her agent shall deny the registration or renewal application until the applicant provides proof from the court or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that he or she has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in his or her discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

§ 11-f. Paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law, as separately amended by section 8-f of chapter 145 and section 11-f of chapter 148 of the laws of 2019, is amended to read as follows:

a. If at the time of application for a registration or renewal thereof there is a certification from a court or administrative tribunal of appropriate jurisdiction that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to three or more summonses or other process, issued within an eighteen
1 month period, charging that such motor vehicle was parked, stopped or
2 standing, or that such motor vehicle was operated for hire by the regis-
3 trant or his or her agent without being licensed as a motor vehicle for
4 hire by the appropriate local authority, in violation of any of the
5 provisions of this chapter or of any law, ordinance, rule or regulation
6 made by a local authority, or the registrant was liable in accordance
7 with section eleven hundred eighty-d of this chapter for violations of
8 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
9 of this chapter, or the registrant was liable in accordance with section
10 eleven hundred eleven-e of this chapter for a violation of subdivision
11 (d) of section eleven hundred eleven of this chapter, or the registrant
12 was liable in accordance with section eleven hundred eighty-e of this
13 chapter for a violation of subdivision (b), (d), (f) or (g) of section
14 eleven hundred eighty of this chapter, or the registrant was liable in
15 accordance with section eleven hundred seventy-four-a of this chapter
16 for a violation of section eleven hundred seventy-four of this chapter,
17 the commissioner or his or her agent shall deny the registration or
18 renewal application until the applicant provides proof from the court or
19 administrative tribunal wherein the charges are pending that an appear-
20 ance or answer has been made or in the case of an administrative tribu-
21 nal that he has complied with the rules and regulations of said tribunal
22 following entry of a final decision. Where an application is denied
23 pursuant to this section, the commissioner may, in his or her
24 discretion, deny a registration or renewal application to any other
25 person for the same vehicle and may deny a registration or renewal
26 application for any other motor vehicle registered in the name of the
27 applicant where the commissioner has determined that such registrant's
28 intent has been to evade the purposes of this subdivision and where the
29 commissioner has reasonable grounds to believe that such registration or
30 renewal will have the effect of defeating the purposes of this subdivi-
31 sion. Such denial shall only remain in effect as long as the summonses
32 remain unanswered, or in the case of an administrative tribunal, the
33 registrant fails to comply with the rules and regulations following
34 entry of a final decision.
35 § 11-g. Paragraph a of subdivision 5-a of section 401 of the vehicle
36 and traffic law, as separately amended by section 8-g of chapter 145 and
37 section 11-g of chapter 148 of the laws of 2019, is amended to read as
38 follows:
39 a. If at the time of application for a registration or renewal thereof
40 there is a certification from a court or administrative tribunal of
41 appropriate jurisdiction that the registrant or his or her agent failed to appear on the return date or any subsequent adjourned
42 date or failed to comply with the rules and regulations of an adminis-
43 trative tribunal following entry of a final decision in response to
44 three or more summonses or other process, issued within an eighteen
45 month period, charging that such motor vehicle was parked, stopped or
46 standing, or that such motor vehicle was operated for hire by the regis-
47 trant or his or her agent without being licensed as a motor vehicle for
48 hire by the appropriate local authority, in violation of any of the
49 provisions of this chapter or of any law, ordinance, rule or regulation
50 made by a local authority, or the registrant was liable in accordance
51 with section eleven hundred seventy-four-a of this chapter for a
52 violation of section eleven hundred seventy-four of this chapter, or the
53 registrant was liable in accordance with section eleven hundred eighty-d
54 of this chapter for violations of subdivision (b), (c), (d), (f) or (g)
55 of section eleven hundred eighty of this chapter, or the registrant was
liable in accordance with section eleven hundred eighty-e of this chapter for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter, the commissioner or his or her agent shall deny the registration or renewal application until the applicant provides proof from the court or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that he or she has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in his or her discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

§ 11-h. Paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law, as separately amended by chapters 339 and 592 of the laws of 1987, is amended to read as follows:

a. If at the time of application for a registration or renewal thereof there is a certification from a court or administrative tribunal of appropriate jurisdiction that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to three or more summonses or other process, issued within an eighteen month period, charging that such motor vehicle was parked, stopped or standing, or that such motor vehicle was operated for hire by the registrant or his or her agent without being licensed as a motor vehicle for hire by the appropriate local authority, in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority, or the registrant was liable in accordance with section eleven hundred eighty-e of this chapter for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter, the commissioner or his or her agent shall deny the registration or renewal application until the applicant provides proof from the court or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that he or she has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in his or her discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.
§ 12. The general municipal law is amended by adding a new section 371-a to read as follows:

§ 371-a. Additional jurisdiction and procedure related to the adjudication of certain notices of liability. A traffic violations bureau established pursuant to subdivision one and a traffic and parking violations agency established pursuant to subdivision two of section three hundred seventy-one of this article may be authorized to adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of the vehicle and traffic law pursuant to a demonstration program established pursuant to section eleven hundred eighty-e of the vehicle and traffic law, in accordance with the provisions of this article.

§ 13. Section 1803 of the vehicle and traffic law is amended by adding two new subdivisions 11 and 12 to read as follows:

11. Except as otherwise provided in paragraph e of subdivision one of this section, where the commissioner of transportation has established a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, any fine or penalty collected by a court, judge, magistrate or other officer for an imposition of liability which occurs pursuant to such program shall be paid to the state comptroller within the first ten days of the month following collection. Every such payment shall be accompanied by a statement in such form and detail as the comptroller shall provide. The comptroller shall pay eighty percent of any such fine or penalty imposed for such liability to the commissioner in accordance with the schedule below, and twenty percent of any such fine or penalty to the city, town or village in which the violation giving rise to the liability occurred. All fines, penalties and forfeitures paid to a city, town or village pursuant to the provisions of this subdivision shall be credited to the general fund of such city, town or village, unless a different disposition is prescribed by charter, special law, local law or ordinance. With respect to the percentage of fines or penalties paid to the commissioner, no less than sixty percent shall be dedicated to the work zone safety fund as established by section ninety-nine-ii of the state finance law after deducting the expenses necessary to administer the demonstration program.

12. Except as otherwise provided in paragraph e of subdivision one of this section, where the chair of the New York state thruway authority has established a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-e of this chapter, any fine or penalty collected by a court, judge, magistrate or other officer for an imposition of liability which occurs pursuant to such program shall be paid to the state comptroller within the first ten days of the month following collection. Every such payment shall be accompanied by a statement in such form and detail as the comptroller shall provide. The comptroller shall pay eighty percent of any such fine or penalty imposed for such liability to the thruway authority in accordance with the schedule below, and twenty percent of any such fine or penalty to the city, town or village in which the violation giving rise to the liability occurred. For the purposes of this subdivision, the term "thruway authority" shall mean the New York state thruway authority, a body corporate and politic constituting a public corpo-
ration created and constituted pursuant to title nine of article two of
the public authorities law. All fines, penalties and forfeitures paid to
a city, town or village pursuant to the provisions of this subdivision
shall be credited to the general fund of such city, town or village,
unless a different disposition is prescribed by charter, special law,
local law or ordinance. With respect to the percentage of fines or
penalties paid to the thruway authority, no less than sixty percent
shall be dedicated to improving work zone and roadway safety after
deducting the expenses necessary to administer the demonstration
program.

§ 14. Subdivision 2 of section 87 of the public officers law is
amended by adding a new paragraph (r) to read as follows:
(r) are photographs, microphotographs, videotape or other recorded
images prepared under the authority of section eleven hundred eighty-e
of the vehicle and traffic law.

§ 15. The purchase or lease of equipment for a demonstration program
pursuant to section 1180-e of the vehicle and traffic law shall be
subject to the provisions of section 103 of the general municipal law.

§ 16. For the purpose of informing and educating owners of motor
vehicles in this state, an agency or authority authorized to issue
notices of liability pursuant to the provisions of this act shall,
during the first thirty-day period in which the photo violation monitor-
ing systems are in operation pursuant to the provisions of this act,
issue a written warning in lieu of a notice of liability to all owners
of motor vehicles who would be held liable for failure of operators
thereof to comply with subdivision (b), (d), (f) or (g) of section elev-
en hundred eighty of the vehicle and traffic law in accordance with
section eleven hundred eighty-e of the vehicle and traffic law.

§ 17. This act shall take effect on the thirtieth day after it shall
have become a law and shall expire 5 years after such effective date
when upon such date the provisions of this act shall be deemed repealed;
and provided further that any rules necessary for the implementation of
this act on its effective date shall be promulgated on or before such
effective date, provided that:
(a) the amendments to subdivision 1 of section 235 of the vehicle and
traffic law made by section one of this act shall not affect the expira-
tion of such section and shall be deemed to expire therewith, when upon
such date the provisions of section one-a of this act shall take effect;
(a-1) the amendments to section 235 of the vehicle and traffic law
made by section one-a of this act shall not affect the expiration of
such section and shall be deemed to expire therewith, when upon such
date the provisions of section one-b of this act shall take effect;
(a-2) the amendments to section 235 of the vehicle and traffic law
made by section one-b of this act shall not affect the expiration of
such section and shall be deemed to expire therewith, when upon such
date the provisions of section one-c of this act shall take effect;
(a-3) the amendments to section 235 of the vehicle and traffic law
made by section one-c of this act shall not affect the expiration of
such section and shall be deemed to expire therewith, when upon such
date the provisions of section one-d of this act shall take effect;
(a-4) the amendments to section 235 of the vehicle and traffic law
made by section one-d of this act shall not affect the expiration of
such section and shall be deemed to expire therewith, when upon such
date the provisions of section one-e of this act shall take effect;
(a-5) the amendments to section 235 of the vehicle and traffic law
made by section one-e of this act shall not affect the expiration of
such section and shall be deemed to expire therewith, when upon such date the provisions of section one-f of this act shall take effect;
(a-6) the amendments to section 235 of the vehicle and traffic law made by section one-f of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section one-g of this act shall take effect;
(a-7) the amendments to section 235 of the vehicle and traffic law made by section one-g of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section one-h of this act shall take effect;
(a-8) the amendments to section 235 of the vehicle and traffic law made by section one-h of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section one-i of this act shall take effect;
(b) the amendments to subdivision 1 of section 236 of the vehicle and traffic law made by section two of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section two-a of this act shall take effect;
(b-1) the amendments to subdivision 1 of section 236 of the vehicle and traffic law made by section two-a of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section two-b of this act shall take effect;
(b-2) the amendments to subdivision 1 of section 236 of the vehicle and traffic law made by section two-b of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section two-c of this act shall take effect;
(b-3) the amendments to subdivision 1 of section 236 of the vehicle and traffic law made by section two-c of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section two-d of this act shall take effect;
(b-4) the amendments to subdivision 1 of section 236 of the vehicle and traffic law made by section two-d of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section two-e of this act shall take effect;
(b-5) the amendments to subdivision 1 of section 236 of the vehicle and traffic law made by section two-e of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section two-f of this act shall take effect;
(b-6) the amendments to subdivision 1 of section 236 of the vehicle and traffic law made by section two-f of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section two-g of this act shall take effect;
(b-7) the amendments to subdivision 1 of section 236 of the vehicle and traffic law made by section two-g of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section two-h of this act shall take effect;
(c) the amendments to subdivision 10 of section 237 of the vehicle and traffic law made by section three of this act shall not affect the expi-
ration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section three-a of this act shall take effect;

(c-1) the amendments to paragraph f of subdivision 1 of section 239 of the vehicle and traffic law made by section four of this act shall not affect the expiration of such paragraph and shall be deemed to expire therewith, when upon such date the provisions of section four-a of this act shall take effect;

(c-2) the amendments to paragraph f of subdivision 1 of section 239 of the vehicle and traffic law made by section four-a of this act shall not affect the expiration of such paragraph and shall be deemed to expire therewith, when upon such date the provisions of section four-b of this act shall take effect;

(c-3) the amendments to paragraph f of subdivision 1 of section 239 of the vehicle and traffic law made by section four-b of this act shall not affect the expiration of such paragraph and shall be deemed to expire therewith, when upon such date the provisions of section four-c of this act shall take effect;

(c-4) the amendments to paragraph f of subdivision 1 of section 239 of the vehicle and traffic law made by section four-c of this act shall not affect the expiration of such paragraph and shall be deemed to expire therewith, when upon such date the provisions of section four-d of this act shall take effect;

(d) the amendments to subdivisions 1 and 1-a of section 240 of the vehicle and traffic law made by section five of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section five-a of this act shall take effect;

(d-1) the amendments to subdivisions 1 and 1-a of section 240 of the vehicle and traffic law made by section five-a of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section five-b of this act shall take effect;

(d-2) the amendments to subdivisions 1 and 1-a of section 240 of the vehicle and traffic law made by section five-b of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section five-c of this act shall take effect;
(d-3) the amendments to subdivisions 1 and 1-a of section 240 of the vehicle and traffic law made by section five-c of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section five-d of this act shall take effect;
(d-4) the amendments to subdivisions 1 and 1-a of section 240 of the vehicle and traffic law made by section five-d of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section five-e of this act shall take effect;
(d-5) the amendments to subdivisions 1 and 1-a of section 240 of the vehicle and traffic law made by section five-e of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section five-f of this act shall take effect;
(d-6) the amendments to subdivisions 1 and 1-a of section 240 of the vehicle and traffic law made by section five-f of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section five-g of this act shall take effect;
(d-7) the amendments to subdivision 1 of section 240 of the vehicle and traffic law made by section five-g of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section five-h of this act shall take effect;
(d-8) the amendments to subdivision 1-a of section 240 of the vehicle and traffic law made by section five-h of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section five-i of this act shall take effect;
(e) the amendments to paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law made by section six of this act shall not affect the expiration of such paragraphs and shall be deemed to expire therewith, when upon such date the provisions of section six-a of this act shall take effect;
(e-1) the amendments to paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law made by section six-a of this act shall not affect the expiration of such paragraphs and shall be deemed to expire therewith, when upon such date the provisions of section six-b of this act shall take effect;
(e-2) the amendments to paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law made by section six-b of this act shall not affect the expiration of such paragraphs and shall be deemed to expire therewith, when upon such date the provisions of section six-c of this act shall take effect;
(e-3) the amendments to paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law made by section six-c of this act shall not affect the expiration of such paragraphs and shall be deemed to expire therewith, when upon such date the provisions of section six-d of this act shall take effect;
(e-4) the amendments to paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law made by section six-d of this act shall not affect the expiration of such paragraphs and shall be deemed
(e-5) the amendments to paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law made by section six-e of this act shall not affect the expiration of such paragraphs and shall be deemed to expire therewith, when upon such date the provisions of section six-f of this act shall take effect;

(e-6) the amendments to paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law made by section six-f of this act shall not affect the expiration of such paragraphs and shall be deemed to expire therewith, when upon such date the provisions of section six-g of this act shall take effect;

(e-7) the amendments to paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law made by section six-g of this act shall not affect the expiration of such paragraphs and shall be deemed to expire therewith, when upon such date the provisions of section six-h of this act shall take effect;

(f) the amendments to subdivisions 1 and 2 of section 241 of the vehicle and traffic law made by section seven of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section seven-a of this act shall take effect;

(f-1) the amendments to subdivisions 1 and 2 of section 241 of the vehicle and traffic law made by section seven-a of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section seven-b of this act shall take effect;

(f-2) the amendments to subdivisions 1 and 2 of section 241 of the vehicle and traffic law made by section seven-b of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section seven-c of this act shall take effect;

(f-3) the amendments to subdivisions 1 and 2 of section 241 of the vehicle and traffic law made by section seven-c of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section seven-d of this act shall take effect;

(f-4) the amendments to subdivisions 1 and 2 of section 241 of the vehicle and traffic law made by section seven-d of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section seven-e of this act shall take effect;

(f-5) the amendments to subdivisions 1 and 2 of section 241 of the vehicle and traffic law made by section seven-e of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section seven-f of this act shall take effect;

(f-6) the amendments to subdivisions 1 and 2 of section 241 of the vehicle and traffic law made by section seven-f of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section seven-g of this act shall take effect;

(f-7) the amendments to subdivisions 1 and 2 of section 241 of the vehicle and traffic law made by section seven-g of this act shall not affect the expiration of such subdivisions and shall be deemed to expire
therewith, when upon such date the provisions of sections seven-h and seven-i of this act shall take effect;

(g) the amendments to the opening paragraph and paragraph (c) of subdivision 1 of section 1809 of the vehicle and traffic law made by section nine of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section nine-a of this act shall take effect;

(g-1) the amendments to the opening paragraph and paragraph (c) of subdivision 1 of section 1809 of the vehicle and traffic law made by section nine-a of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section nine-b of this act shall take effect;

(g-2) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section nine-b of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section nine-c of this act shall take effect;

(g-3) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section nine-c of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section nine-d of this act shall take effect;

(g-4) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section nine-d of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section nine-e of this act shall take effect;

(g-5) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section nine-e of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section nine-f of this act shall take effect;

(g-6) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section nine-f of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section nine-g of this act shall take effect;

(g-7) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section nine-g of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section nine-h of this act shall take effect;

(h) the amendments to paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law made by section ten of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section ten-a of this act shall take effect;

(h-1) the amendments to section 1809-e of the vehicle and traffic law made by section ten-a of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section ten-b of this act shall take effect;

(h-2) the amendments to section 1809-e of the vehicle and traffic law made by section ten-b of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section ten-c of this act shall take effect;
(h-3) the amendments to section 1809-e of the vehicle and traffic law made by section ten-c of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section ten-d of this act shall take effect;
(h-4) the amendments to section 1809-e of the vehicle and traffic law made by section ten-d of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section ten-e of this act shall take effect;
(h-5) the amendments to section 1809-e of the vehicle and traffic law made by section ten-e of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section ten-f of this act shall take effect;
(h-6) the amendments to section 1809-e of the vehicle and traffic law made by section ten-f of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section ten-g of this act shall take effect;
(i) the amendments to subparagraph (i) of paragraph a of subdivision 5-a of of section 401 of the vehicle and traffic law made by section eleven of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eleven-a of this act shall take effect;
(i-1) the amendments to subparagraph (i) of paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law made by section eleven-a of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eleven-b of this act shall take effect;
(i-2) the amendments to section 401 of the vehicle and traffic law made by section eleven-b of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eleven-c of this act shall take effect;
(i-3) the amendments to section 401 of the vehicle and traffic law made by section eleven-c of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eleven-d of this act shall take effect;
(i-4) the amendments to section 401 of the vehicle and traffic law made by section eleven-d of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eleven-e of this act shall take effect;
(i-5) the amendments to section 401 of the vehicle and traffic law made by section eleven-e of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eleven-f of this act shall take effect;
(i-6) the amendments to section 401 of the vehicle and traffic law made by section eleven-f of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eleven-g of this act shall take effect;
(i-7) the amendments to section 401 of the vehicle and traffic law made by section eleven-g of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eleven-h of this act shall take effect.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, subpart or part of this act shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section,
subpart or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately, provided, however, that the applicable effective date of Subparts A through D of this act shall be as specifically set forth in the last section of such Subparts.

PART C

Section 1. Subdivision 1 of section 359 of the public authorities law, as amended by section 6 of part TT of chapter 54 of the laws of 2016, is amended to read as follows:

1. On assuming jurisdiction of a thruway section or connection or any part thereof, or of a highway connection, the authority shall proceed with the construction, reconstruction or improvement thereof. All such work shall be done pursuant to a contract or contracts which shall be let to the lowest responsible bidder, by sealed proposals publicly opened, after public advertisement and upon such terms and conditions as the authority shall require; provided, however, that the authority may reject any and all proposals and may advertise for new proposals, as herein provided, if in its opinion, the best interests of the authority will thereby be promoted; provided further, however, that at the request of the authority, all or any portion of such work, together with any engineering required by the authority in connection therewith, shall be performed by the commissioner and his subordinates in the department of transportation as agents for, and at the expense of, the authority. For the purposes of this section, a sealed proposal may be received and secured electronically as permitted by the authority, provided such proposal is maintained and opened in a manner consistent with that for physically sealed proposals and is posted for public view at the same time as any competing sealed proposal. The authority shall, at minimum, provide the same opportunity and time for submitting bids electronically as for proposals submitted physically, and the board shall also approve a process for force majeure events, including but not limited to internet and power outage events.

§ 2. This act shall take effect immediately.

PART D

Intentionally Omitted

PART E

Section 1. The closing paragraph of section 165.15 of the penal law, as amended by chapter 275 of the laws of 2018, is amended and a new subdivision 3-a is added to read as follows:

3-a. With intent to use any toll highway, parkway, road, bridge or tunnel or to enter or remain in the tolled central business district described in section seventeen hundred four of the vehicle and traffic law without payment of the lawful charge or toll therefor, or to avoid payment of the lawful charge or toll for such transportation service which has been rendered to him or her for such use of any toll highway, parkway, road, bridge or tunnel or for such entering or remaining in such tolled central business district, he or she avoid or attempts to
avoid payment by force, intimidation, stealth, deception or mechanical tampering; or

Theft of services is a class A misdemeanor[—provided]. (a) Provided, however, that theft of cable television service as defined by the provisions of paragraphs (a), (c) and (d) of subdivision four of this section, and having a value not in excess of one hundred dollars by a person who has not been previously convicted of theft of services under subdivision four of this section is a violation, that theft of services under subdivision nine of this section by a person who has not been previously convicted of theft of services under subdivision nine of this section is a violation, that theft of services under subdivision twelve of this section by a person who has not previously been convicted of theft of services under subdivision twelve of this section is a violation[—and provided].

(b) Provided further, however, that theft of services of any telephone service under paragraph (a) or (b) of subdivision five of this section having a value in excess of one thousand dollars or by a person who has been previously convicted within five years of theft of services under paragraph (a) of subdivision five of this section is a class E felony.

(c) (i) Provided, further, that a court or hearing officer shall offer a person who is charged with theft of services of any transportation service under subdivision three-a of this section who is financially unable to afford counsel pursuant to article eighteen-B of the county law the opportunity to enter into an installment payment plan as an alternate sentence to the criminal charge set forth in this section. The court or hearing officer shall offer such person the opportunity to enter into an installment payment plan at no charge for the payment of such fines, surcharges and any fees related to violation of this section. Any such installment payment plan shall be comprised of all fines, fees, and surcharges and shall consist of monthly payments that do not exceed two percent of such person's monthly net income or fifteen dollars per month, whichever is greater. For purposes of this subdivision, the term "net income" shall mean such person's total income from all sources and assets, minus deductions required by law including but not limited to unrelated administrative or court-ordered garnishments and support payments. A court or hearing officer may require the submission of a financial disclosure report from all persons who opt to enter into an installment payment plan. A court or hearing officer also may accept payments higher than the set amount, but shall not undertake additional enforcement actions so long as the person meets his or her payment obligations under the installment payment plan. A court or hearing officer may require persons entering installment payment plans to appear no more frequently than annually before such court or hearing officer to assess their financial circumstances, and may set a new payment amount if such person's financial circumstances have changed. A person who enters into an installment payment plan and experiences a reduction in income may petition the court or hearing officer at any time to seek a reduction in the monthly payment.

(ii) Any fines paid by a person convicted of theft of services of any transportation service under subdivision three-a of this section shall be paid to the comptroller for remittance to the executive director of the authority which operates such highway, bridge, tunnel, or central business district. The executive directors shall dedicate such penalties or fines to maintenance or state of good repair purposes on highways, bridges, or tunnels, and shall include an itemized list of expenditures made with funds received pursuant to this section in their annual
§ 1. Such amounts of revenue dedicated pursuant to this subparagraph shall be used to increase the level of funds that would otherwise be made available for maintenance or state of good repair purposes and shall not supplant the amount to be expended as otherwise provided for pursuant to state or local law, rule or regulation.

§ 2. Paragraph (b) of subdivision 1 of section 402 of the vehicle and traffic law, as amended by chapter 109 of the laws of 2005, is amended to read as follows:

(b) (i) Number plates shall be kept clean and in a condition so as to be easily readable and shall not be covered by glass or any plastic material;

(ii) Number plates shall not be knowingly covered or coated with any artificial or synthetic material or substance that conceals or obscures such number plates or that distorts a recorded or photographic image of such number plates;

(iii) The view of such number plates shall not be obstructed by any part of the vehicle or by anything carried thereon, except for a receiver-transmitter issued by a publicly owned tolling facility in connection with electronic toll collection when such receiver-transmitter is affixed to the exterior of a vehicle in accordance with mounting instructions provided by the tolling facility.

§ 3. Subdivision 8 of section 402 of the vehicle and traffic law, as amended by chapter 61 of the laws of 1989 and as renumbered by chapter 648 of the laws of 2006, is amended to read as follows:

8. The violation of this section shall be punishable by a fine of not less than twenty-five nor more than two hundred dollars except for violations of subparagraphs (ii) and (iii) of paragraph (b) of subdivision one of this section which shall be punishable by a fine of not less than one hundred nor more than five hundred dollars. Provided further that civil penalties or fines assessed pursuant to subparagraphs (ii) and (iii) of paragraph (b) of subdivision one of this section that occur on a tolled highway, bridge, and/or tunnel facility or in the tolled central business district described in section seventeen hundred four of this chapter shall be paid to the comptroller for remittance to the executive director of the authority which operates such highway, bridge, tunnel, or central business district. The executive directors shall dedicate such penalties or fines to maintenance or state of good repair purposes on highways, bridges, or tunnels, and shall include an itemized list of expenditures made with funds received pursuant to this section in their annual report. Provided additionally that such amounts of revenue dedicated to such authorities shall be used to increase the level of funds that would otherwise be made available for maintenance or state of good repair purposes and shall not supplant the amount to be expended as otherwise provided for pursuant to state or local law, rule or regulation.

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

Intentionally Omitted

PART I

Section 1. Subdivision 11 of section 120.05 of the penal law, as separately amended by chapters 268 and 281 of the laws of 2016, is amended to read as follows:

11. With intent to cause physical injury to a train operator, ticket inspector, conductor, signalperson, bus operator, station agent, station cleaner, terminal cleaner, station customer assistant; person whose official duties include the sale or collection of tickets, passes, vouchers, or other fare payment media for use on a train or bus; a person whose official duties include the maintenance, repair, inspection, troubleshooting, testing or cleaning of a transit signal system, elevated or underground subway tracks, transit station structure, commuter rail tracks or stations, train yard, revenue train in passenger service, bus while on the road, or a train or bus station or terminal; or a supervisor of such personnel, employed by any transit or commuter railroad agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions, a city marshal, a school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, a traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, sanitation enforcement agent, New York city sanitation worker, public health sanitizer, New York city public health sanitarian, registered nurse, licensed practical nurse, emergency medical service paramedic, or emergency medical service technician, he or she causes physical injury to such train operator, ticket inspector, conductor, signalperson, bus operator, station agent, station cleaner, terminal cleaner, station customer assistant; person whose official duties include the sale or collection of tickets, passes, vouchers or other fare payment media for use on a train or bus; a person whose official duties include the maintenance, repair, inspection, troubleshooting, testing or cleaning of a transit signal system, elevated or underground subway tracks, transit station structure, commuter rail tracks or stations, train yard, revenue train in passenger service, bus while on the road, or a train or bus station or terminal; or a supervisor of such personnel, while such employee is performing an assigned duty on, or directly related to, the operation of a train or bus, including the cleaning of a train or bus station or terminal, assisting customers, the sale or collection of tickets, passes, vouchers, or other fare media for use on a train or bus, or maintenance of a train or bus station or terminal, signal system, elevated or underground subway tracks, transit station structure, commuter rail tracks or stations, train yard, revenue train in passenger service or bus while on the road, or such city marshal, school crossing guard, traffic enforcement officer, traffic
enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, emergency medical service paramedic, or emergency medical service technician is performing an assigned duty; or

§ 2. Section 240.30 of the penal law is amended by adding a new subdivision 3-a to read as follows:

3-a. Strikes, shoves, kicks, or otherwise subjects another person to physical contact, which includes spitting on such other person, and such other person is an on-duty train operator; ticket inspector; conductor; signalperson; bus operator; station agent; station cleaner; terminal cleaner; station customer assistant; person whose official duties include the sale or collection of tickets, passes, vouchers or other fare payment media for use on a train or bus; person whose official duties include the maintenance, repair, inspection, troubleshooting, testing or cleaning of a transit signal system, elevated or underground subway tracks, transit station structure, commuter rail tracks or stations, train yard, revenue train in passenger service, bus while on the road, or train or bus station or terminal, or a supervisor of such personnel, employed by any transit or commuter railroad agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions; or

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

PART J

Section 1. Section 2 of chapter 393 of the laws of 1994, amending the New York state urban development corporation act, relating to the powers of the New York state urban development corporation to make loans, as amended by section 1 of part FF of chapter 58 of the laws of 2020, is amended to read as follows:

§ 2. This act shall take effect immediately provided, however, that section one of this act shall expire on July 1, 2022, at which time the provisions of subdivision 26 of section 5 of the New York state urban development corporation act shall be deemed repealed; provided, however, that neither the expiration nor the repeal of such subdivision as provided for herein shall be deemed to affect or impair in any manner any loan made pursuant to the authority of such subdivision prior to such expiration and repeal.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2021.

PART K

Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development corporation act, as amended by section 1 of part EE of chapter 58 of the laws of 2020, is amended to read as follows:

3. The provisions of this section shall expire, notwithstanding any inconsistent provision of subdivision 4 of section 469 of chapter 309 of the laws of 1996 or of any other law, on July 1, 2022.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2021.
PART L

Intentionally Omitted

PART M

Section 1. Section 3 of part M of chapter 58 of the laws of 2016, relating to transferring the statutory authority for the promulgation of marketing orders from the department of agriculture and markets to the New York state urban development corporation, as amended by section 1 of part Y of chapter 58 of the laws of 2018, is amended to read as follows:

§ 3. This act shall take effect on the ninetieth day after it shall have become a law [and shall expire and be deemed repealed July 31, 2021]; provided, however, that any assessment due and payable under such marketing orders shall be remitted to the urban development corporation starting 30 days after such effective date.

§ 2. This act shall take effect immediately.

PART N

Section 1. Section 2 of chapter 21 of the laws of 2003, amending the executive law relating to permitting the secretary of state to provide special handling for all documents filed or issued by the division of corporations and to permit additional levels of such expedited service, as amended by section 1 of part R of chapter 58 of the laws of 2020, is amended to read as follows:

§ 2. This act shall take effect immediately, provided however, that section one of this act shall be deemed to have been in full force and effect on and after April 1, 2003 [and shall expire March 31, 2021].

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

PART O

Section 1. Paragraph (d) of section 304 of the business corporation law is amended to read as follows:

(d) Any designated post-office address to which the secretary of state shall mail a copy of process served upon him or her as agent of a domestic corporation or a foreign corporation, shall continue until the filing of a certificate under this chapter directing the mailing to a different post-office address and any designated email address to which the secretary of state shall email notice of the fact that process has been electronically served upon him or her as agent of a domestic corporation or foreign corporation shall continue until the filing of a certificate or other instrument under this chapter changing or deleting the email address.

§ 2. Subparagraph 1 of paragraph (b) of section 306 of the business corporation law, as amended by chapter 419 of the laws of 1990, is amended to read as follows:

(1) Service of process on the secretary of state as agent of a domestic or authorized foreign corporation shall be made by personally in the manner provided by clause (i) or (ii) of this subparagraph. (i) Personally delivering to and leaving with the secretary of state or a deputy, or with any person authorized by the secretary of state to
receive such service, at the office of the department of state in the
city of Albany, duplicate copies of such process together with the stat-
utory fee, which fee shall be a taxable disbursement. Service of process
on such corporation shall be complete when the secretary of state is so
served. The secretary of state shall promptly send one of such copies by
certified mail, return receipt requested, to such corporation, at the
post office address, on file in the department of state, specified for
the purpose. If a domestic or authorized foreign corporation has no such
address on file in the department of state, the secretary of state shall
so mail such copy, in the case of a domestic corporation, in care of any
director named in its certificate of incorporation at the director's
address stated therein or, in the case of an authorized foreign corpo-
ration, to such corporation at the address of its office within this
state on file in the department. (ii) Electronically submitting a copy
of the process to the department of state together with the statutory
fee, which fee shall be a taxable disbursement, through an electronic
system operated by the department of state, provided the domestic or
authorized foreign corporation has an email address on file in the
department of state to which the secretary of state shall email a notice
of the fact that process has been served electronically on the secretary
of state. Service of process on such corporation shall be complete when
the secretary of state has reviewed and accepted service of such proc-
ess. The secretary of state shall promptly send a notice of the fact
that process has been served to such corporation at the email address on
file in the department of state, specified for the purpose and shall
make a copy of the process available to such corporation.
§ 3. The opening paragraph of paragraph (b) of section 307 of the
business corporation law is amended to read as follows:
Service of such process upon the secretary of state shall be made [by
personally] in the manner provided by subparagraph one or two of this
paragraph. (1) Personally delivering to and leaving with him or his
deputy, or with any person authorized by the secretary of state to
receive such service, at the office of the department of state in the
city of Albany, a copy of such process together with the statutory fee,
which fee shall be a taxable disbursement. (2) Electronically submitting
a copy of the process to the department of state together with the stat-
utory fee, which fee shall be a taxable disbursement, through an elec-
tronic system operated by the department of state. Such service shall be
sufficient if notice thereof and a copy of the process are:
§ 4. Subparagraph 7 of paragraph (a) of section 402 of the business
corporation law is amended to read as follows:
(7) A designation of the secretary of state as agent of the corpo-
rion upon whom process against it may be served and the post office
address within or without this state to which the secretary of state
shall mail a copy of any process against it served upon him or her. The
corporation may include an email address to which the secretary of state
shall email a notice of the fact that process against it has been elec-
tronically served upon him or her.
§ 5. Paragraph (b) of section 801 of the business corporation law is
amended by adding a new subparagraph 15 to read as follows:
(15) To specify, change or delete the email address to which the
secretary of state shall email a notice of the fact that process against
the corporation has been electronically served upon him or her.
§ 6. Paragraph (b) of section 803 of the business corporation law is
amended by adding a new subparagraph 4 to read as follows:
(4) To specify, change or delete the email address to which the secretary of state shall email a notice of the fact that process against the corporation has been electronically served upon him or her.

§ 7. Paragraph (b) of section 805-A of the business corporation law, as added by chapter 725 of the laws of 1964, is amended to read as follows:

(b) A certificate of change which changes only the post office address to which the secretary of state shall mail a copy of any process against a corporation served upon him or her, and/or the email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon the secretary of state and/or the address of the registered agent, provided such address being changed is the address of a person, partnership or other corporation whose address, as agent, is the address to be changed, and/or the email address being changed is the email address of a person, partnership or corporation whose email address, as agent, is the email address to be changed, or who has been designated as registered agent for such corporation, may be signed[verified] and delivered to the department of state by such agent. The certificate of change shall set forth the statements required under subparagraphs (a) (1), (2) and (3) of this section; that a notice of the proposed change was mailed to the corporation by the party signing the certificate not less than thirty days prior to the date of delivery to the department and that such corporation has not objected thereto; and that the party signing the certificate is the agent of such corporation to whose address the secretary of state is required to mail copies of process or, and/or the agent of the corporation to whose email address the secretary of state is required to mail a notice of the fact that process against it has been electronically served upon the secretary of state, and/or the registered agent, if such be the case. A certificate signed[verified] and delivered under this paragraph shall not be deemed to effect a change of location of the office of the corporation in whose behalf such certificate is filed.

§ 8. Subparagraph 8 of paragraph (a) of section 904-a of the business corporation law, as amended by chapter 177 of the laws of 2008, is amended to read as follows:

(8) If the surviving or resulting entity is a foreign corporation or other business entity, a designation of the secretary of state as its agent upon whom process against it may be served in the manner set forth in paragraph (b) of section three hundred six of this chapter, in any action or special proceeding, and a post office address, within or without this state, to which the secretary of state shall mail a copy of any process against it served upon him or her. The corporation may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her. Such post office address shall supersede any prior address designated as the address to which process shall be mailed and such email address shall supersede any prior email address designated as the email address to which a notice shall be sent;

§ 9. Clause (G) of subparagraph 2 of paragraph (e) of section 907 of the business corporation law, as amended by chapter 494 of the laws of 1997, is amended to read as follows:

(G) A designation of the secretary of state as its agent upon whom process against it may be served in the manner set forth in paragraph (b) of section 306 (Service of process), in any action or special proceeding, and a post office address, within or without this state, to
which the secretary of state shall mail a copy of any process against it
served upon him or her. The corporation may include an email address to
which the secretary of state shall email a notice of the fact that proc-
ess against it has been electronically served upon him or her. Such
post office address shall supersede any prior address designated as the
address to which process shall be mailed and such email address shall
supersede any prior email address designated as the email address to
which a notice shall be sent.

§ 10. Subparagraph 6 of paragraph (a) of section 1304 of the business
corporation law, as amended by chapter 684 of the laws of 1963 and as
renumbered by chapter 590 of the laws of 1982, is amended to read as
follows:

(6) A designation of the secretary of state as its agent upon whom
process against it may be served and the post office address within or
without this state to which the secretary of state shall mail a copy of
any process against it served upon him or her. The corporation may
include an email address to which the secretary of state shall email a
notice of the fact that process against it has been electronically
served upon him or her.

§ 11. Paragraph (a) of section 1308 of the business corporation law is
amended by adding a new subparagraph 10 to read as follows:

(10) To specify, change or delete the email address to which the
secretary of state shall email a notice of the fact that process against
the corporation has been electronically served upon him or her.

§ 12. Paragraph (c) of section 1309-A of the business corporation law,
as amended by chapter 172 of the laws of 1999, is amended and a new
subparagraph 4 is added to paragraph (a) to read as follows:

(4) To specify, change or delete the email address to which the secre-
tary of state shall email a notice of the fact that process against the
corporation has been electronically served upon him or her.

(c) A certificate of change of application for authority which changes
only the post office address to which the secretary of state shall mail
a copy of any process against an authorized foreign corporation served
upon him or her, and/or the email address to which the secretary of
state shall email a notice of the fact that process against it has been
electronically served upon the secretary of state and/or which changes
the address of its registered agent, provided such address is the
address of a person, partnership or other corporation whose address, as
agent, is the address to be changed, and/or the email address being
changed is the email address of a person, partnership or corporation
whose email address, as agent, is the email address to be changed,
and/or who has been designated as registered agent for such authorized
foreign corporation, may be signed and delivered to the department of
state by such agent. The certificate of change of application for
authority shall set forth the statements required under subparagraphs
(1), (2), (3) and (4) of paragraph (b) of this section; that a notice of
the proposed change was mailed by the party signing the certificate to
the authorized foreign corporation not less than thirty days prior to
the date of delivery to the department and that such corporation has not
objected thereto; and that the party signing the certificate is the
agent of such foreign corporation to whose address the secretary of
state is required to mail copies of process, and/or the agent of
such foreign corporation to whose email address the secretary of state
is required to mail a notice of the fact that process against it has
been electronically served on the secretary of state and/or the regis-
tered agent, if such be the case. A certificate signed and delivered
under this paragraph shall not be deemed to effect a change of location
of the office of the corporation in whose behalf such certificate is
filed.

§ 13. Subparagraph 6 of paragraph (a) and paragraph (d) of section
1310 of the business corporation law, the opening paragraph of paragraph
(d) as amended by chapter 172 of the laws of 1999, are amended to read
as follows:
(6) A post office address within or without this state to which the
secretary of state shall mail a copy of any process against it served
upon him or her. The corporation may include an email address to which
the secretary of state shall email a notice of the fact that process
against it has been electronically served upon him or her.
(d) The post office address and/or the email address specified under
subparagraph (6) of paragraph (a) of this section may be changed. A
certificate, entitled "Certificate of amendment of certificate of
surrender of authority of .......... (name of corporation) under section
1310 of the Business Corporation Law", shall be signed as provided in
paragraph (a) of this section and delivered to the department of state.
It shall set forth:
(1) The name of the foreign corporation.
(2) The jurisdiction of its incorporation.
(3) The date its certificate of surrender of authority was filed by
the department of state.
(4) The changed post office address, within or without this state, to
which the secretary of state shall mail a copy of any process against it
served upon him or her and/or the changed email address to which the
secretary of state shall email a notice of the fact that process against
it has been electronically served upon him or her.

§ 14. Section 1311 of the business corporation law, as amended by
chapter 375 of the laws of 1998, is amended to read as follows:
§ 1311. Termination of existence.
When an authorized foreign corporation is dissolved or its authority
or existence is otherwise terminated or cancelled in the jurisdiction of
its incorporation or when such foreign corporation is merged into or
consolidated with another foreign corporation, a certificate of the
secretary of state, or official performing the equivalent function as to
corporate records, of the jurisdiction of incorporation of such foreign
corporation attesting to the occurrence of any such event or a certified
copy of an order or decree of a court of such jurisdiction directing the
dissolution of such foreign corporation, the termination of its exist-
ence or the cancellation of its authority shall be delivered to the
department of state. The filing of the certificate, order or decree
shall have the same effect as the filing of a certificate of surrender
of authority under section 1310 (Surrender of authority). The secretary
of state shall continue as agent of the foreign corporation upon whom
process against it may be served in the manner set forth in paragraph
(b) of section 306 (Service of process), in any action or special
proceeding based upon any liability or obligation incurred by the
foreign corporation within this state prior to the filing of such
certificate, order or decree and he or she shall promptly cause a copy
of any such process to be mailed by [registered] certified mail, return
receipt requested, to such foreign corporation at the post office
address on file in his or her office specified for such purpose or a
notice of the fact that process against such foreign corporation has
been served on him or her to be emailed to the foreign corporation at
the email address on file in his or her office specified for such
The post office address and/or email address may be changed by signing and delivering to the department of state a certificate of change setting forth the statements required under section 1309-A (Certificate of change; contents) to effect a change in the post office address and/or email address under subparagraph (a) [44] (7) or (10) of section 1308 (Amendments or changes).

§ 15. Subdivisions 2 and 3 of section 18 of the general associations law, as amended by chapter 13 of the laws of 1938, are amended to read as follows:

2. Every association doing business within this state shall file in the department of state a certificate in its associate name, signed and acknowledged by its president, or a vice-president, or secretary, or treasurer, or managing director, or trustee, designating the secretary of state as an agent upon whom process in any action or proceeding against the association may be served within this state, and setting forth an address to which the secretary of state shall mail a copy of any process against the association which may be served upon him or her pursuant to law. The association may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her. Annexed to the certificate of designation shall be a statement, executed in the same manner as the certificate is required to be executed under this section, which shall set forth:

(a) the names and places of residence of its officers and trustees
(b) its principal place of business
(c) the place where its office within this state is located and if such place be in a city, the location thereof by street and number or other particular description.

3. Any association, from time to time, may change the address to which the secretary of state is directed to mail copies of process or specify, change or delete the email address to which the secretary of state shall email a notice of the fact that process against the association has been electronically served upon him or her, by filing a statement to that effect, executed, signed and acknowledged in like manner as a certificate of designation as herein provided.

§ 16. Section 19 of the general associations law, as amended by chapter 166 of the laws of 1991, is amended to read as follows:

§ 19. Service of process. Service of process against an association upon the secretary of state shall be made [by personally] in the manner provided by subdivision one or two of this section. (1) Personally delivering to and leaving with him or she or with a person authorized by the secretary of state to receive such service, duplicate copies of such process at the office of the department of state in the city of Albany. At the time of such service the plaintiff shall pay a fee of forty dollars to the secretary of state which shall be a taxable disbursement. [If the cost of registered mail for transmitting a copy of the process shall exceed two dollars, an additional fee equal to such excess shall be paid at the time of the service of such process.] The secretary of state shall forthwith promptly send by [registered] certified mail one of such copies to the association at the address fixed for that purpose, as herein provided. (2) Electronically submitting a copy of the process to the department of state together with the statutory fee, which fee shall be a taxable disbursement, through an electronic system operated by the department of state, provided the association has an email
address on file in the department of state to which the secretary of state shall email a notice of the fact that process has been served electronically on the secretary of state. Service of process on such association shall be complete when the secretary of state has reviewed and accepted service of such process. The secretary of state shall promptly send a notice of the fact that process against such association has been served electronically upon him or her, to such association at the email address on file in the department of state, specified for the purpose and shall make a copy of the process available to such association. If the action or proceeding is instituted in a court of limited jurisdiction, service of process may be made in the manner provided in this section if the cause of action arose within the territorial jurisdiction of the court and the office of the defendant, as set forth in its statement filed pursuant to section eighteen of this chapter, is within such territorial jurisdiction.

§ 17. Paragraph 4 of subdivision (e) of section 203 of the limited liability company law, as added by chapter 470 of the laws of 1997, is amended to read as follows:

(4) a designation of the secretary of state as agent of the limited liability company upon whom process against it may be served and the post office address within or without this state to which the secretary of state shall mail a copy of any process against the limited liability company served upon him or her. The limited liability company may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her;

§ 18. Subdivision (d) of section 211 of the limited liability company law is amended by adding a new paragraph 10 to read as follows:

(10) to specify, change or delete the email address to which the secretary of state shall email a notice of the fact that process against the limited liability company has been electronically served upon him or her.

§ 19. Section 211-A of the limited liability company law, as added by chapter 448 of the laws of 1998, is amended to read as follows:

§ 211-A. Certificate of change. (a) A limited liability company may amend its articles of organization from time to time to (i) specify or change the location of the limited liability company's office; (ii) specify or change the post office address to which the secretary of state shall mail a copy of any process against the limited liability company served upon him or her and specify, change or delete the email address to which the secretary of state shall email a notice of the fact that process against the limited liability company has been electronically served upon him or her; and (iv) make, revoke or change the designation of a registered agent, or specify or change the address of the registered agent. Any one or more such changes may be accomplished by filing a certificate of change which shall be entitled "Certificate of Change of ........ (name of limited liability company) under section 211-A of the Limited Liability Company Law" and shall be signed and delivered to the department of state. It shall set forth:

(1) the name of the limited liability company, and if it has been changed, the name under which it was formed;

(2) the date the articles of organization were filed by the department of state; and

(3) each change effected thereby.

(b) A certificate of change which changes only the post office address to which the secretary of state shall mail a copy of any process against
a limited liability company served upon him or her, and/or the email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon the secretary of state and/or the address of the registered agent, provided such address being changed, and/or the email address being changed is the email address of a person, partnership or other corporation whose email address, as agent, is the email address to be changed. is the address of a person, partnership or corporation whose email address, as agent, is the address to be changed or who has been designated as registered agent for such limited liability company may be signed and delivered to the department of state by such agent. The certificate of change shall set forth the statements required under subdivision (a) of this section; that a notice of the proposed change was mailed to the domestic limited liability company by the party signing the certificate not less than thirty days prior to the date of delivery to the department of state and that such domestic limited liability company has not objected thereto; and that the party signing the certificate is the agent of such limited liability company to whose address the secretary of state is required to mail copies of process, and/or the agent of the limited liability company to whose email address of the secretary of state is required to email a notice of the fact that process against it has been electronically served upon the secretary of state, or the registered agent, if such be the case. A certificate signed and delivered under this subdivision shall not be deemed to effect a change of location of the office of the limited liability company in whose behalf such certificate is filed.
§ 20. Subdivision (c) of section 301 of the limited liability company law is amended to read as follows:
(c) Any designated post office address to which the secretary of state shall mail a copy of process served upon him or her as agent of a domestic limited liability company or a foreign limited liability company shall continue until the filing of a certificate or other instrument under this chapter directing the mailing to a different post office address and any designated email address to which the secretary of state shall email a notice of the fact that process has been electronically served upon him or her as agent of a domestic limited liability company or foreign limited liability company shall continue until the filing of a certificate or other instrument under this chapter changing or deleting such email address.
§ 21. Subdivision (a) of section 303 of the limited liability company law, as relettered by chapter 341 of the laws of 1999, is amended to read as follows:
(a) Service of process on the secretary of state as agent of a domestic limited liability company or authorized foreign limited liability company shall be made in the manner provided by paragraph one or two of this subdivision. (1) Personally delivering to and leaving with the secretary of state or his or her deputy, or with any person authorized by the secretary of state to receive such service, at the office of the department of state in the city of Albany, duplicate copies of such process together with the statutory fee, which fee shall be a taxable disbursement. Service of process on such limited liability company shall be complete when the secretary of state is so served. The secretary of state shall promptly send one of such copies by certified mail, return receipt requested, to such limited liability company at the post office address on file in the department of state specified for that purpose. (2) Electronically submitting a copy of the process to the department of state together with the statutory fee, which fee shall be
a taxable disbursement, through an electronic system operated by the
department of state, provided the domestic or authorized foreign limited
liability company has an email address on file in the department of
state to which the secretary of state shall email a notice of the fact
that process has been served electronically on the secretary of state.
Service of process on such limited liability company shall be complete
when the secretary of state has reviewed and accepted service of such
process. The secretary of state shall promptly send a notice of the fact
that process against such limited liability company has been served
electronically on him or her to such limited liability company at the
email address on file in the department of state, specified for the
purpose and shall make a copy of the process available to such limited
liability company.

§ 22. Subdivision (b) of section 304 of the limited liability company
law is amended to read as follows:

(b) Service of such process upon the secretary of state shall be made
[by—personally] in the manner provided by paragraph one or two of this
subdivision.

(1) Personally delivering to and leaving with the secretary of state
or his or her deputy, or with any person authorized by the secretary of
state to receive such service, at the office of the department of state
in the city of Albany, a copy of such process together with the statuto-
ry fee, which fee shall be a taxable disbursement.

(2) Electronically submitting a copy of the process to the department
of state together with the statutory fee, which fee shall be a taxable
disbursement, through an electronic system operated by the department of
state.

§ 23. Paragraph 4 of subdivision (a) of section 802 of the limited
liability company law, as amended by chapter 470 of the laws of 1997, is
amended to read as follows:

(4) a designation of the secretary of state as its agent upon whom
process against it may be served and the post office address within or
without this state to which the secretary of state shall mail a copy of
any process against it served upon him or her. The limited liability
company may include an email address to which the secretary of state
shall email a notice of the fact that process against it has been elec-
tronically served upon him or her.

§ 24. Section 804-A of the limited liability company law, as added by
chapter 448 of the laws of 1998, is amended to read as follows:

§ 804-A. Certificate of change. (a) A foreign limited liability compa-
y may amend its application for authority from time to time to (i)
specify or change the location of the limited liability company's
office; (ii) specify or change the post office address to which the
secretary of state shall mail a copy of any process against the limited
liability company served upon him or her; [and] (iii) specify, change or
delete the email address to which the secretary of state shall email a
notice of the fact that process against the limited liability company
has been electronically served upon him or her; and (iv) to make, revoke
or change the designation of a registered agent, or to specify or change
the address of a registered agent. Any one or more such changes may be
accomplished by filing a certificate of change which shall be entitled
"Certificate of Change of ........ (name of limited liability company)
under section 804-A of the Limited Liability Company Law" and shall be
delivered to the department of state. It shall set forth:
(1) the name of the foreign limited liability company and, if applicable, the fictitious name the limited liability company has agreed to use in this state pursuant to section eight hundred two of this article; 
(2) the date its application for authority was filed by the department of state; and 
(3) each change effected thereby, 
(b) A certificate of change which changes only the post office address to which the secretary of state shall mail a copy of any process against a foreign limited liability company served upon him or her, and/or the email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon the secretary of state, and/or the address of the registered agent, provided such address being changed is the address of a person, partnership or corporation whose address, as agent, is the address to be changed, and/or the email address being changed is the email address of a person, partnership or other corporation whose email address, as agent, is the email address to be changed, or who has been designated as registered agent for such limited liability company may be signed and delivered to the department of state by such agent. The certificate of change shall set forth the statements required under subdivision (a) of this section; that a notice of the proposed change was mailed to the foreign limited liability company by the party signing the certificate not less than thirty days prior to the date of delivery to the department of state and that such foreign limited liability company has not objected thereto; and that the party signing the certificate is the agent of such foreign limited liability company to whose address the secretary of state is required to mail copies of process, and/or the agent of such foreign limited liability company to whose email address the secretary of state is required to email a notice of the fact that process against it has been electronically served upon the secretary of state, or the registered agent, if such be the case. A certificate signed and delivered under this subdivision shall not be deemed to effect a change of location of the office of the foreign limited liability company in whose behalf such certificate is filed. 
§ 25. Paragraph 6 of subdivision (b) of section 806 of the limited liability company law is amended to read as follows: 
(6) a post office address within or without this state to which the secretary of state shall mail a copy of any process against it served upon him or her. The limited liability company may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her. 
§ 26. Section 807 of the limited liability company law is amended to read as follows: 
§ 807. Termination of existence. When a foreign limited liability company that has received a certificate of authority is dissolved or its authority to conduct its business or existence is otherwise terminated or canceled in the jurisdiction of its formation or when such foreign limited liability company is merged into or consolidated with another foreign limited liability company, (a) a certificate of the secretary of state or official performing the equivalent function as to limited liability company records in the jurisdiction of organization of such limited liability company records in the jurisdiction of organization of such limited liability company attesting to the occurrence of any such event or (b) a certified copy of an order or decree of a court of such jurisdiction directing the dissolution of such foreign limited liability company, the termination of its existence or the surrender of its authority shall be delivered to the department of state. The filing of
the certificate, order or decree shall have the same effect as the filing of a certificate of surrender of authority under section eight hundred six of this article. The secretary of state shall continue as agent of the foreign limited liability company upon whom process against it may be served in the manner set forth in article three of this chapter, in any action or proceeding based upon any liability or obligation incurred by the foreign limited liability company within this state prior to the filing of such certificate, order or decree. The post office address and/or email address may be changed by filing with the department of state a certificate of amendment under section eight hundred four of this article.

§ 27. Paragraph 11 of subdivision (a) of section 1003 of the limited liability company law, as amended by chapter 374 of the laws of 1998, is amended to read as follows:

(11) a designation of the secretary of state as its agent upon whom process against it may be served in the manner set forth in article three of this chapter in any action or special proceeding, and a post office address, within or without this state, to which the secretary of state shall mail a copy of any process served upon him or her. The limited liability company may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her. Such post office address or email address shall supersede any prior address designated as the address to which process shall be mailed or a notice emailed;

§ 28. Paragraph 6 of subdivision (a) of section 1306 of the limited liability company law is amended to read as follows:

(6) a designation of the secretary of state as its agent upon whom process against it may be served and the post office address within or without this state to which the secretary of state shall mail a copy of any process against it served upon him or her. The limited liability company may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her; and

§ 29. Paragraph (d) of section 304 of the not-for-profit corporation law, as amended by chapter 358 of the laws of 2015, is amended to read as follows:

(d) Any designated post-office address to which the secretary of state shall mail a copy of process served upon him or her as agent of a domestic corporation formed under article four of this chapter or foreign corporation, shall continue until the filing of a certificate or other instrument under this chapter directing the mailing to a different post-office address and any designated email address to which the secretary of state shall email a notice of the fact that process has been electronically served upon him or her as agent of a domestic corporation or foreign corporation, shall continue until the filing of a certificate or other instrument under this chapter changing or deleting the email address.

§ 30. Paragraph (b) of section 306 of the not-for-profit corporation law, as amended by chapter 23 of the laws of 2014, is amended to read as follows:

(b) Service of process on the secretary of state as agent of a domestic corporation formed under article four of this chapter or an authorized foreign corporation shall be made [by personally] in the manner provided by subparagraph one or two of this paragraph. (1) Personally delivering to and leaving with the secretary of state or his or her deputy, or with any person authorized by the secretary of state to
receive such service, at the office of the department of state in the
city of Albany, duplicate copies of such process together with the stat-
utory fee, which fee shall be a taxable disbursement. Service of process
on such corporation shall be complete when the secretary of state is so
served. The secretary of state shall promptly send one of such copies
by certified mail, return receipt requested, to such corporation, at the
post office address, on file in the department of state, specified for
the purpose. If a domestic corporation formed under article four of this
chapter or an authorized foreign corporation has no such address on file
in the department of state, the secretary of state shall so mail such
copy to such corporation at the address of its office within this state
on file in the department.  (2) Electronically submitting a copy of the
process to the department of state together with the statutory fee,
which fee shall be a taxable disbursement, through an electronic system
operated by the department of state, provided the domestic or authorized
foreign corporation has an email address on file in the department of
state to which the secretary of state shall email a notice of the fact
that process has been served electronically on the secretary of state.
Service of process on such corporation shall be complete when the secre-
tary of state has reviewed and accepted service of such process. The
secretary of state shall promptly send a notice of the fact that process
against such corporation has been served electronically on him or her to
such corporation at the email address on file in the department of
state, specified for the purpose and shall make a copy of the process
available to such corporation.

§ 31. Paragraph (b) of section 307 of the not-for-profit corporation
law is amended to read as follows:

(b) (1) Service of such process upon the secretary of state shall be
made [by personally] in the manner provided by items (i) or (ii) of this
subparagraph. (i) Personally delivering to and leaving with him or his
deputy, or with any person authorized by the secretary of state to
receive such service, at the office of the department of state in the
city of Albany, a copy of such process together with the statutory fee,
which fee shall be a taxable disbursement. [Such service] (ii) Electron-
ically submitting a copy of the process to the department of state
[together with the statutory fee, which fee shall be a taxable disburse-
ment, through an electronic system operated by the department of state.

(2) Service under this paragraph shall be sufficient if notice thereof
and a copy of the process are:

[1.] (i) Delivered personally without this state to such foreign
corporation by a person and in the manner authorized to serve process by
law of the jurisdiction in which service is made, or

[2.] (ii) Sent by or on behalf of the plaintiff to such foreign
corporation by registered mail with return receipt requested, at the
post office address specified for the purpose of mailing process, on
file in the department of state, or with any official or body performing
the equivalent function, in the jurisdiction of its incorporation, or if
no such address is there specified, to its registered or other office
there specified, or if no such office is there specified, to the last
address of such foreign corporation known to the plaintiff.

§ 32. Subparagraph 6 of paragraph (a) of section 402 of the not-for-
profit corporation law, as added by chapter 564 of the laws of 1981 and
as renumbered by chapter 132 of the laws of 1985, is amended to read as
follows:

(6) A designation of the secretary of state as agent of the corpo-
ration upon whom process against it may be served and the post office
§ 33. Paragraph (b) of section 801 of the not-for-profit corporation law is amended by adding a new paragraph 10 to read as follows:

(10) To specify, change or delete the email address to which the secretary of state shall email a notice of the fact that process against the corporation has been electronically served upon him or her.

§ 34. Paragraph (c) of section 802 of the not-for-profit corporation law is amended by adding a new paragraph 4 to read as follows:

(4) To specify, change or delete the email address to which the secretary of state shall email a notice of the fact that process against the corporation has been electronically served upon him or her.

§ 35. Subparagraph 6 of paragraph (a) of section 803 of the not-for-profit corporation law, as amended by chapter 23 of the laws of 2014, is amended to read as follows:

(6) A designation of the secretary of state as agent of the corporation upon whom process against it may be served and the post office address within or without this state to which the secretary of state shall mail a copy of any process against it served upon the secretary. The corporation may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her.

§ 36. Paragraph (b) of section 803-A of the not-for-profit corporation law, as amended by chapter 172 of the laws of 1999, is amended to read as follows:

(b) A certificate of change which changes only the post office address to which the secretary of state shall mail a copy of any process against the corporation served upon him or her, and/or the email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon the secretary of state, and/or the address of the registered agent, provided such address being changed is the address of a person, partnership or other corporation whose address, as agent, is the address to be changed or, and/or the email address being changed is the email address of a person, partnership or other corporation, whose email address, as agent, is the email address to be changed, and/or who has been designated as registered agent for such corporation, may be signed and delivered to the department of state by such agent. The certificate of change shall set forth the statements required under subparagraphs (1), (2) and (3) of paragraph (a) of this section; that a notice of the proposed change was mailed to the corporation by the party signing the certificate not less than thirty days prior to the date of delivery to the department and that such corporation has not objected thereto; and that the party signing the certificate is the agent of such corporation to whose address the secretary of state is required to mail copies of any process against the corporation served upon him or her, and/or the agent of the corporation to whose the email address the secretary of state is required to email a notice of the fact that process against the corporation has been electronically served upon him or her, and/or the registered agent, if such be the case. A certificate signed and delivered under this paragraph shall not be deemed to effect a change of location of the office of the corporation in whose behalf such certificate is filed.
§ 37. Paragraph (c) of section 1310 of the not-for-profit corporation law, as amended by chapter 172 of the laws of 1999, is amended and a new subparagraph 4 is added to paragraph (a) to read as follows:

(4) To specify, change or delete the email address to which the secretary of state shall email a notice of the fact that process against the corporation has been electronically served upon him or her.

(c) A certificate of change of application for authority which changes only the post office address to which the secretary of state shall mail a copy of any process against an authorized foreign corporation served upon him or her, the email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon the secretary of state and/or which changes the address of its registered agent, provided such address is the address of a person, partnership or other corporation whose address, as agent, is the address to be changed, and/or the email address being changed is the email address of a person, partnership or other corporation whose email address, as agent, is the email address to be changed, or who has been designated as registered agent for such authorized foreign corporation, may be signed and delivered to the department of state by such agent. The certificate of change of application for authority shall set forth the statements required under subparagraphs (1), (2), (3) and (4) of paragraph (b) of this section; that a notice of the proposed change was mailed by the party signing the certificate to the authorized foreign corporation not less than thirty days prior to the date of delivery to the department and that such corporation has not objected thereto; and that the party signing the certificate is the agent of such foreign corporation to whose address the secretary of state is required to mail copies of process [ ], and/or the agent of such foreign corporation to whose email address the secretary of state is required to email a notice of the fact that process against it has been electronically served upon the secretary of state, and/or the registered agent, if such be the case. A certificate signed and delivered under this paragraph shall not be deemed to effect a change of location of the office of the corporation in whose behalf such certificate is filed.

§ 38. Subparagraph 6 of paragraph (a) of section 1311 of the not-for-profit corporation law is amended to read as follows:

(6) A post office address within or without this state to which the secretary of state shall mail a copy of any process against it served upon him or her. The corporation may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her.

§ 39. Section 1312 of the not-for-profit corporation law, as amended by chapter 375 of the laws of 1998, is amended to read as follows:

§ 1312. Termination of existence.

When an authorized foreign corporation is dissolved or its authority or existence is otherwise terminated or cancelled in the jurisdiction of its incorporation or when such foreign corporation is merged into or consolidated with another foreign corporation, a certificate of the secretary of state, or official performing the equivalent function as to corporate records, of the jurisdiction of incorporation of such foreign corporation attesting to the occurrence of any such event or a certified copy of an order or decree of a court of such jurisdiction directing the dissolution of such foreign corporation, the termination of its existence or the cancellation of its authority shall be delivered to the department of state. The filing of the certificate, order or decree shall have the same effect as the filing of a certificate of surrender
of authority under section 1311 (Surrender of authority). The secretary
of state shall continue as agent of the foreign corporation upon whom
process against it may be served in the manner set forth in paragraph
(b) of section 306 (Service of process), in any action or special
proceeding based upon any liability or obligation incurred by the
foreign corporation within this state prior to the filing of such
certificate, order or decree and he shall promptly cause a copy of any
such process to be mailed by [registered|certified] mail, return receipt
requested, to such foreign corporation at the post office address on
file in his or her office specified for such purpose or a notice of the
fact that process against the corporation has been served on him or her
to be emailed to the foreign corporation at the email address on file in
his or her office specified for such purpose. The post office address
and/or email address may be changed by signing and delivering to the
department of state a certificate of change setting forth the statements
required under section 1310 (Certificate of change[ ] contents) to
effect a change in the post office address and/or email address under
subparagraph (a) [44] [7] of section 1308 (Amendments or changes).
§ 40. Subdivision (c) of section 121-104 of the partnership law, as
added by chapter 950 of the laws of 1990, is amended to read as follows:
(c) Any designated post office address to which the secretary of state
shall mail a copy of process served upon him as agent of a domestic
limited partnership or foreign limited partnership shall continue until
the filing of a certificate or other instrument under this article
directing the mailing to a different post office address and any desig-
nated email address to which the secretary of state shall mail a notice
of the fact that process against such domestic limited partnership or
foreign limited partnership has been electronically served upon him or
her as agent of a domestic limited partnership or foreign limited part-
nership, shall continue until the filing of a certificate or other
instrument under this chapter changing or deleting the email address.
§ 41. Subdivision (a) and the opening paragraph of subdivision (b) of
section 121-109 of the partnership law, as added by chapter 950 of the
laws of 1990 and as relettered by chapter 341 of the laws of 1999, are
amended to read as follows:
(a) Service of process on the secretary of state as agent of a domes-
tic or authorized foreign limited partnership shall be made [as follows]
in the manner provided by paragraph one or two of this subdivision:
(1) By personally delivering to and leaving with him or her or his or
her deputy, or with any person authorized by the secretary of state to
receive such service, at the office of the department of state in the
city of Albany, duplicate copies of such process together with the stat-
utory fee, which fee shall be a taxable disbursement.
[44] The service on the limited partnership is complete when the
secretary of state is so served.
[44] The secretary of state shall promptly send one of such copies by
certified mail, return receipt requested, addressed to the limited part-
nership at the post office address, on file in the department of state,
specified for that purpose.
(2) Electronically submitting a copy of the process to the department
of state together with the statutory fee, which fee shall be a taxable
disbursement, through an electronic system operated by the department of
state, provided the domestic or authorized foreign limited partnership
has an email address on file in the department of state to which the
secretary of state shall email a notice of the fact that process has
been served electronically on the secretary of state as agent of such
domestic or authorized foreign limited partnership. Service of process on such limited partnership or authorized foreign limited partnership shall be complete when the secretary of state has reviewed and accepted service of such process. The secretary of state shall promptly send a notice of the fact that process has been served to such limited partnership at the email address on file in the department of state, specified for the purpose and shall make a copy of the process available to such limited partnership or authorized foreign limited partnership.

In any case in which a non-domiciliary would be subject to the personal or other jurisdiction of the courts of this state under article three of the civil practice law and rules, a foreign limited partnership not authorized to do business in this state is subject to a like jurisdiction. In any such case, process against such foreign limited partnership may be served upon the secretary of state as its agent. Such process may issue in any court in this state having jurisdiction of the subject matter. Service of process upon the secretary of state shall be made [by personally] in the manner provided by paragraph one or two of this subdivision. (1) Personally delivering to and leaving with him or his deputy, or with any person authorized by the secretary of state to receive such service, at the office of the department of state in the city of Albany, a copy of such process together with the statutory fee, which fee shall be a taxable disbursement. (2) Electronically submitting a copy of the process to the department of state together with the statutory fee, which fee shall be a taxable disbursement, through an electronic system operated by the department of state. Such service shall be sufficient if notice thereof and a copy of the process are:

§ 42. Paragraph 3 of subdivision (a) of section 121-201 of the partnership law, as amended by chapter 264 of the laws of 1991, is amended to read as follows:

(3) a designation of the secretary of state as agent of the limited partnership upon whom process against it may be served and the post office address within or without this state to which the secretary of state shall mail a copy of any process against it served upon him or her. The limited partnership may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her;

§ 43. Paragraph 4 of subdivision (b) of section 121-202 of the partnership law, as amended by chapter 576 of the laws of 1994, is amended to read as follows:

(4) a change in the name of the limited partnership, or a change in the post office address to which the secretary of state shall mail a copy of any process against the limited partnership served on him or her, a change in the email address to which the secretary of state shall email a notice of the fact that process against the limited partnership has been electronically served upon him or her, or a change in the name or address of the registered agent, if such change is made other than pursuant to section 121-104 or 121-105 of this article.

§ 44. The opening paragraph of subdivision (a) and subdivision (b) of section 121-202-A of the partnership law, as added by chapter 448 of the laws of 1998, are amended to read as follows:

A certificate of limited partnership may be changed by filing with the department of state a certificate of change entitled "Certificate of Change of ..... (name of limited partnership) under Section 121-202-A of the Revised Limited Partnership Act" and shall be signed and delivered to the department of state. A certificate of change may (i) specify or change the location of the limited partnership's office; (ii) specify or
change the post office address to which the secretary of state shall mail a copy of process against the limited partnership served upon him; and (iii) specify, change or delete the email address to which the secretary of state shall email a notice of the fact that process against the limited partnership has been electronically served upon him or her; and (iv) make, revoke or change the designation of a registered agent, or to specify or change the address of its registered agent. It shall set forth:

(b) A certificate of change which changes only the post office address to which the secretary of state shall mail a copy of any process against a limited partnership served upon him or her, the email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon the secretary of state, and/or the address of the registered agent, provided such address being changed is the address of a person, partnership or corporation whose address, as agent, is the address to be changed, and/or the email address being changed is the email address of a person, partnership or other corporation whose email address, as agent, is the email address to be changed, or who has been designated as registered agent for such limited partnership shall be signed and delivered to the department of state by such agent. The certificate of change shall set forth the statements required under subdivision (a) of this section; that a notice of the proposed change was mailed to the domestic limited partnership by the party signing the certificate not less than thirty days prior to the date of delivery to the department of state and that such domestic limited partnership has not objected thereto; and that the party signing the certificate is the agent of such limited partnership to whose address the secretary of state is required to mail copies of process or, and/or the agent to whose email address the secretary of state is required to email a notice of the fact that process against it has been electronically served upon the secretary of state, and/or the registered agent, if such be the case. A certificate signed and delivered under this subdivision shall not be deemed to effect a change of location of the office of the limited partnership in whose behalf such certificate is filed.

§ 45. Paragraph 4 of subdivision (a) of section 121-902 of the partnership law, as amended by chapter 172 of the laws of 1999, is amended to read as follows:

(4) a designation of the secretary of state as its agent upon whom process against it may be served and the post office address within or without this state to which the secretary of state shall mail a copy of any process against it served upon him or her. The limited partnership may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her;

§ 46. The opening paragraph of subdivision (a) and subdivision (b) of section 121-903-A of the partnership law, as added by chapter 448 of the laws of 1998, are amended to read as follows:

A foreign limited partnership may change its application for authority by filing with the department of state a certificate of change entitled "Certificate of Change of .......... (name of limited partnership) under Section 121-903-A of the Revised Limited Partnership Act" and shall be signed and delivered to the department of state. A certificate of change may (i) change the location of the limited partnership's office; (ii) change the post office address to which the secretary of state shall mail a copy of process against the limited partnership served upon him;
specify, change or delete the email address to which the secretary of state shall email a notice of the fact that process against the limited partnership has been electronically served upon him or her; and (iv) make, revoke or change the designation of a registered agent, or to specify or change the address of its registered agent. It shall set forth:

(b) A certificate of change which changes only the post office address to which the secretary of state shall mail a copy of any process against a foreign limited partnership served upon him or her, and/or the email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon the secretary of state, and/or the address of the registered agent, provided such address being changed is the address of a person, partnership or corporation whose address, as agent, is the address to be changed, and/or the email address being changed is the email address of a person, partnership or other corporation whose email address, as agent, is the email address to be changed, or who has been designated as registered agent for such foreign limited partnership shall be signed and delivered to the department of state by such agent. The certificate of change shall set forth the statements required under subdivision (a) of this section; that a notice of the proposed change was mailed to the foreign limited partnership by the party signing the certificate not less than thirty days prior to the date of delivery to the department of state and that such foreign limited partnership has not objected thereto; and that the party signing the certificate is the agent of such foreign limited partnership to whose address the secretary of state is required to mail copies of process or, the email address of the party to whose email address the secretary of state is required to mail a notice of the fact that process against the secretary of state and/or the registered agent, if such be the case. A certificate signed and delivered under this subdivision shall not be deemed to effect a change of location of the office of the limited partnership in whose behalf such certificate is filed.

§ 47. Paragraph 6 of subdivision (b) of section 121-905 of the partnership law, as added by chapter 950 of the laws of 1990, is amended to read as follows:

(6) a post office address within or without this state to which the secretary of state shall mail a copy of any process against it served upon him or her. The limited partnership may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her.

§ 48. Section 121-906 of the partnership law, as amended by chapter 172 of the laws of 1999, is amended to read as follows:

§ 121-906. Termination of existence. When a foreign limited partnership which has received a certificate of authority is dissolved or its authority to conduct its business or existence is otherwise terminated or cancelled in the jurisdiction of its organization or when such foreign limited partnership is merged into or consolidated with another foreign limited partnership, (i) a certificate of the secretary of state, or official performing the equivalent function as to limited partnership records, in the jurisdiction of organization of such limited partnership attesting to the occurrence of any such event, or (ii) a certified copy of an order or decree of a court of such jurisdiction directing the dissolution of such foreign limited partnership, the termination of its existence or the surrender of its authority, shall be delivered to the department of state. The filing of the certificate,
order or decree shall have the same effect as the filing of a certificate of surrender of authority under section 121-905 of this article. The secretary of state shall continue as agent of the foreign limited partnership upon whom process against it may be served in the manner set forth in section 121-109 of this article, in any action or proceeding based upon any liability or obligation incurred by the foreign limited partnership within this state prior to the filing of such certificate, order or decree. The post office address and/or email address may be changed by filing with the department of state a certificate of amendment under section 121-903 or a certificate of change under section 121-903-A of this article.

§ 49. Paragraph 7 of subdivision (a) of section 121-1103 of the partnership law, as added by chapter 950 of the laws of 1990, is amended to read as follows:

(7) A designation of the secretary of state as its agent upon whom process against it may be served in the manner set forth in section 121-109 of this article in any action or special proceeding, and a post office address, within or without this state, to which the secretary of state shall mail a copy of any process served upon him or her. The limited partnership may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her. Such post office address or email address shall supersede any prior address designated as the address to which process shall be mailed or a notice emailed.

§ 50. Subparagraph 4 of paragraph (I) of subdivision (a) and subdivision (j-1) of section 121-1500 of the partnership law, paragraph (I) of subdivision (a) as amended by chapter 643 of the laws of 1995 and as redesignated by chapter 767 of the laws of 2005 and subdivision (j-1) as added by chapter 448 of the laws of 1998, are amended to read as follows:

(4) a designation of the secretary of state as agent of the partnership without limited partners upon whom process against it may be served and the post office address within or without this state to which the secretary of state shall mail a copy of any process against it or served upon it. The partnership without limited partners may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her;

(j-1) A certificate of change which changes only the post office address to which the secretary of state shall mail a copy of any process against a registered limited liability partnership served upon him or her, and/or the email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon the secretary of state, and/or the address of the registered agent, provided such address being changed is the address of a person, partnership or corporation whose address, as agent, is the address to be changed, and/or the email address being changed is the email address of a person, partnership or other corporation whose email address, as agent, is the email address to be changed, and/or who has been designated as registered agent for such registered limited liability partnership shall be signed and delivered to the department of state by such agent. The certificate of change shall set forth: (i) the name of the registered limited liability partnership and, if it has been changed, the name under which it was originally filed with the department of state; (ii) the date of filing of its initial registration or notice statement; (iii) each change effected thereby; (iv) that a notice of the proposed change was mailed to the limited liability partnership
by the party signing the certificate not less than thirty days prior to the date of delivery to the department of state and that such limited liability partnership has not objected thereto; and (v) that the party signing the certificate is the agent of such limited liability partnership to whose address the secretary of state is required to mail copies of process [or], and/or to whose email address the secretary of state is required to mail a notice of the fact that process against it has been electronically served upon the secretary of state, and/or

§ 51. Paragraph (v) of subdivision (a) and subdivision (i-1) of section 121-1502 of the partnership law, paragraph (v) of subdivision (a) as amended by chapter 470 of the laws of 1997 and subdivision (i-1) as added by chapter 448 of the laws of 1998, are amended to read as follows:

(v) a designation of the secretary of state as agent of the foreign limited liability partnership upon whom process against it may be served and the post office address within or without this state to which the secretary of state shall mail a copy of any process against it or served upon it. The foreign limited liability partnership may include an email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon him or her;

(i-1) A certificate of change which changes only the post office address to which the secretary of state shall mail a copy of any process against a New York registered foreign limited liability partnership served upon him or her, and/or the email address to which the secretary of state shall email a notice of the fact that process against it has been electronically served upon the secretary of state, and/or the address of the registered agent, provided such address being changed is the address of a person, partnership or corporation whose address, as agent, is the address to be changed [or], and/or the email address being changed is the email address of a person, partnership or other corporation whose email address, as agent, is the email address to be changed, and/or who has been designated as registered agent of such registered foreign limited liability partnership shall be signed and delivered to the department of state by such agent. The certificate of change shall set forth: (i) the name of the New York registered foreign limited liability partnership; (ii) the date of filing of its initial registration or notice statement; (iii) each change effected thereby; (iv) that a notice of the proposed change was mailed to the limited liability partnership by the party signing the certificate not less than thirty days prior to the date of delivery to the department of state and that such limited liability partnership has not objected thereto; and (v) that the party signing the certificate is the agent of such limited liability partnership to whose address the secretary of state is required to mail copies of process [or], and/or to whose email address the secretary of state is required to mail a notice of the fact that process against it has been electronically served upon the secretary of state, and/or the registered agent, if such be the case. A certificate signed and delivered under this subdivision shall not be deemed to effect a change of location of the office of the limited liability partnership in whose behalf such certificate is filed. The certificate of change shall be accompanied by a fee of five dollars.
§ 52. Subdivision (a) of section 121-1505 of the partnership law, as
added by chapter 470 of the laws of 1997, is amended to read as follows:
(a) Service of process on the secretary of state as agent of a regis-
tered limited liability partnership or New York registered foreign
limited liability partnership under this article shall be made [by
personally] in the manner provided by paragraph one or two of this
subdivision. (1) Personally delivering to and leaving with the secretary
of state or a deputy, or with any person authorized by the secretary of
state to receive such service, at the office of the department of state
in the city of Albany, duplicate copies of such process together with
the statutory fee, which fee shall be a taxable disbursement. Service of
process on such registered limited liability partnership shall be
complete when the secretary of state is so served. The secretary of
state shall promptly send one of such copies by certified mail, return
receipt requested, to such registered limited liability partnership, at
the post office address on file in the department of state specified for
such purpose. (2) Electronically submitting a copy of the process to the
department of state together with the statutory fee, which fee shall be
a taxable disbursement, through an electronic system operated by the
department of state, provided the registered limited liability partner-
ship or New York registered foreign limited liability partnership has an
email address on file in the department of state to which the secretary
of state shall email a notice of the fact that process against such
registered limited liability partnership or New York registered foreign
limited liability partnership served has been electronically served on
the secretary of state. Service of process on such registered limited
liability partnership or New York registered foreign limited liability
partnership served shall be complete when the secretary of state has reviewed
and accepted service of such process. The secretary of state shall
promptly send a notice of the fact that process against such registered
limited liability partnership or New York registered foreign limited
liability partnership has been served electronically upon him or her, to
such registered limited liability partnership or New York registered
foreign limited liability partnership at the email address on file in
the department of state, specified for the purpose and shall make a copy
of the process available to such registered limited liability partner-
ship or New York registered foreign limited liability partnership.

§ 53. Subdivision 7 of section 339-n of the real property law, as
amended by chapter 346 of the laws of 1997, is amended to read as
follows:
7. A designation of the secretary of state as agent of the corporation
or board of managers upon whom process against it may be served and the
post office address within or without this state to which the secretary
of state shall mail a copy of any process against it served upon him or
her. The designation may include an email address to which the secretary
of state shall email a notice of the fact that process against it has
been electronically served upon him or her. Service of process on the
secretary of state as agent of such corporation or board of managers
shall be made [personally] in the manner provided by paragraph (a) or
(b) of this subdivision. (a) Personally delivering to and leaving with
him or her or his or her deputy, or with any person authorized by the
secretary of state to receive such service, at the office of the depart-
ment of state in the city of Albany, duplicate copies of such process
together with the statutory fee, which shall be a taxable disbursement.
Service of process on such corporation or board of managers shall be
complete when the secretary of state is so served. The secretary of
state shall promptly send one of such copies by certified mail, return receipt requested, to such corporation or board of managers, at the post office address, on file in the department of state, specified for such purpose. (b) Electronically submitting a copy of the process to the department of state together with the statutory fee, which fee shall be a taxable disbursement, through an electronic system operated by the department of state, provided the corporation or board of managers has an email address on file in the department of state to which the secretary of state shall email a notice of the fact that process against the corporation or board of managers has been served electronically on the secretary of state. Service of process on such corporation or board of managers shall be complete when the secretary of state has reviewed and accepted service of such process. The secretary of state shall promptly send notice of the fact that process has been served electronically on the secretary of state to such corporation or board of managers at the email address on file in the department of state, specified for the purpose and shall make a copy of the process available to such corporation or board of managers. Nothing in this subdivision shall affect the right to serve process in any other manner permitted by law. The corporation or board of managers shall also file with the secretary of state the name and post office address within or without this state to which the secretary of state shall mail a copy of any process against it served upon the secretary of state and shall update the filing as necessary.

§ 54. This act shall take effect January 1, 2023.

PART P

Section 1. The executive law is amended by adding a new section 137-a to read as follows:

§ 137-a. Electronic notarization. 1. Definitions. (a) "Communication technology" means an electronic device or process that: (i) allows a notary public and a remotely located individual to communicate with each other simultaneously by sight and sound; and (ii) when necessary and consistent with other applicable law, facilitates communication with a remotely located individual who has a vision, hearing, or speech impairment. (b) "Electronic" shall have the same meaning as set forth in subdivision one of section three hundred two of the state technology law. (c) "Electronic document" means information that is created, generated, sent, communicated, received or stored by electronic means. (d) "Electronic notarial act" means an official act by a notary public on or involving an electronic document and using means authorized by the secretary of state. (e) "Electronic notary public" or "electronic notary" means a notary public who has registered with the secretary of state the capability of performing electronic notarial acts. (f) "Electronic signature" shall have the same meaning as set forth in subdivision three of section three hundred two of the state technology law. (g) "Electronic notarial statement of authority" means the portion of a notarized electronic document that is completed by a notary public and contains the notary public's electronic signature and all information required by section one hundred thirty-seven of this article. (h) "Notary electronic signature" means those forms of electronic signature, which have been approved by the secretary of state as an
acceptable means for an electronic notary to affix the notary public's official signature to an electronic record that is being notarized.

(i) "Remotely located individual" means an individual who is not in the physical presence of the notary public at the time of the notarial act.

2. Identifying document signers. (a) The methods for identifying document signers for an electronic notarization shall be the same as the methods required for a paper-based notarization; provided, however, an electronic notarization conducted utilizing communication technology shall meet the following standards:

(i) the signal transmission shall be secure from interception through lawful means by anyone other than the persons communicating;
(ii) the signal transmission shall be live, in real time; and
(iii) the technology shall permit the notary to communicate with and identify the remotely located individual at the time of the notarial act, provided that such identification is confirmed by:
   (A) personal knowledge;
   (B) an antecedent in-person identity verification process in accordance with the specifications of the federal bridge certification authority; or
   (C) each of the following: (1) remote presentation by the person creating the electronic signature of a government-issued identification credential, including such person's passport or driver's license, that contains the signature and a photograph of such person; (2) credential analysis; and (3) identity proofing.

(b) If video and audio conference technology has been used to ascertain a document signer's identity, the electronic notary shall keep a copy of the recording of the video and audio conference and a notation of the type of any other identification used. The recording shall be maintained for a period of at least ten years from the date of trans-action.

(c) For purposes of this subdivision: (i) "credential analysis" means a process or service that meets the standards established by the secretary of state through which a third person affirms the validity of a government-issued identification credential through review of public and proprietary data sources; and
(ii) "identity proofing" means a process or service operating according to standards established by the secretary of state through which a third person affirms the identity of an individual: (A) by means of dynamic knowledge based authentication such as a review of personal information from public or proprietary data sources; or (B) by means of analysis of biometric data such as, but not limited to, facial recognition, voiceprint analysis, or fingerprint analysis.

3. Registration requirements. (a) Before performing any electronic notarial act or acts, a notary public shall register the capability to notarize electronically with the secretary of state on a form prescribed by the secretary of state.

(b) In registering the capability to perform electronic notarial acts, the notary public shall provide the following information to the secretary of state, notary processing unit:
   (i) the applicant's name as currently commissioned and complete mailing address;
   (ii) the expiration date of the notary public's commission and signature of the commissioned notary public;
   (iii) the applicant's e-mail address;
(iv) the description of the electronic technology or technologies to be used in attaching the notary public's electronic signature to the electronic document; and
(v) an exemplar of the notary public's electronic signature, which shall contain the notary public's name and any necessary instructions or techniques that allow the notary public's electronic signature to be read.

4. Types of electronic notarial acts. (a) Any notarial act authorized by section one hundred thirty-five of this article may be performed electronically as prescribed by this section if: (i) under applicable law that document may be signed with an electronic signature; and (ii) the electronic notary public is located within the state at the time of the performance of an electronic notarial act using communication technology, regardless of the location of the document signer.
(b) An electronic notarial act performed using communication technology pursuant to this section satisfies any requirement of law of this state that a document signer personally appear before, be in the presence of, or be in a single time and place with a notary public at the time of the performance of the notarial act.

5. Form and manner of performing the electronic notarial act. (a) When performing an electronic notarial act, a notary public shall apply an electronic signature, which shall be attached to or logically associated with the electronic document such that removal or alteration of such electronic signature is detectable and will render evidence of alteration of the document containing the notary signature which may invalidate the electronic notarial act.
(b) The notary public's electronic signature is deemed to be reliable if the following requirements are met: (i) it is unique to the notary public; (ii) it is capable of independent verification; (iii) it is retained under the notary public's sole control; (iv) it is attached to or logically associated with the electronic document; and (v) it is linked to the data in such a manner that any subsequent alterations to the underlying document are detectable and may invalidate the electronic notarial act.
(c) The notary public's electronic signature shall be used only for the purpose of performing electronic notarial acts.
(d) The remote online notarial certificate for an electronic notarial act shall state that the person making the acknowledgement or making the oath appeared remotely online.
(e) The secretary shall adopt rules necessary to establish standards, procedures, practices, forms, and records relating to a notary public's electronic signature. The notary public's electronic signature shall conform to any standards adopted by the secretary.

6. Recording of an electronic record. (a) If otherwise required by law as a condition for recording that a document be an original document, printed on paper or another tangible medium, or be in writing, the requirement is satisfied by paper copy of an electronic record that complies with the requirements of this section.
(b) If otherwise required by law as a condition for recording, that a document be signed, the requirement is satisfied by an electronic signature.
(c) A requirement that a document or a signature associated with a document be notarized, acknowledged, verified, witnessed, or made under oath is satisfied if the electronic signature of the person authorized
to perform that act, and all other information required to be included, is attached to or logically associated with the document or signature. A physical or electronic image of a stamp, impression, or seal need not accompany an electronic signature if the notary has attached an electronic notarial certificate that meets the requirements of this section.

7. Change of e-mail address. Within five days after the change of an electronic notary public's e-mail address, the notary public shall electronically transmit to the secretary of state a notice of the change, signed with the notary public's official electronic signature.

§ 2. Section 136 of the executive law, as amended by chapter 143 of the laws of 1991, is amended to read as follows:

§ 136. Notarial fees. A notary public shall be entitled to the following fees:

1. For administering an oath or affirmation, and certifying the same when required, except where another fee is specifically prescribed by statute, two dollars.

2. For taking and certifying the acknowledgment or proof of execution of a written instrument, by one person, two dollars, and by each additional person, two dollars, for swearing each witness thereto, two dollars, including for electronic notarial services, as authorized by the secretary of state.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such effective date.

PART Q

Intentionally Omitted

PART R

Intentionally Omitted

PART S

Intentionally Omitted

PART T

Section 1. Legislative findings. The legislature hereby finds and determines that the establishment of the utility debt securitization authority under part B of chapter 173 of the laws of 2013, as amended, permitted the issuance of securitized restructuring bonds on favorable terms which resulted in lower aggregate distribution, transmission and transition charges to Long Island ratepayers, compared to other available alternatives, and the purposes of such act will be further advanced by amending such act to permit the issuance of additional such bonds subject to a limit on the outstanding principal amount thereof and to allow such bonds to be issued to refund bonds of the utility debt securitization authority. The legislature hereby further finds and determines that improvements to the transmission and distribution system of
the Long Island Power Authority to increase resiliency and better withstand the effects of climate change are necessary, and that issuance of securitized restructuring bonds by the Utility Debt Securitization Authority may allow the funding of such improvements on more favorable terms than if such bonds were issued by the Long Island Power Authority. The legislature hereby further finds and determines that it is in the interest of Long Island ratepayers for the state comptroller to exercise oversight over the issuance of securitized restructuring bonds and contracts entered into on behalf of the service provider.

§ 2. Subdivision 2 of section 2 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority, is amended to read as follows:

2. "Approved restructuring costs" means, to the extent approved as such under a restructuring cost financing order, (a) costs of purchasing, redeeming or defeasing a portion of outstanding debt of the authority, or the restructuring bond issuer, including bonds and notes issued by the authority, or the restructuring bond issuer, debt issued by the New York state energy research and development authority for the benefit of the LILCO; (b) costs of terminating interest rate swap contracts and other financial contracts entered into by or for the benefit of the authority and related to debt obligations of the authority; (c) rebate, yield reduction payments and any other amounts payable to the United States Treasury or to the Internal Revenue Service to preserve or protect the federal tax-exempt status of outstanding debt obligations of the authority; (d) upfront financing costs associated with restructuring bonds; and (e) system resiliency costs.

§ 3. Subdivision 11 of section 2 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority, as amended by section 2-a of part W of chapter 58 of the laws of 2015, is amended to read as follows:

11. "Restructuring bonds" means bonds or other evidences of indebtedness that are issued pursuant to an indenture or other agreement of the restructuring bond issuer under a restructuring cost financing order (a) the proceeds of which are used, directly or indirectly, to recover, finance, or refinance approved restructuring costs, (b) that are directly or indirectly secured by, or payable from, restructuring property, and (c) that have a term no longer than thirty years and (d) that have a final scheduled maturity date no later than the final scheduled maturity date of the authority bonds purchased, redeemed or defeased with the proceeds of such restructuring bonds.

§ 4. Section 2 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority, is amended by adding a new subdivision 17-a to read as follows:

17-a. "System resiliency costs" means, to the extent approved as such under a restructuring cost financing order, costs of rebuilding, improving or constructing transmission and distribution system assets to increase resiliency of such assets, better withstand changes in climate, absorb impacts from outage-inducing events, and recover quickly from outages including but not limited to, improvements to and replacement of poles and wires, moving power lines underground, raising substations, constructing flood barriers, and system automation and costs of purchasing, redeeming or defeasing debt of the authority incurred to finance
such costs or reimbursing the authority for amounts already spent on such costs.

§ 5. Subdivision 1 of section 3 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority, is amended to read as follows:

1. Standard. The authority may, subject to approval of the state comptroller, in consultation with the department of public service, prepare a restructuring cost financing order (a) for the purpose of issuing restructuring bonds to refinance outstanding debt of the authority or

the restructuring bond issuer based on a finding that such bond issuance is expected to result in savings to consumers of electric transmission and distribution services in the service area on a net present value basis; or (b) for the purpose of issuing restructuring bonds to finance system resiliency costs based on a finding that funding of such system resiliency costs by the issuer would result in lower costs to consumers of electric transmission and distribution services in the service area on a net present value basis than funding of such costs by the authority.

§ 6. Paragraph (a) of subdivision 1 of section 4 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority, as amended by section 3 of part W of chapter 58 of the laws of 2015, is amended to read as follows:

(a) For the purpose of effectuating the purposes declared in section one of this act, there is hereby created a special purpose corporate municipal instrumentality of the state to be known as "utility debt securitization authority", which shall be a body corporate and politic, a political subdivision of the state, and a public benefit corporation, exercising essential governmental and public powers for the good of the public. Such restructuring bond issuer shall not be created or organized, and its operations shall not be conducted, for the purpose of making a profit. No part of the revenues or assets of such restructuring bond issuer shall inure to the benefit of or be distributable to its trustees or officers or any other private persons, except as herein provided for actual services rendered. [The aggregate principal amount of restructuring bonds authorized to be issued by restructuring bond issuers created pursuant to this act shall not exceed] No more than four billion five hundred million dollars aggregate principal amount of restructuring bonds issued by restructuring bond issuers created pursuant to this act shall be outstanding at any time. For the purposes of this section, restructuring bonds shall not be deemed to be outstanding if they have matured or if they have been paid or redeemed or provision for payment or redemption of such bonds shall have been made.

§ 7. Subparagraphs (i) and (iv) of paragraph (a) of subdivision 2 of section 4 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority, subparagraph (i) as amended and subparagraph (iv) as added by section 4 of part W of chapter 58 of the laws of 2015, are amended to read as follows:

(i) issue the restructuring bonds contemplated by a restructuring cost financing order, and use the proceeds thereof to purchase or acquire, and to own, hold and use restructuring property or to pay or fund upfront financing costs [provided, however, that the restructuring bond issuer shall not issue restructuring bonds for the purpose of refunding other restructuring bond];
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(iv) [only] issue restructuring bonds of which the final scheduled maturity date of any series of restructuring bonds shall be no later than the final scheduled maturity date of the authority bonds to be purchased, redeemed or defeased with the proceeds of such restructuring bonds] thirty years from the date of issuance of such restructuring bonds.

§ 7-a. Subdivision 2 of section 1020-cc of the public authorities law, as added by section 11 of part A of chapter 173 of the laws of 2013, is amended to read as follows:

2. The authority and service provider shall provide to the state comptroller on March thirty-first and September thirtieth of each year a report documenting each contract in excess of two hundred fifty thousand dollars per year entered into with a third party and related to management and operation services associated with the authority's electric transmission and distribution system, including the name of the third party, the contract term and a description of services or goods to be procured, and post such report on each of their websites. All contracts entered into between the service provider and third parties are [not] subject to the requirements of subdivision one of this section.

§ 8. This act shall take effect immediately.

PART U

Section 1. Paragraph 4 of subdivision (c) of section 188-a of the economic development law, as added by section 2 of part CC of chapter 60 of the laws of 2011, is amended to read as follows:

(4) The board may base its recommendation on which eligible applicants it determines best meet the applicable criteria; provided, however, that the board shall dedicate recharge New York power as follows: (i) at least three hundred fifty megawatts for use at facilities located within the service territories of the utility corporations that, prior to the effective date of this section, purchased Niagara and Saint Lawrence hydroelectric power for the benefit of their domestic and rural consumers; (ii) at least two hundred megawatts for the purposes of attracting new business to the state, creating new business within the state, or encouraging the expansion of existing businesses within the state, that create new jobs or leverage new capital investment; and (iii) an amount not to exceed one hundred fifty megawatts for eligible small businesses and eligible not-for-profit corporations.

§ 2. This act shall take effect immediately.

PART V

Section 1. Subsections (e) and (g) of section 7002 of the insurance law, as amended by chapter 188 of the laws of 2003, are amended to read as follows:

(e) "Industrial insured" means an insured:
(1) whose net worth exceeds one hundred million dollars;
(2) who is a member of a holding company system whose net worth exceeds one hundred million dollars;
(3) who is the metropolitan transportation authority and its statutory subsidiaries. When filing an application to form a pure captive insurance company the metropolitan transportation authority shall submit written notice of such filing to the governor, the temporary president of the senate and the speaker of the assembly; [or]
who is the power authority of the state of New York and any statutory subsidiary or affiliate thereof. When filing an application to form a pure captive insurance company the power authority shall submit written notice of such filing to the governor, the temporary president of the senate and the speaker of the assembly; or

who is a city with a population of one million or more. When filing an application to form a pure captive insurance company, a city with a population of one million or more shall submit written notice of such filing to the governor, the temporary president of the senate and the speaker of the assembly.

"Industrial insured group" means any group of unaffiliated industrial insureds that are engaged in similar or related businesses or activities, however, the metropolitan transportation authority, the power authority of the state of New York and any statutory subsidiary or affiliate thereof and cities with a population of one million or more shall not be a member of an industrial insured group, and that collectively:

(1) own, control or hold with power to vote all of the outstanding voting shares of stock of a group captive insurance company incorporated as a stock insurer; or

(2) represent one hundred percent of the voting members of a group captive insurance company organized as a mutual insurer.

§ 2. Section 1005 of the public authorities law is amended by adding a new subdivision 28 to read as follows:

28. The authority may establish a subsidiary corporation for the purpose of forming a pure captive insurance company as provided in section seven thousand two of the insurance law. The members of such subsidiary corporation of the authority shall be the same persons holding the offices of members of the authority. Such subsidiary corporation shall have all of the privileges, immunities, tax exemptions and other exemptions of the authority and of the authority's property, functions and activities. The subsidiary corporation of the authority shall be subject to suit in accordance with section one thousand seventeen of this title. The employees of any such subsidiary corporation, except those who are also employees of the authority, shall not be deemed employees of the authority.

§ 3. Subdivision (a) of section 1500 of the tax law, as amended by section 21 of part A of chapter 59 of the laws of 2014, is amended to read as follows:

(a) The term "insurance corporation" includes a corporation, association, joint stock company or association, person, society, aggregation or partnership, by whatever name known, doing an insurance business, and, notwithstanding the provisions of section fifteen hundred twelve of this article, shall include (1) a risk retention group as defined in subsection (n) of section five thousand nine hundred two of the insurance law, (2) the state insurance fund and (3) a corporation, association, joint stock company or association, person, society, aggregation or partnership doing an insurance business as a member of the New York insurance exchange described in section six thousand two hundred one of the insurance law. The definition of the "state insurance fund" contained in this subdivision shall be limited in its effect to the provisions of this article and the related provisions of this chapter and shall have no force and effect other than with respect to such provisions. The term "insurance corporation" shall also include a captive insurance company doing a captive insurance business, as defined in subsections (c) and (b), respectively, of section seven thousand two
of the insurance law; provided, however, "insurance corporation" shall not include the metropolitan transportation authority, the power authority of New York or any statutory subsidiary or affiliate thereof, or a public benefit corporation or not-for-profit corporation formed by a city with a population of one million or more pursuant to subsection (a) of section seven thousand five of the insurance law, each of which is expressly exempt from the payment of fees, taxes or assessments, whether state or local; and provided further "insurance corporation" does not include any combinable captive insurance company. The term "insurance corporation" shall also include an unauthorized insurer operating from an office within the state, pursuant to paragraph five of subsection (b) of section one thousand one hundred one and subsection (i) of section two thousand one hundred seventeen of the insurance law. The term "insurance corporation" also includes a health maintenance organization required to obtain a certificate of authority under article forty-four of the public health law.

§ 4. Subdivision (a) of section 1502-b of the tax law, as amended by section 22 of part A of chapter 59 of the laws of 2014, is amended to read as follows:

(a) In lieu of the taxes and tax surcharge imposed by sections fifteen hundred one, fifteen hundred two-a, fifteen hundred five-a, and fifteen hundred ten of this article, every captive insurance company licensed by the superintendent of financial services pursuant to the provisions of article seventy of the insurance law, other than the metropolitan transportation authority, the power authority of New York or any statutory subsidiary or affiliate thereof, and a public benefit corporation or not-for-profit corporation formed by a city with a population of one million or more pursuant to subsection (a) of section seven thousand five of the insurance law, each of which is expressly exempt from the payment of fees, taxes or assessments whether state or local, and other than combinable captive insurance company, shall, for the privilege of exercising its corporate franchise, pay a tax on (1) all gross direct premiums, less return premiums thereon, written on risks located or resident in this state and (2) all assumed reinsurance premiums, less return premiums thereon, written on risks located or resident in this state. The rate of the tax imposed on gross direct premiums shall be four-tenths of one percent on all or any part of the first twenty million dollars of premiums, three-tenths of one percent on all or any part of the second twenty million dollars of premiums, two-tenths of one percent on all or any part of the third twenty million dollars of premiums, and seventy-five thousandths of one percent on each dollar of premiums thereafter. The rate of the tax on assumed reinsurance premiums shall be two hundred twenty-five thousandths of one percent on all or any part of the first twenty million dollars of premiums, one hundred and fifty thousandths of one percent on all or any part of the second twenty million dollars of premiums, fifty thousandths of one percent on all or any part of the third twenty million dollars of premiums and twenty-five thousandths of one percent on each dollar of premiums thereafter. The tax imposed by this section shall be equal to the greater of (i) the sum of the tax imposed on gross direct premiums and the tax imposed on assumed reinsurance premiums or (ii) five thousand dollars.

§ 5. This act shall take effect immediately.
Section 1. Expenditures of moneys by the New York state energy research and development authority for services and expenses of the energy research, development and demonstration program, including grants, the energy policy and planning program, the zero emissions vehicle and electric vehicle rebate program, and the Fuel NY program shall be subject to the provisions of this section. Notwithstanding the provisions of subdivision 4-a of section 18-a of the public service law, all moneys committed or expended in an amount not to exceed $22,700,000 shall be reimbursed by assessment against gas corporations, as defined in subdivision 11 of section 2 of the public service law and electric corporations as defined in subdivision 13 of section 2 of the public service law, where such gas corporations and electric corporations have gross revenues from intrastate utility operations in excess of $500,000 in the preceding calendar year, and the total amount assessed shall be allocated to each electric corporation and gas corporation in proportion to its intrastate electricity and gas revenues in the calendar year 2019. Such amounts shall be excluded from the general assessment provisions of subdivision 2 of section 18-a of the public service law. The chair of the public service commission shall bill such gas and/or electric corporations for such amounts on or before August 10, 2021 and such amounts shall be paid to the New York state energy research and development authority on or before September 10, 2021. Upon receipt, the New York state energy research and development authority shall deposit such funds in the energy research and development operating fund established pursuant to section 1859 of the public authorities law. The New York state energy research and development authority is authorized and directed to: (1) transfer up to $4 million to the state general fund for climate change related services and expenses of the department of environmental conservation, $150,000 to the state general fund for services and expenses of the department of agriculture and markets, and $825,000 to the University of Rochester laboratory for laser energetics from the funds received; and (2) commencing in 2016, provide to the chair of the public service commission and the director of the budget and the chairs and secretaries of the legislative fiscal committees, on or before August first of each year, an itemized record, certified by the president and chief executive officer of the authority, or his or her designee, detailing any and all expenditures and commitments ascribable to moneys received as a result of this assessment by the chair of the department of public service pursuant to section 18-a of the public service law. This itemized record shall include an itemized breakdown of the programs being funded by this section and the amount committed to each program. The authority shall not commit for any expenditure, any moneys derived from the assessment provided for in this section, until the chair of such authority shall have submitted, and the director of the budget shall have approved, a comprehensive financial plan encompassing all moneys available to and all anticipated commitments and expenditures by such authority from any source for the operations of such authority. Copies of the approved comprehensive financial plan shall be immediately submitted by the chair to the chairs and secretaries of the legislative fiscal committees. Any such amount not committed by such authority to contracts or contracts to be awarded or otherwise expended by the authority during the fiscal year shall be refunded by such authority on a pro-rata basis to such gas and/or electric corporations, in a manner to be determined by the department of public service, and any refund amounts must be explicitly lined out in the itemized record described above.
§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2021.

PART X

Section 1. Section 11-0701 of the environmental conservation law, as amended by section 1-a of part R of chapter 58 of the laws of 2013, paragraph a of subdivision 1 as amended by section 21 and subdivision 9 as amended by section 17 of part EE of chapter 55 of the laws of 2014, is amended to read as follows:

§ 11-0701. Definitions of licenses and privileges of licensees.

1. A hunting license entitles a holder who is twelve or thirteen, fourteen or fifteen years of age to hunt wildlife, except big game, as provided in title 9 of this article, specifically, to the provisions of section 11-0929 of this article. It entitles such holder to possess firearms as provided in section 265.05 of the penal law. A holder who is twelve or thirteen years of age shall not hunt with a crossbow.

b. entitles a holder who is fourteen or fifteen years of age to hunt wildlife, including wild deer and bear, as provided in title 9 of this article, subject, specifically, to the provisions of section 11-0929 of this article. It entitles such holder to possess firearms as provided in section 265.05 of the penal law.

2. a. A hunting license entitles the holder to hunt wildlife subject to the following:

(1) a holder who is eighteen years of age or older may hunt wildlife as provided in title 9 of this article,

(2) a holder who is sixteen years of age or older may hunt wildlife, except big game, as provided in title 9 of this article, and

(3) a holder who is between the ages of sixteen and eighteen may hunt big game pursuant to the provisions of title 9 of this article while the holder is accompanied by a parent, guardian or person over the age of eighteen as required by section 11-0929 of this article.

A holder may take fish with a longbow as provided in titles 9 and 13 this article.

b. A special antlerless deer license is applicable to the hunting of wild antlerless deer in a special open season fixed pursuant to subdivision 6 of section 11-0903 of this article in a tract within a Wilderness Hunting Area and entitles the holder of a hunting license to hunt antlerless deer in such special open season, as provided in title 9 of this article if he or she has on his or her person while so hunting both his or her hunting license and his or her special antlerless deer license.

3. A bowhunting privilege when included on a hunting license entitles a holder:

(1) who is between the ages of twelve and sixteen years to hunt wild deer and bear with a longbow or crossbow during the special archery season and during the regular season, as provided in title 9 of this article, subject to the provisions of section 11-0929 and subdivision 3 of section 11-0713 of this article;

(2) who is eighteen years of age or older to hunt wild deer and bear with a longbow or crossbow, as provided in title 9 of this article, in a special archery season; and
(3) who is sixteen or seventeen years of age to exercise the same privileges subject to the provisions of section 11-0929 and subdivision 3 of section 11-0713 of this article.

4. A fishing license entitles the holder to take fish by angling, spearing, hooking, longbow and tipups, to take frogs by spearing, catching with the hands or by use of a club or hook, and to take bait fish for personal use, as provided in titles 9 and 13 of this article, except that such license shall not entitle the holder to take migratory fish of the sea or to take fish from the waters of the marine district.

5. A non-resident bear tag entitles a person who has not been a resident of the state for more than thirty days who also possesses a hunting license to hunt bear during the regular open season therefor or in an open season fixed by regulation pursuant to subdivision eight of section 11-0903 of this article. It entitles a non-resident holder who also possesses a hunting license with bowhunting privilege to hunt bear with a longbow or crossbow during the open bear season. It entitles a non-resident holder who also possesses a hunting license with muzzle-loading privilege to hunt bear with a muzzleloader during the open bear season.

6. A seven-day fishing license entitles the holder to exercise the privileges of a fishing license for the seven consecutive days specified in the license.

7. A one-day fishing license entitles the holder to exercise the privileges of a fishing license on the day specified on the license.

8. A trapping license entitles the holder to trap beaver, otter, fisher, mink, muskrat, skunk, raccoon, bobcat, coyote, fox, opossum, weasel, pine marten and unprotected wildlife except birds, as provided in title 11, subject to the provisions of section 11-0713 of this article.

9. A muzzle-loading privilege when included on a hunting license entitles a holder who is fourteen years of age or older to hunt wild deer and bear with a muzzle-loading firearm, as provided in title 9 of this article, in a special muzzle-loading firearm season.

§ 2. Paragraph b of subdivision 6 of section 11-0703 of the environmental conservation law, as amended by section 2 of part R of chapter 58 of the laws of 2013, is amended to read as follows:

b. Except as provided in section 11-0707 and section 11-0709 of this title, no person shall (1) hunt wild deer or bear unless such person holds and is entitled to exercise the privileges of a hunting license, and meets the requirements of this article; (2) hunt wild deer or bear with a longbow or crossbow in a special longbow archery season unless such person holds and is entitled to exercise the privileges of a hunting license with a bowhunting privilege and meets the requirements of this article; or (3) hunt wild deer or bear with a muzzle-loading firearm in a special muzzle-loading firearm season unless such person is at least fourteen years old and holds a hunting license with a muzzle-loading privilege and meets the requirements of this article.

§ 3. Subdivision 6 of section 11-0713 of the environmental conservation law is REPEALED.

§ 4. Paragraph c of subdivision 3 of section 11-0901 of the environmental conservation law, as amended by section 19 of part EE of chapter 55 of the laws of 2014, is amended to read as follows:

c. Wild small game and wild upland game birds shall be taken only by longbow, crossbow or gun, or by the use of raptors as provided in title 10 of this article, except that:

(1) skunk, raccoon, bobcat, coyote, fox, mink and muskrat may be taken in any manner not prohibited in this section or in title 11 of the Fish and Wildlife Law; and
frogs may also be taken by spearing, catching with the hands, or by the use of a club or hook; and

(3) crossbows may be used but only by licensees who are fourteen years of age or older.

§ 5. Subparagraph 9 of paragraph b of subdivision 4 of section 11-0901 of the environmental conservation law, as added by section 6 of part EE of chapter 55 of the laws of 2014, is amended to read as follows:

(9) with a crossbow unless such crossbow shall consist of a bow and string, either compound or recurve, that launches a minimum fourteen inch [belt] arrow, not including point, mounted upon a stock with a trigger that holds the string and limbs under tension until released. The trigger unit of such crossbow must have a working safety. [The minimum limb width of such crossbow shall be seventeen inches.] The crossbow shall have a minimum peak draw weight of one hundred pounds [and a maximum peak draw weight of two hundred pounds. The] and the minimum overall length of such crossbow from buttstock to front of limbs shall be twenty-four inches.

§ 6. Subparagraph 9 of paragraph c of subdivision 4 of section 11-0901 of the environmental conservation law, as added by section 7 of part EE of chapter 55 of the laws of 2014, is amended to read as follows:

(9) with a crossbow unless such crossbow shall consist of a bow and string, either compound or recurve, that launches a minimum fourteen inch [belt] arrow, not including point, mounted upon a stock with a trigger that holds the string and limbs under tension until released. The trigger unit of such crossbow must have a working safety. [The minimum limb width of such crossbow shall be seventeen inches.] The crossbow shall have a minimum peak draw weight of one hundred pounds [and a maximum peak draw weight of two hundred pounds. The] and the minimum overall length of such crossbow from buttstock to front of limbs shall be twenty-four inches.

§ 7. Subdivision 13 of section 11-0901 of the environmental conservation law, as amended by section 23 of part R of chapter 58 of the laws of 2013, is amended to read as follows:

13. Persons engaged in hunting deer and/or bear with a longbow or crossbow must possess a current bowhunting privilege or a valid certificate of qualification in responsible bowhunting practices issued or honored by the department.

§ 8. Section 11-0903 of the environmental conservation law is amended by adding a new subdivision 12 to read as follows:

12. Notwithstanding any inconsistent provision of this article, the department is authorized to adopt regulations which authorize the taking of wildlife by the use of crossbow. A summary of regulations adopted pursuant to this subdivision shall be published each year in the hunting syllabus issued pursuant to section 11-0323 of this article.

§ 9. Subdivision 10 of section 11-0907 of the environmental conservation law, as added by section 14 of part EE of chapter 55 of the laws of 2014, is amended to read as follows:

10. Notwithstanding any provision of this chapter, or any prior notwithstanding language in this article, the department may, by regulation, authorize the taking of big game by the use of a crossbow by any licensed person in any big game season [in any area designated in items (a), (b), (c), (d), (e), (f), (i), (k) and (l) of paragraph a of subdivision two of this section in which a shotgun or muzzle loader is permitted provided however, that any crossbow use during an archery-only season shall only take place during the last fourteen consecutive days of such archery-only season in the southern zone provided that such
archery-only season shall consist of not less than forty-five days and only during the last ten consecutive days of any archery-only season in the northern zone provided that such archery-only season shall consist of no less than twenty-three days. Any muzzle loading season which occurs at the same time as a special archery season may only occur during times when crossbows are authorized to be used].

§ 10. Subdivision 1 of section 11-0929 of the environmental conservation law, as amended by section 20 of part EE of chapter 55 of the laws of 2014, is amended to read as follows:

1. A licensee who is twelve or thirteen years of age shall not hunt wildlife with a gun, or a longbow unless he or she is accompanied by his or her parent or legal guardian, or by a person twenty-one years of age or older designated in writing by his or her parent or legal guardian on a form prescribed by the department, who holds a hunting license. [A licensee who is twelve or thirteen years of age shall not hunt with a crossbow.]

§ 11. Subparagraph 5 of paragraph b of subdivision 2 of section 11-0929 of the environmental conservation law is REPEALED and subparagraph 6 of paragraph b of subdivision 2 is renumbered subparagraph 5.

§ 12. Section 11-0933 of the environmental conservation law, as added by section 22 of part EE of chapter 55 of the laws of 2014, is amended to read as follows:

§ 11-0933. Taking small game by crossbow.

Notwithstanding any provision of this chapter, or any prior notwithstanding language in this article, the department may, by regulation, authorize the taking of small game and wild upland game birds by the use of a crossbow by any licensed person fourteen years of age or older, in any small game season[, in any area designated in items (a), (b), (c), (d), (e), (f), (i), (k), and (l) of paragraph a of subdivision two of section 11-0907 of this title in which a shotgun or muzzle loader is permitted].

§ 13. Subparagraph (i) of paragraph 4 of subdivision (a) of section 83 of the state finance law, as amended by section 1 of part AA of chapter 58 of the laws of 2015, is amended to read as follows:

(i) There is hereby created a special account within the conservation fund to be known as the state fish and game trust account to consist of all moneys received by the state from the sale of lifetime hunting, fishing, and trapping licenses, and lifetime archery and muzzle-loading privileges pursuant to section 11-0702 of the environmental conservation law except those moneys deposited in the habitat conservation and access account pursuant to section eighty-three-a of this chapter. The state comptroller shall invest the moneys in such account in securities as defined by section ninety-eight-a of this article or, within the discretion of the comptroller to maximize income for the account, in investments authorized by section one hundred seventy-seven of the retirement and social security law or consistent with the provisions of subdivision b of section thirteen of the retirement and social security law. Any income earned by the investment of such moneys, except income transferred to the conservation fund pursuant to subparagraph (iii) of this paragraph, shall be added to and become a part of, and shall be used for the purposes of such account.

§ 14. This act shall take effect immediately.

PART Y

Intentionally Omitted
PART Z

Section 1. Part UU of chapter 58 of the laws of 2020, authorizing the county of Nassau, to permanently and temporarily convey certain easements and to temporarily alienate certain parklands, is amended to read as follows:

PART UU

Section 1. This act enacts into law components of legislation which are necessary to implement legislation relating to the Bay Park Conveyance Project. Each component is wholly contained within a Subpart identified as Subparts A through C. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this act sets forth the general effective date of this act.

SUBPART A

Section 1. Subject to the provisions of this act, the county of Nassau, acting by and through the county legislature of such county, is hereby authorized to (a) discontinue permanently the use as parkland the subsurface lands described in sections [four, five, seven, eight, ten] four, six, seven and [eleven] ten of this act and establish permanent easements on such lands for the purpose of constructing, operating, maintaining and repairing a subsurface sewer main, and (b) discontinue temporarily the use as parkland the lands described in sections [three, six, and nine] two, five and eight of this act and establish temporary easements on such lands for the purpose of constructing a subsurface sewer main. Authorization for the temporary easements described in sections [three, six, and nine] two, three, five, eight, and ten of this act shall cease upon the completion of the construction of such sewer main, at which time the department of environmental conservation shall restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the establishment of such temporary easements. Authorization for the permanent easements described in sections [four, five, seven, eight, ten] four, six, eight and [eleven] ten of this act shall require that the department of environmental conservation restore the surface of the parklands disturbed and the parklands shall continue to be used for park purposes as they were prior to the establishment of the permanent easements.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the county of Nassau dedicate an amount equal to or greater than the fair market value of the parklands being discontinued to the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. TEMPORARY EASEMENT - Force main shaft construction area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Bay Park, Town of Hempstead, County of Nassau and State of New York being
more particularly bounded and described as follows: beginning at a point on the northerly line of the Nassau County Sewage Treatment Plant property, said Point of Beginning being South [68°00'68°06'12"
feet plus or minus, from the intersection of the northerly line of said sewage treatment plant, as measured along northerly line of said sewage treatment plant, [543] 533.50 feet plus or minus, from the intersection of the northerly line of said sewage treatment plant with the westerly side of Compton Street; running thence South [68°00'68°06'12"
feet plus or minus; [196] 198.58 feet plus or minus; thence North [78°37'78°30'32"
feet plus or minus; [105] 89.20 feet plus or minus; thence North [30°53'33°17'21"
feet plus or minus; thence North [66°13'52"
feet plus or minus; thence North [20°41'19°56'50"
East at the Point of Beginning. Containing within said bounds [19,700] 23,089 square feet plus or minus. The above described temporary easement is for the construction of a [thirty-foot] fifty-foot diameter access shaft. The location of said temporary access shaft is more particularly described in section [four] three of this act. Said parcel being part of property designated as Section: 42 Block: A Lots: 50, 57 on the Nassau County Land and Tax Map.

§ [4-] 3. [PERMANENT] TEMPORARY SUBSURFACE EASEMENT - Access shaft. Parkland upon and under which a [permanent] temporary easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Bay Park, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: a circular easement with a radius of [15] 25 feet, the center of said circle being the following three (3) courses from the intersection of the northerly line of the Nassau County Sewage Treatment Plant with the westerly side of Compton Street: [running thence] South [68°00'68°06'12"
East, along the northerly line of said sewage treatment plant, [581] 573.10 feet plus or minus to the centerline of the permanent easement for a force main described in section five of this act; thence South [21°34'21"
continuing the production of said centerline, [14] 19.74 feet plus or minus; thence South [22°24'56"
West, along said centerline, [17] 19.74 feet plus or minus; thence South [22°24'56"
West, continuing along the production of said centerline, [1,439] 5.25 feet plus or minus, to the center of the herein described circular easement. Containing within said bound [707] 1,963 square feet plus or minus. Said [permanent] temporary easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. Any permanent surface improvements for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 42 Block: A Lots: 50, 57 on the Nassau County Land and Tax Map.

§ [5-] 4. PERMANENT SUBSURFACE EASEMENT - Force main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Bay Park, Town of Hempstead, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: [beginning] Beginning at a point on the northerly line of the Nassau County Sewage Treatment Plant property, said Point of Beginning being
South \[68°00'\] \[68°06'12''\] East, as measured along northerly line of said sewage treatment plant, [571] \[563.10\] feet plus or minus, from the intersection of the northerly line Nassau County Sewage Treatment Plant with the westerly side of Compton Street; running thence South [68°00'-68°06'12''] East, along the northerly line of said sewage treatment plant, 20.00 feet plus or minus; thence South [21°34'-22°24'56''] West [17'] 19.15 feet plus or minus; thence South [14°35'11''-14°36'11''] East [1.463] 1446.44 feet plus or minus; thence North [75°24'49''-75°32'21''] West 20.00 feet plus or minus; thence North [14°35'11''-14°36'11''] East [1.464] 1447.81 feet plus or minus; thence North [21°34'-22°24'56''] East [18'] 20.34 feet plus or minus, to the northerly line of the Nassau County Sewage Treatment Plant, at the Point of Beginning. Containing within said bounds 29,337 square feet. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 42 Block: A Lots: 50, 57 on the Nassau County Land and Tax Map.

§ 6-5. TEMPORARY EASEMENT - Force main shaft construction area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: beginning at a point on the northwesterly line of the herein described temporary easement for the force main shaft construction area, said Point of Beginning being [more particularly described as commencing at the] North 44°03'41" East 50.26 feet plus or minus, from the intersection of the [southerly side of Sunrise Highway Street] northerly line of lands licensed to the County of Nassau, as described in deed dated December 5, 1977, recorded on January 13, 1978, at the Nassau County Clerk's Office in Liber 9088 of Deeds at page 567, and as shown on map entitled Department of Public Works Nassau County, N.Y., Map Showing Lands under the Jurisdiction of the Long Island State Park Commission in Wantagh State Park to be Licensed to the County of Nassau for Park and Recreational Purposes in the Vicinity of Wantagh, Town of Hempstead, dated September 1976, and on file at the New York State Office of Parks, Recreation and Historic Preservation as Map No. 21R-1860-1, with the southeasterly side of Lakeview Road, formerly known as Old Mill Road; running thence [southerly] along the southeasterly side of Lakeview Road [243 feet plus or minus, to the centerline of the], North 44°03'41" East 237.63 feet plus or minus; thence South 50°48'50" East 70.10 feet plus or minus; thence partly through the aforementioned lands licensed to the County of Nassau by the State of New York (Long Island State Park Commission), South 43°39'59" West 239.51 feet; thence partially through a permanent [subsurface] drainage easement [for force main described in section eight of this act; thence South 60°06' East, along said centerline, 25 feet plus or minus, to the northwesterly line of the temporary easement] granted from the City of New York to the County of Nassau, as shown on Map of Real Property to be Acquired for the [force main shaft construction area] Improvement of Bellmore Creek from Wilson Avenue to Lakeview Road, Filed February 8, 1979, at the Nassau County Clerk's Office as Map No. H-1841, and also through the aforementioned licensed lands, North 49°12'28" West 71.62 feet plus or minus; to the southeasterly side of Lakeview Road, at the Point of Beginning. [Running thence North 39°06' East 111 feet plus or minus; thence South 55°24'7" East 70
feet plus or minus; thence South 38°42' West 240 feet plus or minus; thence North 54°11' West 72 feet plus or minus; thence North 39°06' East 127 feet plus or minus, to the Point of Beginning.] Containing within said bounds [16,900] 16,864 square feet plus or minus. The above described temporary easement is for the construction of a [thirty-foot] forty-four-foot diameter permanent access shaft. The location of said permanent access shaft is more particularly described in section [seven] six of this act. Said parcel being part of property designated as Section: 56 Block: Y Lot: 259 on the Nassau County Land and Tax Map.

§ [7-] 6. PERMANENT SUBSURFACE EASEMENT - Access shaft. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: (a circular easement with a radius of 15 feet.) Beginning at a point on the [center] of the southeasterly side of Lakeview Road, said (circle) Point of Beginning being [the following two (2) courses] North 44°03'41" East 170.39 feet plus or minus, from the intersection of the [southerly side of Sunrise Highway] northerly line of lands licensed to the County of Nassau, as described in deed dated December 5, 1977, recorded on January 13, 1978, at the Nassau County Clerk's Office in Liber 9088 of Deeds at page 567, and as shown on map entitled Department of Public Works Nassau County, N.Y., Map Showing Lands under the Jurisdiction of the Long Island State Park Commission in Wantagh State Park to be Licensed to the County of Nassau for Park and Recreational Purposes in the Vicinity of Wantagh, Town of Hempstead, dated September 1976, and on file at the New York State Office of Parks, Recreation and Historic Preservation as Map No. 21R-1860-1, with the southeasterly side of Lakeview Road [Southerly], formerly known as Old Mill Road; running thence, along the southeasterly side of Lakeview Road [243 feet plus or minus, to the centerline of the permanent subsurface easement for force main, described in section eight of this act; South 60°06' East, along said centerline, 51], North 44°03'41" East 25.04 feet plus or minus, to the [center of the herein described circular easement;] beginning of a non-tangent curve; thence 111.59 feet plus or minus along said non-tangent circular curve to the right that has a radius of 22.00 feet, subtends an angle of 290°37'31".

and has a chord that bears South 44°03'41" West 25.04 feet, to the Point of Beginning. Containing within said bounds a surface area of [707] 1,454 square feet plus or minus. Said permanent easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. The permanent easement allows vehicular and personnel access to the shaft and within the shaft for inspection, maintenance, repair and reconstruction. Any permanent surface improvements for a manhole or for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 56 Block: Y Lot: 259 on the Nassau County Land and Tax Map.

§ [8-] 7. PERMANENT SUBSURFACE EASEMENT - Force main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as
follows: [beginning at a point on the southeasterly side of Lakeview Road, said Point of Beginning being southeasterly 222 feet plus or minus, as measured along the southeasterly side of Lakeview Road from the intersection of the southerly side of Sunrise Highway with the southeasterly side of Lakeview Road; thence South 60°06' East 49 feet plus or minus; thence South 32°15' East 1,759 feet plus or minus; thence South 16°16' West 53 feet plus or minus; thence North 32°15' West 1,785 feet plus or minus; thence North 60°06' West 53 feet plus or minus, to the southeasterly side of Lakeview Road; thence North 48°13' East, along the southeasterly side of Lakeview Road, 42 feet plus or minus, to the Point of Beginning. Containing within said bounds 72,900 square feet plus or minus.]

Beginning at the intersection of the southerly side of the Wantagh State Parkway, also being the same as the southerly line of a permanent easement granted by the State of New York (Long Island State Park Commission) to the Town of Hempstead for Highway purposes shown as Parcel E on Map No. 21R-1651, dated September 30, 1935 and on file at the New York State Office of Parks, Recreation and Historic Preservation, with the easterly side of Linden Street, also being the westerly side of Wantagh State Parkway; running thence South 87°54'31" West 16.42 feet plus or minus, along the southerly side of the Wantagh State Parkway; thence through the aforementioned easement, North 49°40'30" West 172.07 feet plus or minus; thence partially through lands licensed to the County of Nassau by the State of New York (Long Island State Park Commission), as described in deed dated December 5, 1977, recorded on January 13, 1978, at the Nassau County Clerk's Office in Liber 9088 of Deeds at page 567, also as shown on map entitled Department of Public Works Nassau County, N.Y., Map Showing Lands under the Jurisdiction of the Long Island State Park Commission in Wantagh State Park to be Licensed to the County of Nassau for Park and Recreational Purposes in the Vicinity of Wantagh, Town of Hempstead, dated September 1976, and on file at the New York State Office of Parks, Recreation and Historic Preservation as Map No. 21R-1860-1, North 32°14'44" West 1,935.06 feet; thence North 60°00'15" West 18.68 feet plus or minus, to the southeasterly side of Lakeview Road; thence along the southeasterly side of Lakeview Road, North 44°03'41" East 20.62 feet plus or minus; thence South 60°00'15" East 18.61 feet plus or minus; thence through the aforementioned licensed lands, South 32°14'44" East 1,936.94 feet; thence South 49°40'30" East 294.48 feet plus or minus, to the westerly side of the Wantagh State Parkway, also being the same as the easterly side of Linden Street; thence northwesterly along the westerly side of the Wantagh State Parkway, being also the easterly side of Linden Street, 113.74 feet plus or minus along the arc of a non-tangent curve, bearing to the left, having a radius of 1,233.00', a chord that bears North 54°10'34" West 113.70 feet plus or minus, to the southerly side of the Wantagh State Parkway, at the Point of Beginning. Containing within said bounds 43,088 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 56 Block: Y Lots: 259 on the Nassau County Land and Tax Map.

§ [9-] 8. TEMPORARY EASEMENT - Force main shaft construction area. Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New
York being more particularly bounded and described as follows: [beginning] Beginning at a point on the northerly line of the herein described temporary easement for [the force main shaft] construction [area staging], said Point of Beginning being more particularly described as commencing at the intersection of the southerly side of Byron Street with the easterly side of Wantagh Parkway; running thence [southerly] South 02°05'40" East, along the easterly side of Wantagh Parkway [319], 392.77 feet plus or minus, to the centerline of the permanent subsurface easement for force main, described in section [eleven] ten of this act; thence South [19°15'1"] 19°14'42" East, along said centerline, [257] 166.40 feet plus or minus, to the northerly line of the temporary easement for [the force main shaft] construction [area staging], at the Point of Beginning. Running thence North [87°25'1"] 87°24'47" East 122.41 feet plus or minus; thence [south 23°56'1"] South 33°56'04" East [60] 67.89 feet plus or minus; thence South [19°15'1"] 02°20'26" West 83.22 feet plus or minus; thence South [47°04'1"] 47°03'34" West [103] 102.51 feet plus or minus; thence South [86°32'1"] 86°22'25" West [28] 27.76 feet plus or minus; thence North [08°39'1"] 07°01'12" West [264] 263.59 feet plus or minus; thence North [87°25'1"] 87°24'47" East [53] 45.17 feet plus or minus, to the Point of Beginning. Containing within said bounds [36.500] 35.505 square feet plus or minus. The above described temporary easement is for the construction of a [thirty-foot] forty-four-foot diameter access shaft. The location of said temporary access shaft is more particularly described in section ten of this act. Said parcel being part of property designated as Section: 63 Block: 261 Lots: 765G, 765H, 818A (Part of Cedar Creek Park) on the Nassau County Land and Tax Map.

§ [40.] 9. [PERMANENT] TEMPORARY SUBSURFACE EASEMENT - Access shaft. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the Hamlet of Wantagh, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: a circular easement with a radius of [15] 22 feet, the center of said circle being the following two (2) courses from the intersection of the southerly side of Byron Street with the easterly side of Wantagh Parkway: [south] South 02°05'40" East along the easterly side of Wantagh Parkway [319], 392.77 feet plus or minus, to the centerline of the permanent subsurface easement for force main, described in section [eleven] ten of this act; thence South [19°15'1"] 19°14'42" East, along said centerline, [315] 224.60 feet plus or minus, to the center of the herein described circular easement. Containing within said bounds a surface area of [707] 1,521 square feet plus or minus. Said [permanent] temporary easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. Any permanent surface improvements for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 63 Block: 261 Lots: 765G, 765H, 818A (Part of Cedar Creek Park) on the Nassau County Land and Tax Map.

§ [11.] 10. PERMANENT SUBSURFACE EASEMENT - Force main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at the Hamlet of
Wantagh, Town of Hempstead, County of Nassau and State of New York being
a 20-foot wide strip of land more particularly bounded and described as
follows: beginning at a point on the easterly side of the Wantagh State
Parkway, said Point of Beginning being southerly 285 feet plus or minus,
as measured along the easterly side of Wantagh Parkway from the
intersection of the southerly side of Byron Street with the easterly side of Wantagh Parkway; running thence South 35.86 feet plus or minus; thence South
2.02°05'40" East 1,725.93 feet plus or minus; thence South
25°09'48" West 1,202 feet plus or minus; thence North
20°35' West 1,203 feet plus or minus; thence North 02°16'58" East 1,761.45 feet plus or minus; thence North 02°05'40" West, along the easterly side of Wantagh Parkway, 68.82 feet plus or minus, to the easterly side of Wantagh Parkway; thence North 02°09.40" West, along the easterly side of Wantagh Parkway, 68.82 feet plus or minus, to the Point of Beginning. Containing within said bounds 68,000 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 63 Block: 261 Lots: 765G, 818A (Part of Cedar Creek Park) on the Nassau County Land and Tax Map.

§ [12.] 11. Should the lands described in sections four, five, seven, eight, ten of this act cease to be used for the purposes described in section one of this act, the permanent easements established pursuant to section one of this act shall cease and such lands shall be restored and dedicated as parklands.

§ [13.] 12. In the event that the county of Nassau received any funding support or assistance from the federal government for the purchase, maintenance, or improvement of the parklands set forth in sections three through ten of this act, the discontinuance and alienation of such parklands authorized by the provisions of this act shall not occur until the county of Nassau has complied with any applicable federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ [14.] 13. This act shall take effect immediately.

SUBPART B

Section 1. Subject to the provisions of this act, the village of East Rockaway, in the county of Nassau, acting by and through the village board of such village, is hereby authorized to (a) discontinue permanently the use as parkland the subsurface lands described in sections three and four of this act and to grant permanent easements on such lands to the State of New York or county of Nassau for the purpose of constructing, operating, maintaining and repairing a subsurface sewer main, and (b) discontinue temporarily the use as parkland the lands described in section three of this act and grant temporary easements on such lands to the county of Nassau for the purpose of constructing a subsurface sewer main. Authorization for the temporary...
easement described in section [three] two of this act shall cease upon
the completion of the construction of the sewer main, at which time the
deptartment of environmental conservation shall restore the surface of
the parklands disturbed and the parklands shall continue to be used for
park purposes as they were prior to the grant of the temporary easement.
Authorization for the permanent easements described in sections [four]
three and [five] four of this act shall require that the department of
environmental conservation restore the surface of the parklands
disturbed and the parklands shall continue to be used for park purposes
as they were prior to the establishment of the permanent easements.

[^2] The authorization provided in section one of this act shall be
effective only upon the condition that the Village of East Rockaway
dedicate an amount equal to or greater than the fair market value of the
parklands being discontinued to the acquisition of new parklands and/or
capital improvements to existing park and recreational facilities.

§ 2. TEMPORARY EASEMENT - Force Main Shaft Construction Area.
Parkland upon and under which a temporary easement may be granted pursu-
ant to subdivision (b) of section one of this act is described as
follows: all that certain plot, piece or parcel of land with buildings
and improvements thereon erected, situate, lying and being located at
Incorporated Village of East Rockaway, and the Hamlet of Oceanside, Town
of Hempstead, County of Nassau and State of New York being more partic-
ularly bounded and described as follows: [beginning] beginning at a
point on the westerly line of the herein described temporary easement
for the force main shaft construction area, said Point of Beginning
being more particularly described as commencing at the [intersection of
the northeasterly side of Long Island Railroad right-of-way with the
easterly side of Ocean Avenue; running thence North 12°34' East, along
the easterly side of Ocean Avenue, 92 feet plus or minus, to the north-
erly line] northeast corner of property [designated as Section 38 Block
E Lot 14, on the] described in deed dated September 16, 1964 from Mary
T. Caretto to The Incorporated Village of East Rockaway, recorded
September 18, 1964 at the Nassau County [Land and Tax Map;] Clerk's
Office in Liber 7317 of Deeds at page 494, running thence South [74°46-
76°23'40"] East, [partly along said northerly line, 206] on the northerly
property line produced, of property described in the aforesaid Liber
7317 page 494, a distance of 53.41 feet plus or minus, to the westerly
line of the herein described temporary easement[7] at the Point of
Beginning. Running thence North [15°34'] 14°03'08" East [49] 42.21
feet plus or minus; thence South [67°23'] 67°25'43" East [238] 237.47 feet
plus or minus; thence South [07°07'] 04°13'09" West [31] 35.58 feet plus
or minus; thence South [86°06'] 86°58'21" West [161] 165.83 feet plus or
minus; thence South [64°59'] 64°59'21" West [117] 106.15 feet plus or
minus; thence North [16°34'] 14°03'08" East [440] 143.63 feet plus or
minus, to the Point of Beginning. Containing within said bounds
[23,004] 23,103 square feet plus or minus. The above described temporary
easement is for the construction of a [thirty-foot] forty-four-foot
diameter access shaft. The location of said permanent access shaft is
more particularly described in section [four] three of this act. Said
parcel being part of property designated as Section: 38, Block: E, Lots:
12, 14, 21A, 21B on the Nassau County Land and Tax Map.

§ 3. PERMANENT SUBSURFACE EASEMENT - Access Shaft. Parkland upon
and under which a permanent easement may be granted pursuant to subdivi-
sion (a) of section one of this act is described as all that certain
plot, piece or parcel of land with buildings and improvements thereon
erected, situate, lying and being located at Incorporated Village of
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East Rockaway, and the Hamlet of Oceanside, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: a circular easement with a radius of 22 feet, the center of said circle being the following "intersection of the northeasterly side of Long Island Railroad right-of-way with the easterly side of Ocean Avenue, North 12°34' East, along the easterly side of Ocean Avenue, 92 feet plus or minus, to the northerly line northeast corner of property [designated as Section 38 Block E Lot 14 on the] described in deed dated September 16, 1964 from Mary T. Caretto to The Incorporated Village of East Rockaway, recorded September 18, 1964 at the Nassau County [Land and Tax Map] Clerk's Office in Liber 7317 of Deeds at page 494; South [74°46'] 76°23'40" East, [partly along] on the [said] northerly property line. Thence South 19°04'18" West, 16 South 19°04' West, 22.47 center of the herein described circular easement. Containing within said bounds a surface area of 1,521 square feet plus or minus. Said permanent easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. The permanent easement allows vehicular and personnel access to the shaft and within the shaft for inspection, maintenance, repair and reconstruction. Any permanent surface improvements for a manhole or for cathodic protection, if necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 38, Block: E, Lots: 12, 14, 21A, 21B on the Nassau County Land and Tax Map.

§ [5-] 4. PERMANENT SUBSURFACE EASEMENT - Force Main. Parkland upon and under which a permanent easement may be granted pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of East Rockaway, and the Hamlet of Oceanside, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: [beginning] Beginning at a point on the westerly line of the herein described permanent subsurface easement, said Point of Beginning being more particularly described as commencing at the [intersection of the northeasterly side of Long Island Railroad right-of-way with the easterly side of Ocean Avenue; running thence North 12°34' East, along the easterly side of Ocean Avenue, 92 feet plus or minus, to the northerly line northeast corner of property [designated as Section 38 Block E Lot 14 on the] described in deed dated September 16, 1964 from Mary T. Caretto to The Incorporated Village of East Rockaway, recorded September 18, 1964 at the Nassau County [Land and Tax Map] Clerk's Office in Liber 7317 of Deeds at page 494; running thence South [74°46'] 76°23'40" East, [partly along] on the [said] northerly property line. Thence South 19°04'18" West, 22.47 South 19°04'18" West, 333 produced, of property described in the aforesaid Liber 7317 page 494, a distance of 175.47 feet plus or minus, to the westerly line of the herein described permanent easement, at the Point of Beginning. Running thence North [19°04'] 19°04'18" East 31.11 feet plus or minus, to the [northerly line of property designated as Section 38 Block E Lot 21A on the Nassau County Land and Tax Map] southerly side of Mill River; thence South [60°10'] 67°42'35" East, along [said northerly line] the southerly side of Mill River, [20] 20.03
feet plus or minus; thence South [19°04'] 19°04'18" West [82] 48.37 feet
plus or minus; thence South [15°40'] 15°40'03" East [116] 55.00 feet
plus or minus, to the [south line] northerly side of [property—designated as Section—38 Block E Lot 21A on the Nassau County Land and Tax Map] Mill River; thence North [68°09'] 84°40'35" West [21], along the
northerly side of Mill River, 20.33 feet plus or minus; thence North
[15°40'] 15°40'03" West [116] 57.60 feet plus or minus; thence North
[19°04'] 19°04'18" East [19] 24.64 feet plus or minus, to the Point of
Beginning. Containing within said bounds [4,100] 2,167 square feet plus
or minus. The above described permanent easement is for the construction
and operation of a six-foot diameter force main at a minimum depth of
fifteen feet below the ground surface. Said parcel being part of property
designated as Section: 38, Block: E, Lots: 12, 14, 21A, 21B on the
Nassau County Land and Tax Map.

§ [6—] 5. Should the lands described in sections [four] three and
[five] four of this act cease to be used for the purposes described in
section one of this act, the permanent easements established pursuant to
section one of this act shall cease and such lands shall be restored and
dedicated as parklands.

§ [7—] 6. In the event that the village of East Rockaway received any
funding support or assistance from the federal government for the
purchase, maintenance, or improvement of the parklands set forth in
sections [three] two through [five] four of this act, the discontinuance
and alienation of such parklands authorized by the provisions of this
act shall not occur until the village of East Rockaway has complied with
any applicable federal requirements pertaining to thealienation or
conversion of parklands, including satisfying the secretary of the inte-
rior that the alienation or conversion complies with all conditions
which the secretary of the interior deems necessary to assure the
substitution of other lands shall be equivalent in fair market value and
usefulness to the lands being alienated or converted.

§ [8—] 7. This act shall take effect immediately.

SUBPART C

Section 1. Subject to the provisions of this act, the village of Rock-
ville Centre, in the county of Nassau, acting by and through the village
board of such village, is hereby authorized to (a) discontinue perma-
ently the use as parkland the subsurface lands described in sections
[three, four] two and [six] five of this act and to grant permanent
easements on such lands to the State of New York or county of Nassau for
the purpose of constructing, operating, maintaining and repairing a
subsurface sewer main, and (b) discontinue temporarily the use as park-
land the lands described in sections [five] three, four and [seven] six
of this act and grant temporary easements on such lands to the county of
Nassau for the purpose of constructing a subsurface sewer main. Author-
ization for the temporary easements described in sections [five] three,
four and [seven] six of this act shall cease upon the completion of the
construction of the sewer main, at which time the department of environ-
mental conservation shall restore the surface of the parklands disturbed
and the parklands shall continue to be used for park purposes as they
were prior to the grant of the temporary easements. Authorization for
the permanent easements described in sections [three, four] two and
[six] five of this act shall require that the department of environ-
mental conservation restore the surface of the parklands disturbed and
the parklands shall continue to be used for park purposes as they were prior to the establishment of the permanent easements.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the village of Rockville Centre dedicate an amount equal to or greater than the fair market value of the parklands being discontinued to the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. 2. PERMANENT SUBSURFACE EASEMENT - Force Main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of East Rockaway, and the Incorporated Village of Rockville Centre, Town of Hempstead, County of Nassau and State of New York, being a 20-foot wide strip of land more particularly bounded and described as follows: [the] Beginning at a point on the northerly side of Mill River Avenue, said Point of Beginning being [at] South 74°20'24" East, as measured along the northerly side of Mill River Avenue, 60.73 feet plus or minus from the intersection of the northerly side of Mill River Avenue with the easterly side of Riverside Road; running thence [northerly] along the easterly side of Riverside Road 346 feet plus or minus; thence South 13°01' West 346 North 10°26'55" East 461.31 feet plus or minus, to the [northerly] southerly side of [Mill River] South Park Avenue; thence [westerly] along the [northerly] southerly side of [Mill River] South Park Avenue, [17] South 79°11'54" East 20.00 feet plus or minus, to the [easterly side of Riverside Road, at] northerly side of Mill River Avenue, thence along the northerly side of Mill River Avenue, North 74°20'24" West 20.08 feet plus or minus, to the Point of Beginning. Containing within said bounds [3,100] 9,243 square feet plus or minus. The above described permanent easement is for the construction and operation of a six-foot diameter force main at a minimum depth of fifteen feet below the ground surface. Said parcel being part of property designated as Section: 38 Block: 136 Lots: 231 on the Nassau County Land and Tax Map.

§ 4. 3. [PERMANENT] TEMPORARY SUBSURFACE EASEMENT - Access Shaft. Parkland upon and under which a [permanent] temporary easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of Rockville Centre, Incorporated Village of East Rockaway, and Incorporated Village of Lynbrook, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as a circular easement with a radius of [15] 22 feet, the center of said circle being the following two (2) courses from the intersection of the northerly side of South Park Avenue with the easterly side of [Oxford] Chester Road: [Easterly] South 79°24'16" East, along the northerly side of South Park Avenue, [203] 247.33 feet plus or minus, to the centerline of the permanent subsurface easement for force main described in section [six] five of this act; North [13°01'] 10°26'55" East, along said centerline, [953] 953.71 feet plus or minus, to the center of the herein described circular easement. Containing within said bounds a surface area of [707] 1,521 square feet plus or minus. Said [permanent] temporary easement is for an access shaft that extends from the surface of the ground to an approximate depth of 70 feet. Any permanent surface improvements for cathodic protection, if
necessary, would be flush with the ground surface or integrated into site landscaping. Said parcel being part of property designated as Section: 38 Block: F [Lots: 39-42, 50C], Lot: 50F and [Section: 38, Block: T, Lots: 50A, 50B, 50C] on the Nassau County Land and Tax Map.

Parkland upon and under which a temporary easement may be established pursuant to subdivision (b) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of Rockville Centre, Incorporated Village of East Rockaway, and Incorporated Village of Lynbrook, Town of Hempstead, County of Nassau and State of New York being more particularly bounded and described as follows: Beginning at a point on the southerly side of the herein described temporary easement for [the force main shaft] construction area staging, said Point of Beginning being more particularly described as commencing at the intersection of the northerly side of South Park Avenue with the easterly side of [Oxfoz] Chester Road; running thence easterly South 79°24'16" East, along the northerly side of South Park Avenue, [203] 247.33 feet plus or minus, to the centerline of the permanent subsurface easement for force main described in section [six] five of this act; thence North [13°01'] 10°26'55" East, along said centerline, [920] 920.41 feet plus or minus, to the southerly line of the temporary easement, at the Point of Beginning. Running thence North [76°19'] 76°19'09" West [136 feet plus or minus, to the easterly terminus of Merton Avenue (unopened); thence North 76°19' West, through the unopened part of Merton Avenue, 48 185.92 feet plus or minus; thence North [14°49'] 14°49'03" East [5' feet plus or minus, to the northerly side of Merton Avenue; thence North 14°49' East 27'] 31.83 feet plus or minus; thence South [76°29'] 76°28'34" East [66] 65.98 feet plus or minus; thence North [26°27'] 36°46'43" East [61] 60.84 feet plus or minus; thence North [26°41'] 78°41'29" East [145] 145.19 feet plus or minus; thence South [65°54'] 65°54'19" East [46] 45.62 feet plus or minus; thence South [29°39'] 29°38'55" West 146.71 feet plus or minus; thence North 76°19'09" West [147 feet plus or minus; thence North 76°19' West-42] 40.66 feet plus or minus, to the Point of Beginning. Containing within said bounds [22,800] 22,827 square feet plus or minus. The above described temporary easement is for the construction of a [thirty-foot] forty-four-foot diameter access shaft. The location of said temporary access shaft is more particularly described in section three of this act. Said parcel being part of property designated as Section: 38 Block: F [Lots: 39-42, 50C], Lot: 50F and [Section: 38, Block: T, Lots: 50A, 50B, 50C] part of Merton Avenue (not open) on the Nassau County Land and Tax Map.

§ [46] 5. PERMANENT SUBSURFACE EASEMENT - Force Main. Parkland upon and under which a permanent easement may be established pursuant to subdivision (a) of section one of this act is described as all that certain plot, piece or parcel of land with buildings and improvements thereon erected, situate, lying and being located at Incorporated Village of Rockville Centre, Incorporated Village of East Rockaway, and Incorporated Village of Lynbrook, Town of Hempstead, County of Nassau and State of New York being a 20-foot wide strip of land more particularly bounded and described as follows: [beginning] Beginning at a point on the northerly side of South Park Avenue, said [Point of Beginning 193 feet plus or minus easterly, as measured] point being South 79°24'16" East, along the northerly side of South Park Avenue, 237.33 feet plus or minus, from the intersection of the northerly side of South
Park Avenue with the easterly side of [Oxford] Chester Road; running
thence North [13°01'] 10°26'55" East [956] 956.35 feet plus or minus;
thence North [44°00'] 40°12'27" East [446] 464.95 feet plus or minus, to
the [northeasterly line of property designated as Section 38 Block F Lot
50F, on the Nassau County Land and Tax Map] westerly side of Mill River;
thence [South 53°10' East,] along [said northeasterly line, 20] the
westerly side of Mill River the following five (5) courses South
10°54'32" East 4.49 feet plus or minus; South 08°32'16" West 6.44 feet
plus or minus; South 17°55'44 West 8.24 feet plus or minus; South
10°55'50" West 4.90 feet plus or minus; South 07°44'20" West 14.16 feet
plus or minus; thence South [44°00'] 40°12'27" West [443] 427.49 feet
plus or minus; thence South [13°01'] 10°26'55" West [950] 951.08 feet
plus or minus to the northerly side of South Park Avenue; thence
North [79°36'] 79°24'16" West, along [said] the northerly side of South
Park Avenue, [20] 20.00 feet plus or minus, to the Point of Beginning[+]
containing] Containing within said bounds [28,000] 28,014 square feet
plus or minus. The above described permanent easement is for the
construction and operation of a six-foot diameter force main at a mini-
mum depth of fifteen feet below the ground surface. Said parcel being
part of property designated as Section: 38 Block: F Lot: 50A, 50B, 50C
Lot: 50F and Section: 38, Block: T, [Lots] Lot: 50A, 50B, 50C on the
Nassau County Land and Tax Map.
Parkland upon and under which a temporary easement may be established
pursuant to subdivision (b) of section one of this act is described as
all that certain plot, piece or parcel of land with buildings and
improvements thereon erected, situate, lying and being located at Incor-
porated Village of Rockville Centre, Town of Hempstead, County of Nassau
and State of New York being more particularly bounded and described as
follows: [beginning] Beginning at a point on the northerly side of
Sunrise Highway (New York State Route [27A] 27), said [Point of Begin-
ning] point being distant [254] 82.57 feet [plus or minus] westerly [as
measured] along the northerly side of Sunrise Highway from the [inter-
section of] extreme westerly and of an arc of a curve connecting the
northerly side of Sunrise Highway with the westerly side of North Forest
Avenue[+running]. Running thence [North 86°15' West,] along the nor-
therly side of Sunrise Highway the following three (3) courses: Southwes-
terly 250.24 feet plus or minus along the arc of a curve bearing to the
left having a radius of 862.00 feet and a chord that bears South
77°03'07" West 249.36 feet plus or minus, [175 feet plus or minus;
thence] South [68°26'] 68°43'30" West [continuing along the northerly
side of Sunrise Highway, 111] 161.85 feet plus or minus; Southwesterly
20.44 feet plus or minus along the arc of a curve bearing to the right
having a radius of 592.00 feet and a chord that bears South 69°00'05"
West 20.44 feet plus or minus; thence North [14°47'] 14°30'46" West
[162] 215.45 feet plus or minus, to the southerly side of [the] Long
Island Rail Road [right-of-way]; thence [South 86°59' East,] along the
southerly side of the Long Island Rail Road, [479] South 87°41'41" East
469.93 feet plus or minus; thence South [01°39'] 02°13'26" West [75]
67.80 feet plus or minus, to the northerly side of [the travelled way
of] Sunrise Highway, [then] 160 feet plus or minus along the arc or a
circular curve to the left that has a radius of 850 feet and a chord
that bears South 80°03' West 160 feet plus or minus to] at the Point of
Beginning. Containing within said bounds [50,300] 57,506 square feet
plus or minus. The above described temporary easement is necessary for
the construction of temporary access to the aqueduct below Sunrise High-
way area. Said parcel being part of property designated as Section: 38
Block: 291 Lot: 17 on the Nassau County Land and Tax Map.
§ [8-] 7. Should the lands described in sections [three, four] two and
[six] five of this act cease to be used for the purposes described in
section one of this act, the permanent easements established pursuant to
section one of this act shall cease and such lands shall be restored and
dedicated as parklands.
§ [9-] 8. In the event that the village of Rockville Centre received
any funding support or assistance from the federal government for the
purchase, maintenance, or improvement of the parklands set forth in
sections [three] two through [seven] six of this act, the discontinuance
and alienation of such parklands authorized by the provisions of this
act shall not occur until the village of Rockville Centre has complied
with any applicable federal requirements pertaining to the alienation or
conversion of parklands, including satisfying the secretary of the inte-
rior that the alienation or conversion complies with all conditions
which the secretary of the interior deems necessary to assure the
substitution of other lands shall be equivalent in fair market value and
usefulness to the lands being alienated or converted.
§ [10-] 9. This act shall take effect immediately.
§ 2. Severability clause. If any clause, sentence, paragraph, subdivi-
sion, section, subpart or part of this act shall be adjudged by a court
of competent jurisdiction to be invalid, such judgment shall not affect,
impair, or invalidate the remainder thereof, but shall be confined in
its operation to the clause, sentence, paragraph, subdivision, section,
subpart or part thereof directly involved in the controversy in which
such judgment shall have been rendered. It is hereby declared to be the
intent of the legislature that this act would have been enacted even if
such invalid provisions had not been included herein.
§ 3. This act shall take effect immediately, provided, however, that
the applicable effective date of Subparts A through C of this act shall
be as specifically set forth in the last section of such Subparts.
§ 2. This act shall take effect immediately.

PART AA

Section 1. Subparagraph (i) of paragraph 3 of subdivision (a) of
section 21 of the tax law, as amended by section 17 of part BB of chap-
ter 56 of the laws of 2015, is amended to read as follows:
(i) The tangible property credit component shall be equal to the
applicable percentage of the cost or other basis for federal income tax
purposes of tangible personal property and other tangible property,
including buildings and structural components of buildings, which
constitute qualified tangible property and may include any related party
service fee paid; provided that in determining the cost or other basis
of such property, the taxpayer shall exclude the acquisition cost of any
item of property with respect to which a credit under this section was
allowable to another taxpayer. A related party service fee shall be
allowed only in the calculation of the tangible property credit compo-
nent and shall not be allowed in the calculation of the site preparation
credit component or the on-site groundwater remediation credit compo-
nent. The portion of the tangible property credit component which is
attributable to related party service fees shall be allowed only as
follows: (A) in the taxable year in which the qualified tangible proper-


been earned and actually paid to the related party on or before the last
day of such taxable year; and (B) with respect to any other taxable year
for which the tangible property credit component may be claimed under
this subparagraph and in which the amount of any additional related
party service fees are actually paid by the taxpayer to the related
party, the tangible property credit component for such amount shall be
allowed in such taxable year. The credit component amount so determined
shall be allowed for the taxable year in which such qualified tangible
property is first placed in service on a qualified site with respect to
which a certificate of completion has been issued to the taxpayer, or
for the taxable year in which the certificate of completion is issued if
the qualified tangible property is placed in service prior to the issu-
ance of the certificate of completion. This credit component shall only
be allowed for up to one hundred twenty months after the date of the
issuance of such certificate of completion. provided, however, that for
qualified sites to which a certificate of completion is issued on or
after March twentieth, two thousand ten, but prior to January first, two
thousand twelve, the credit component shall be allowed for up to one
hundred forty-four months after the date of such issuance.

§ 2. This act shall take effect immediately.

PART BB

Section 1. Notwithstanding the contrary provisions of section 9-0501
of the environmental conservation law and the contrary provisions of the
public lands law, the department of environmental conservation is
authorized to grant easements for buried cables on real property within
the Farmersville State Forest, Lost Nation State Forest, and Swift Hill
State Forest, which meet the following conditions:
(a) The easements are for buried electric cables which are part of a
wind powered electric generation project located in the towns of Rush-
ford, Farmersville, Arcade, Centerville, Freedom, and Machias.
(b) The easements are for a portion of the property within Farmers-
vILLE State Forest, Lost Nation State Forest, and Swift Hill State
Forest owned by the state and managed by the department of environmental
conservation. The buried cables shall be:
(1) located underground for approximately 500 feet between turbines
101 and 102 (which are sited on private land), and passing below a
section of Farmersville State Forest in Cattaraugus County;
(2) located underground for approximately 1,600 feet on the south side
of Hess Road along the Farmersville State Forest boundary in Cattaraugus
County, turning southwest to follow an existing track for approximately
420 feet, and continuing west along the northern parcel boundary for
approximately 1,300 feet to the property line, to connect turbines 100
and 104 (both sited on private land);
(3) located underground for approximately 2,950 feet along the west
side of North Hill Road in Lost Nation State Forest in Allegany County
to connect turbines 73, 75, 76, and 77 (all sited on private land) to
the rest of the project; and
(4) located underground for approximately 1,150 feet on the east side
of Rushford Road, along the western edge of Swift Hill State Forest in
Allegany County to connect turbines 124 and 125 (both sited on private
land) to the rest of the project.
(c) The easements will be conveyed by the department of environmental
conservation and take effect only in the event the underground cables
proposed to be on such easement lands are certified and approved as part
of a wind powered electric generation facility pursuant to article 10 of
the public service law.
(d) The easements shall terminate when the associated wind powered
electric generation project ceases to operate for 18 months as set forth
in the easements and the easements shall then revert to the state to be
managed by the department of environmental conservation as state forest
land.
(e) The use of chemicals/herbicides for clearing said easements is
prohibited unless prior approval for the same is granted by the depart-
ment of environmental conservation, division of lands and forests.
§ 2. (a) In entering into the easements described in section one of
this act, the department of environmental conservation is authorized to
grant such easements for fair market value plus twenty percent of the
value of the easements plus one hundred thousand dollars upon applica-
tion by Alle-Catt Wind Energy LLC.
(b) An amount, not less than fair market value plus twenty percent of
the value of the easements plus one hundred thousand dollars shall be
used to obtain for the state an interest in real property for open space
purposes in region 9 of the department of environmental conservation
from the regional priority conservation projects list in region 9 as
part of this state's open space conservation plan. The total payment for
such acquisition or acquisitions shall not be less than the value of the
easements to be conveyed by the state plus twenty percent of the value
of such easements plus one hundred thousand dollars.
(c) Any monies received by the department of environmental conserva-
tion from Alle-Catt Wind Energy LLC in consideration of these easements
shall be deposited into the state environmental protection fund, as
established in section 92-s of the state finance law, until such time as
they can be used towards the purchase of the real property as contem-
plated in subdivision (b) of this section.
(d) The description of the easements to be conveyed by this act is not
intended to be a legal description, but is intended to identify the
easements to be conveyed. As a condition of conveyance Alle-Catt Wind
Energy LLC shall submit to the commissioner of environmental conserva-
tion for his or her approval an accurate survey and description of lands
generally described in this section which may be used in the conveyance
thereof.
(e) The grant of the easements is conditioned on the issuance of
certificates of environmental compatibility and public need pursuant to
the provisions of article 10 of the public service law.
(f) Compensation for the stumpage value of trees to be felled by the
entity shall be deposited in the same manner as in subdivision (b) of
this section with the felled trees to become the property of Invenergy
LLC. Stumpage value is to be determined by the department of environ-
mental conservation forester based on the most recent department of
environmental conservation stumpage price report at the time the trees
are felled.
§ 3. The commissioner of environmental conservation may prescribe
additional terms for such exchange of real property. Such contract shall
not become binding upon the state until approved by the state comp-
troller. Title to the land to the people of the state of New York pursu-
ant to the provisions of such contract shall be approved by the attorney
general, and the deed to the state shall be approved by him or her as to
form and manner of execution and recordability before such deed shall be
accepted on behalf of the state. Notwithstanding the contrary provisions
of the public lands law, the conveyance of the state-owned easements
pursuant to such contract shall be without reservation or exception, except as provided for in such contract. Upon certification by the commissioner of environmental conservation to the commissioner of general services of a copy of the contract, and certification that Alle-Catt Wind Energy LLC has complied with all terms and conditions of the contract upon their part to be kept and performed, together with a description of any of the easements to be exchanged, conveyed and/or payments to be made, the commissioner of general services shall convey the easements described in section one of this act in accordance with the provisions of the contract.

§ 4. This act shall take effect immediately, and shall expire and be deemed repealed five years after such date; provided, however, should the easements be granted within the five years, the term of the easements will establish the end date of the easements. At such time the land will revert back to the state of New York for state forest purposes.

PART CC

Section 1. Section 12 of part F of chapter 58 of the laws of 2013 amending the environmental conservation law and the state finance law relating to the "Cleaner, Greener NY Act of 2013", as amended by chapter 65 of the laws of 2019, is amended to read as follows:

§ 12. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2013; provided, however, that the amendments to subdivision 5-a of section 27-1015 of the environmental conservation law, as added by section nine of this act, shall expire and be deemed repealed on April 1, 2021.

§ 2. This act shall take effect immediately.

PART DD

Section 1. This act shall be known and may be cited as the "rail advantaged housing act".

§ 2. Legislative findings and statement of purpose. The legislature hereby finds, determines and declares:

(a) Chapter 106 of the laws of 2019 enacted the New York state climate leadership and community protection act (the "CLCPA"). The CLCPA directed the department of environmental conservation to establish a statewide greenhouse gas emissions limit for 2030 equal to 60% of 1990 emissions, and a statewide greenhouse gas emissions limit for 2050 equal to 15% of 1990 emissions (the "CLCPA limits").

(b) Transportation currently accounts for 36% of the greenhouse gas emissions in New York. New York has an obligation to reduce greenhouse gas emissions in every sector, including transportation.

(c) The CLCPA recognizes the need to encourage and facilitate land use and transportation planning strategies to reduce greenhouse gas emissions from the transportation sector.

(d) In 1946, the legislature declared a housing emergency in New York City. The emergency has continued through the present day. Housing production throughout the New York City metropolitan area has been insufficient to address this emergency for decades.

(e) Creating housing in close proximity to commuter rail stations promotes both the goals of the CLCPA and helps to address the housing emergency in New York City.
(f) A public policy purpose would be served and the interests of the people of the state would be advanced by expediting the regulatory review of local zoning changes that will lead to the production of housing in close proximity to commuter rail stations.

§ 3. Definitions.

(a) ["Commissioner"] "Secretary" shall mean the [commissioner of environmental conservation or the commissioner’s] secretary of state or the secretary's designee.

(b) "Commuter rail station" shall mean a rail station, other than a rail station located in New York City, on any rail line operated by either the Long Island Rail Road or the Metro-North Railroad.

(c) "Commuter rail station area" shall mean the area within one-half mile of any commuter rail station.

(d) "Incremental parking decrease" shall mean, with respect to a rail advantaged housing rezoning proposal, the percentage decrease in publicly accessible vehicle parking proximate to a commuter rail station that such rezoning proposal would cause, if effective.

(e) "Incremental population increase" shall mean, with respect to a rail advantaged housing rezoning proposal, the percentage by which the population of a local jurisdiction including the property subject to such rezoning proposal would increase if: (1) such rezoning proposal were to become effective; (2) all of the housing permitted to be built as a result of such rezoning proposal were to be built; and (3) all of such housing were to be fully occupied.

(f) "Local jurisdiction" shall mean any city, county, town, village or other political subdivision of the state.

(g) "Local agency zoning mitigation account" shall mean an account established by a local agency solely for the purpose of mitigating environmental impacts due to any rezoning.

(h) "Local agency" means any governing body of a local jurisdiction.

(i) "Rail advantaged housing" shall mean any housing or residential building located within one-half mile of a commuter rail station.

(j) "Rail advantaged housing envelope" shall mean the total square feet of residential space permitted to be built in a commuter rail station area under the zoning regulations applicable to such commuter rail station area.

(k) "Rail advantaged housing rezoning proposal" shall mean a proposal for rezoning which, if effective, (1) would increase the rail advantaged housing envelope in the area proposed for rezoning, and (2) would not affect zoning regulations applicable outside a commuter rail station area.

(l) "Rezoning" shall mean an action undertaken by a local agency to modify zoning regulations.

(m) "Rezoning entity" shall mean a local agency authorized to modify zoning regulations.

§ 4. Uniform standards and conditions.

(a) The [commissioner] secretary shall establish a set of uniform standards and conditions for rail advantaged housing rezoning proposals that are common for all rail advantaged housing rezoning proposals or for particular classes and categories of rail advantaged housing rezoning proposals.

(b) The uniform standards and conditions established under paragraph (a) of this section shall include:

1. A standard establishing a maximum incremental population increase the exceedance of which by a rail advantaged housing rezoning proposal
would cause such rezoning proposal to be deemed to have an environmental impact;
2. A standard establishing a maximum incremental parking decrease the exceedance of which by a rail advantaged housing rezoning proposal would cause such rezoning proposal to be deemed to have an environmental impact;
3. A formula to determine, by reference to any, all, or any combination of the following factors, the amount which, if paid to a local agency zoning mitigation account, would mitigate the impact of housing construction on the quality of a jurisdiction's environment and on a local agency's ability to provide essential public services: such local agency's expenses for public education; such local agency's expenses for maintenance and improvement of roads, bicycle paths, pedestrian walkways and parks; such local agency's expenses to provide drinking water and to manage water quality; and other factors determined by the commissioner to be relevant; and
4. Any other standards and conditions determined by the commissioner.
§ 5. Expedited zoning review. Whenever a county legislature has adopted a local law to permit rail advantaged housing as defined in section three of this act, the uniform standards established pursuant to section four of this act shall apply to such project if the project is approved. Approval by a rezoning entity of a rail advantaged housing rezoning proposal is contingent upon the approval of the chief executive officer of any town, village or city and shall be deemed to not have a significant effect on the environment under subparagraph (ii) of paragraph (c) of subdivision 2 of section 8-0113 of the environmental conservation law if prior to such approval:
(a) the chief executive officer of any town, village or city which includes property subject to such rezoning has certified that such rail advantaged housing rezoning proposal:
1. does not exceed the population increase standard established under paragraph 1 of subdivision (b) of section four of this act;
2. does not exceed the parking decrease standard established under paragraph 2 of subdivision (b) of section four of this act;
3. requires that any person who builds housing pursuant to such rezoning proposal must pay to any applicable local agency's local agency rezoning mitigation account an amount not less than the amount determined in accordance with the formula established under paragraph 3 of subdivision (b) of section four of this act to be sufficient to mitigate any impacts caused by such housing; and
(b) such rezoning entity has conducted at least one public hearing on such rail advantaged rezoning proposal.
§ 6. This act shall take effect immediately.

PART EE

Section 1. Subdivisions 4 and 5 of section 1902 of the public authorities law, as added by section 6 of part JJJ of chapter 58 of the laws of 2020, are amended to read as follows:
4. Undertake all work and secure such permits as the authority deems necessary or convenient to facilitate the process of establishing build-ready sites and for the transfer of the build-ready sites to developers selected pursuant to a publicly noticed, competitive bidding process authorized by law, provided that any construction, excavation, demolition, rehabilitation, renovation, alteration, improvement, repair or
remediation site work performed by the authority or a third party, including but not limited to a single purpose project holding company established pursuant to subdivision five of this section, acting on its behalf, shall be considered public work and subject to all sections of article eight of the labor law, including but not limited to section two hundred twenty;

5. Notwithstanding title five-A of article nine of this chapter, or any law to the contrary, establish a build-ready program, including eligibility and other criteria, pursuant to which the authority would, through a competitive and transparent bidding process, and using single purpose project holding companies established by or on behalf of the authority and having no separate and independent operational control, acquire, sell and transfer rights and other interests in build-ready sites and development rights to developers for the purpose of facilitating the development of renewable energy facilities on such build-ready sites. Such transactions may include the transfer of rights, interests and obligations existing under agreements providing for host community benefits negotiated by the authority pursuant to programs established pursuant to subdivision six of this section on such terms and conditions as the authority deems appropriate;

§ 2. This act shall take effect immediately; provided however, that the amendments to section 1902 of the public authorities law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART FF

Section 1. Subdivision (p) of section 406 of chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, as amended by section 12 of part A of chapter 55 of the laws of 2020, is amended to read as follows:

(p) The amendments to section 1809 of the vehicle and traffic law made by sections three hundred thirty-seven and three hundred thirty-eight of this act shall not apply to any offense committed prior to such effective date; provided, further, that section three hundred forty-one of this act shall take effect immediately and shall expire November 1, 1993 at which time it shall be deemed repealed; sections three hundred forty-five and three hundred forty-six of this act shall take effect July 1, 1991; sections three hundred fifty-five, three hundred fifty-six, three hundred fifty-seven and three hundred fifty-nine of this act shall take effect immediately and shall expire June 30, 1995 and shall revert to and be read as if this act had not been enacted; section three hundred fifty-eight of this act shall apply to parking violations occurring on or after said effective date; and provided further that the amendments made to section 235 of the vehicle and traffic law by section three hundred seventy-two of this act, the amendments made to section 1809 of the vehicle and traffic law
by sections three hundred thirty-seven and three hundred thirty-eight of this act and the amendments made to section 215-a of the labor law by section three hundred seventy-five of this act shall expire on September 1, [2021] 2022. and upon such date the provisions of such subdivisions and sections shall revert to and be read as if the provisions of this act had not been enacted; the amendments to subdivisions 2 and 3 of section 400.05 of the penal law made by sections three hundred seventy-seven and three hundred seventy-eight of this act shall expire on July 1, 1992 and upon such date the provisions of such subdivisions shall revert and shall be read as if the provisions of this act had not been enacted; the state board of law examiners shall take such action as is necessary to assure that all applicants for examination for admission to practice as an attorney and counsellor at law shall pay the increased examination fee provided for by the amendment made to section 465 of the judiciary law by section three hundred eighty of this act for any examination given on or after the effective date of this act notwithstanding that an applicant for such examination may have prepaid a lesser fee for such examination as required by the provisions of such section 465 as of the date prior to the effective date of this act; the provisions of section 306-a of the civil practice law and rules as added by section three hundred eighty-one of this act shall apply to all actions pending on or commenced on or after September 1, 1991, provided, however, that for the purposes of this section service of such summons made prior to such date shall be deemed to have been completed on September 1, 1991; the provisions of section three hundred eighty-three of this act shall apply to all money deposited in connection with a cash bail or a partially secured bail bond on or after such effective date; and the provisions of sections three hundred eighty-four and three hundred eighty-five of this act shall apply only to jury service commenced during a judicial term beginning on or after the effective date of this act; provided, however, that nothing contained herein shall be deemed to affect the application, qualification, expiration or repeal of any provision of law amended by any section of this act and such provisions shall be applied or qualified or shall expire or be deemed repealed in the same manner, to the same extent and on the same date as the case may be as otherwise provided by law;

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

8. The provisions of this section shall only apply to offenses committed on or before September first, two thousand twenty-one [twenty-one] twenty-two.

§ 3. This act shall take effect immediately.

PART GG

§ 1. Intentionally omitted.

§ 1-a. Legislative findings. The Legislature finds that automated vehicle technology offers widely anticipated and revolutionary potential for the transportation sector. Among the unprecedented opportunities offered by this technology are inclusive mobility options to benefit disadvantaged, disabled and elderly residents; congestion and emissions mitigation; improved livable land use, and better road usage. Further, the legislature has amended section 2 of part FF of chapter 55 of the laws of 2017, relating to motor vehicles equipped with autonomous vehicle technology, as amended by section 2 of part H of chapter 58 of the laws of 2018, as amended by section 1 of part M of chapter 58 of the
laws of 2019, to allow for a two-year testing program for automobile
manufacturers and technology leaders to test and demonstrate automated
vehicle technology in New York, which will expire and be deemed repealed
April 1, 2021. Consequently, the legislature finds that there is a
pressing need for policymakers to study automated vehicle technology and
formulate comprehensive laws and regulations to ensure the state is
prepared for the safe deployment of automobiles equipped with this tech-
nology and to help prepare the state for a future where automated vehi-
cle technology plays a role in shaping our roadways, economy, education
system, and society.

To this end, it is in the public interest to establish an automated
vehicle task force to study, evaluate and develop recommendations relat-
ing to specific actionable measures that address how automated vehicle
technology will transform the state's roadways, economy, education
system, and society.

§ 1-b. Automated vehicle task force. The New York task force on auto-
mated vehicle technology is hereby established to study and assess the
future of automated vehicle technology. For purposes of this act, "auto-
mated vehicle" shall mean a motor vehicle that has the capability to
drive the vehicle without the active control or monitoring of a human
operator including any automation level at or above SAE J3016 level 3.
Such task force shall consist of seventeen members with demonstrated
expertise in issues relating to the work of the task force. The members
of the task force shall be appointed as follows:

(a) five members shall be appointed by the governor, such members'
expertise shall encompass, but not be limited to, the areas of transpor-
tation, research and development, education, education for or assisting
people with disabilities; one of these members shall be the commissioner
of the department of motor vehicles and shall serve as chairperson of
the task force; and one member shall be the commissioner of the depart-
ment of transportation and shall serve as vice chair;

(b) four members shall be appointed by the temporary president of the
senate, one of whom shall be appointed from an association representing
the manufacturers of the majority of new car and light trucks sold in
the United States and shall represent a different original equipment
manufacturer than the speaker of the assembly's appointment, and one of
whom shall be appointed from a state federation of affiliated public
sector, private sector, and building trades labor organizations;

(c) four members shall be appointed by the speaker of the assembly,
one of whom shall be appointed from an association representing the
manufacturers of the majority of new car and light trucks sold in the
United States and shall represent a different original equipment
manufacturer than the temporary president's appointment, and one of whom
shall be appointed from a statewide business advocacy organization
representing large and small member companies and local chambers of
commerce and professional and trade associations;

(d) one member shall be appointed by the senate minority leader;

(e) one member shall be appointed by the assembly minority leader;

(f) one member shall be appointed by the chancellor of the state
university of New York; such member shall be a member of a research
faculty of an engineering department at a state university of New York
campus; and

(g) one member shall be appointed by the commission on independent
colleges and universities from a New York private university research
faculty of an engineering department.
§ 1-c. All appointments shall be made no later than the thirtieth day after the effective date of this section. Vacancies in the membership of the task force shall be filled in the same manner provided for by the original appointments. The task force shall organize as soon as practicable following the appointment of its members. The chairperson shall appoint a secretary who shall not be a member of the task force. The members of the task force shall receive no compensation for their services.

§ 1-d. The task force shall study, evaluate and develop recommendations relating to specific actionable measures that address how automated vehicle technology will transform the state's roadways, economy, education system and society. The automated vehicle task force shall study how to support the safe testing, deployment and operation of automated vehicle technology on public highways. It shall take all of the following into consideration: (a) the measures necessary to successfully implement automated vehicles, including necessary legislative and regulatory or administrative changes; (b) the difficulties and liabilities that could arise by allowing automated vehicles on public highways and proper mechanisms to manage risks and ensure adequate risk coverage; (c) how automated vehicle technology can promote research and development in this state; (d) potential considerations and resource needs for law enforcement; (e) potential infrastructure changes needed and capital planning considerations; and (f) any other issue the committee deems relevant.

§ 1-e. The task force shall be entitled to request and receive, and shall utilize such facilities, resources and data of any court, department, division, board, bureau, commission or agency of the state or any political subdivision thereof as it may reasonably request to properly carry out its powers and duties.

§ 1-f. In carrying out its functions, the task force shall hold five public hearings around the state to foster discussions in accordance with article seven of the public officers law, and formal public hearings to solicit input and recommendations from statewide and regional stakeholder interests.

§ 1-g. The task force shall report its findings and recommendations to the governor, the temporary president of the senate and the speaker of the assembly on or before April first, two thousand twenty-three.

§ 2. Intentionally omitted.

§ 3. Section 3 of part FF of chapter 55 of the laws of 2017, relating to motor vehicles equipped with autonomous vehicle technology, as amended by section 2 of part M of chapter 58 of the laws of 2019, is amended to read as follows:

§ 3. This act shall take effect April 1, 2017; provided, however, that section one of this act shall expire and be deemed repealed June 1, 2021.

§ 4. Intentionally omitted.

§ 5. This act shall take effect immediately, provided, however, that sections one-a, one-b, one-c, one-d, one-e, one-f and one-g of this act shall expire and be deemed repealed 2 years after such date.

PART HH

Intentionally Omitted

PART II
Section 1. Section 2 of part BB of chapter 58 of the laws of 2012 amending the public authorities law, relating to authorizing the dormitory authority to enter into certain design and construction management agreements, as amended by section 1 of part B of chapter 58 of the laws of 2019, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed April 1, 2021.

§ 2. The dormitory authority of the state of New York shall provide a report providing information regarding any project undertaken pursuant to a design and construction management agreement, as authorized by part BB of chapter 58 of the laws of 2012, between the dormitory authority of the state of New York and the department of environmental conservation and/or the office of parks, recreation and historic preservation to the governor, the temporary president of the senate and speaker of the assembly. Such report shall include but not be limited to a description of each such project, the project identification number of each such project, if applicable, the projected date of completion, the status of the project, the total cost or projected cost of each such project, and the location, including the names of any county, town, village or city, where each such project is located or proposed. In addition, such a report shall be provided to the aforementioned parties by the first day of March of each year that the authority to enter into such agreements pursuant to part BB of chapter 58 of the laws of 2012 is in effect.

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

PART JJ

§ 2. Intentionally omitted.

§ 3. The superintendent of financial services shall convene a motor vehicle insurance task force, to examine alternatives to the no-fault insurance system as well as other legislative or regulatory initiatives to reduce the cost of motor vehicle insurance. The task force shall issue a report to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate insurance committee and the chair of the assembly insurance committee on its recommendations no later than December 31, 2021. The task force shall be comprised of eight members including the superintendent of financial services who shall serve as the chair. The remaining members shall be appointed as follows: three shall be appointed by the governor, two shall be appointed by the temporary president of the senate, and two shall be appointed by the speaker of the assembly. Members of the task force shall be representative of consumers, health insurers, trial attorneys, healthcare providers, or insurers. The members of the task force shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties.

§ 4. This act shall take effect immediately.

PART KK

Intentionally Omitted

PART LL
Section 1. Section 1 of subpart H of part C of chapter 20 of the laws of 2015, appropriating money for certain municipal corporations and school districts, as amended by section 1 of part AAA of chapter 59 of the laws of 2018, is amended to read as follows:

Section 1. Contingent upon available funding, and not to exceed $69,000,000 $140,000,000 moneys from the urban development corporation shall be available for a local government entity, which for the purposes of this section shall mean a county, city, town, village, school district or special district, where (i) on or after June 25, 2015, an electric generating facility located within such local government entity has ceased operations, and (ii) the closing of such facility has caused a reduction in the real property tax collections or payments in lieu of taxes of at least twenty percent owed by such electric generating facility. Such moneys attributable to the cessation of operations, shall be paid annually on a first come, first served basis by the urban development corporation to such local government entity within a reasonable time upon confirmation from the state office of real property tax services or the local industrial development authority established pursuant to titles eleven and fifteen of article eight of the public authorities law, or the local industrial development agency established pursuant to article eighteen-A of the general municipal law that such cessation has resulted in a reduction in the real property tax collections or payments in lieu of taxes, provided, however, that the urban development corporation shall not provide assistance to such local government entity for more than seven years, and shall award payments reflecting the loss of revenues due to the cessation of operations as follows:

<table>
<thead>
<tr>
<th>Award Year</th>
<th>Maximum Potential Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>no more than eighty percent of loss of revenues</td>
</tr>
<tr>
<td>2</td>
<td>no more than seventy percent of loss of revenues</td>
</tr>
<tr>
<td>3</td>
<td>no more than sixty percent of loss of revenues</td>
</tr>
<tr>
<td>4</td>
<td>no more than fifty percent of loss of revenues</td>
</tr>
<tr>
<td>5</td>
<td>no more than forty percent of loss of revenues</td>
</tr>
<tr>
<td>6</td>
<td>no more than thirty percent of loss of revenues</td>
</tr>
<tr>
<td>7</td>
<td>no more than twenty percent of loss of revenues</td>
</tr>
</tbody>
</table>

A local government entity shall be eligible for only one payment of funds hereunder per year. A local government entity may seek assistance under the electric generation facility cessation mitigation fund once a generator has submitted its notice to the federally designated electric bulk system operator (BSO) serving the state of New York of its intent to retire the facility or of its intent to voluntarily remove the facility from service subject to any return-to-service provisions of any tariff, and that the facility also is ineligible to participate in the markets operated by the BSO. The date of submission of a local govern-
ment entity's application for assistance shall establish the order in which assistance is paid to program applicants, except that in no event shall assistance be paid to a local government entity until such time that an electric generating facility has retired or become ineligible to participate in the markets operated by the BSO. For purposes of this section, any local government entity seeking assistance under the electric generation facility cessation mitigation fund must submit an attestation to the department of public service that a facility is no longer producing electricity and is no longer participating in markets operated by the BSO. After receipt of such attestation, the department of public service shall confirm such information with the BSO. In the case that the BSO confirms to the department of public service that the facility is no longer producing electricity and participating in markets operated by such BSO, it shall be deemed that the electric generating facility located within the local government entity has ceased operation. The department of public service shall provide such confirmation to the urban development corporation upon receipt. The determination of the amount of such annual payment shall be determined by the president of the urban development corporation based on the amount of the differential between the annual real property taxes and payments in lieu of taxes imposed upon the facility, exclusive of interest and penalties, during the last year of operations and the current real property taxes and payments in lieu of taxes imposed upon the facility, exclusive of interest and penalties. The total amount awarded from this program shall not exceed $69,000,000.

§ 2. This act shall take effect immediately; provided, however, that the amendments to section 1 of subpart H of part C of chapter 20 of the laws of 2015 made by section one of this act shall not affect the repeal of such subpart and shall be deemed repealed therewith.

PART OO

Intentionally Omitted

PART PP

Section 1. The general obligations law is amended by adding a new article 18-C to read as follows:

ARTICLE 18-C

LIBOR DISCONTINUANCE

Section 18-400. Definitions.

18-401. Effect of LIBOR discontinuance on agreements.

18-402. Continuity of contract and safe harbor.

18-403. Severability.

§ 18-400. Definitions. As used in this article the following terms shall have the following meanings:

1. "LIBOR" shall mean, for purposes of the application of this article to any particular contract, security or instrument, U.S. dollar LIBOR (formerly known as the London interbank offered rate) as administered by ICE Benchmark Administration Limited (or any predecessor or successor thereof), or any tenor thereof, as applicable, that is used in making any calculation or determination thereunder.

2. "LIBOR discontinuance event" shall mean the earliest to occur of any of the following:
a. a public statement or publication of information by or on behalf of
the administrator of LIBOR announcing that such administrator has ceased
or will cease to provide LIBOR, permanently or indefinitely, provided
that, at the time of the statement or publication, there is no successor
administrator that will continue to provide LIBOR;
b. a public statement or publication of information by the regulatory
supervisor for the administrator of LIBOR, the United States Federal
Reserve System, an insolvency official with jurisdiction over the admin-
istrator for LIBOR, a resolution authority with jurisdiction over the
administrator for LIBOR or a court or an entity with similar insolvency
or resolution authority over the administrator for LIBOR, which states
that the administrator of LIBOR has ceased or will cease to provide
LIBOR permanently or indefinitely, provided that, at the time of the
statement or publication, there is no successor administrator that will
continue to provide LIBOR; or
c. a public statement or publication of information by the regulatory
supervisor for the administrator of LIBOR announcing that LIBOR is no
longer representative. For purposes of this subdivision two, a public
statement or publication of information that affects one or more tenors
of LIBOR shall not constitute a LIBOR discontinuance event with respect
to any contract, security or instrument that (i) provides for only one
tenor of LIBOR, if such contract, security or instrument requires
interpolation and such tenor can be interpolated from LIBOR tenors that
are not so affected, or (ii) permits a party to choose from more than
one tenor of LIBOR and any of such tenors (A) is not so affected or (B)
if such contract, security or instrument requires interpolation, can be
interpolated from LIBOR tenors that are not so affected.
3. "LIBOR replacement date" shall mean:
a. in the case of a LIBOR discontinuance event described in paragraph
a or b of subdivision two of this section, the later of (i) the date of
the public statement or publication of information referenced therein;
and (ii) the date on which the administrator of LIBOR permanently or
indefinitely ceases to provide LIBOR; and
b. in the case of a LIBOR discontinuance event described in paragraph
of subdivision two of this section, the date of the public statement
or publication of information referenced therein. For purposes of this
subdivision three, a date that affects one or more tenors of LIBOR shall
not constitute a LIBOR replacement date with respect to any contract,
security or instrument that (i) provides for only one tenor of LIBOR, if
such contract, security or instrument requires interpolation and such
tenor can be interpolated from LIBOR tenors that are not so affected, or
(ii) permits a party to choose from more than one tenor of LIBOR and any
of such tenors (A) is not so affected or (B) if such contract, security
or instrument requires interpolation, can be interpolated from LIBOR
tenors that are not so affected.
4. "Fallback provisions" shall mean terms in a contract, security or
instrument that set forth a methodology or procedure for determining a
benchmark replacement, including any terms relating to the date on which
the benchmark replacement becomes effective, without regard to whether a
benchmark replacement can be determined in accordance with such method-
ology or procedure.
5. "Benchmark" shall mean an index of interest rates or dividend rates
that is used, in whole or in part, as the basis of or as a reference for
calculating or determining any valuation, payment or other measurement
under or in respect of a contract, security or instrument.
6. "Benchmark replacement" shall mean a benchmark, or an interest rate or dividend rate (which may or may not be based in whole or in part on a prior setting of LIBOR), to replace LIBOR or any interest rate or dividend rate based on LIBOR, whether on a temporary, permanent or indefinite basis, under or in respect of a contract, security or instrument.

7. "Recommended benchmark replacement" shall mean, with respect to any particular type of contract, security or instrument, a benchmark replacement based on SOFR, which shall include any recommended spread adjustment and any benchmark replacement conforming changes, that shall have been selected or recommended by a relevant recommending body with respect to such type of contract, security or instrument.

8. "Recommended spread adjustment" shall mean a spread adjustment, or method for calculating or determining such spread adjustment, (which may be a positive or negative value or zero) that shall have been selected or recommended by a relevant recommending body for a recommended benchmark replacement for a particular type of contract, security or instrument and for a particular term to account for the effects of the transition or change from LIBOR to a recommended benchmark replacement.

9. "Benchmark replacement conforming changes" shall mean, with respect to any type of contract, security or instrument, any technical, administrative or operational changes, alterations or modifications that are associated with and reasonably necessary to the use, adoption, calculation or implementation of a recommended benchmark replacement and that:
   a. have been selected or recommended by a relevant recommending body;
   and
   b. if, in the reasonable judgment of the calculating person, the benchmark replacement conforming changes selected or recommended pursuant to paragraph a of this subdivision do not apply to such contract, security or instrument or are insufficient to permit administration and calculation of the recommended benchmark replacement, then benchmark replacement conforming changes shall include such other changes, alterations or modifications that, in the reasonable judgment of the calculating person:
      (i) are necessary to permit administration and calculation of the recommended benchmark replacement under or in respect of such contract, security or instrument in a manner consistent with market practice for substantially similar contracts, securities or instruments and, to the extent practicable, the manner in which such contract, security or instrument was administered immediately prior to the LIBOR replacement date; and
      (ii) would not result in a disposition of such contract, security or instrument for U.S. federal income tax purposes.

10. "Determining person" shall mean, with respect to any contract, security or instrument, in the following order of priority:
   a. any person specified as a "determining person";
   b. any person with the authority, right or obligation to:
      (i) determine the benchmark replacement that will take effect on the LIBOR replacement date;
      (ii) calculate or determine a valuation, payment or other measurement based on a benchmark, or
      (iii) notify other persons of the occurrence of a LIBOR discontinuance event, a LIBOR replacement date or a benchmark replacement.

11. "Relevant recommending body" shall mean the Federal Reserve Board, the Federal Reserve Bank of New York, or the Alternative Reference Rates Committee, or any successor to any of them.
12. "SOFR" shall mean, with respect to any day, the secured overnight financing rate published for such day by the Federal Reserve Bank of New York, as the administrator of the benchmark (or a successor administrator), on the Federal Reserve Bank of New York's website.

13. "Calculating person" shall mean, with respect to any contract, security or instrument, any person (which may be the determining person) responsible for calculating or determining any valuation, payment or other measurement based on a benchmark.

14. "Contract, security, or instrument" shall include, without limitation, any contract, agreement, mortgage, deed of trust, lease, security (whether representing debt or equity, and including any interest in a corporation, a partnership or a limited liability company), instrument, or other obligation.

§ 18-401. Effect of LIBOR discontinuance on agreements. 1. On the LIBOR replacement date, the recommended benchmark replacement shall, by operation of law, be the benchmark replacement for any contract, security or instrument that uses LIBOR as a benchmark and:
   a. contains no fallback provisions; or
   b. contains fallback provisions that result in a benchmark replacement, other than a recommended benchmark replacement, that is based in any way on any LIBOR value.

2. Following the occurrence of a LIBOR discontinuance event, any fallback provisions in a contract, security, or instrument that provide for a benchmark replacement based on or otherwise involving a poll, survey or inquiries for quotes or information concerning interbank lending rates or any interest rate or dividend rate based on LIBOR shall be disregarded as if not included in such contract, security or instrument and shall be deemed null and void and without any force or effect.

3. This subdivision shall apply to any contract, security, or instrument that uses LIBOR as a benchmark and contains fallback provisions that permit or require the selection of a benchmark replacement that is:
   a. based in any way on any LIBOR value; or
   b. the substantive equivalent of paragraph (a), (b) or (c) of subdivision one of section 18-402 of this article.

A determining person shall have the authority under this article, but shall not be required, to select on or after the occurrence of a LIBOR discontinuance event the recommended benchmark replacement as the benchmark replacement. Such selection of the recommended benchmark replacement shall be:
   (i) irrevocable;
   (ii) made by the earlier of either the LIBOR replacement date, or the latest date for selecting a benchmark replacement according to such contract, security, or instrument; and
   (iii) used in any determinations of the benchmark under or with respect to such contract, security or instrument occurring on and after the LIBOR replacement date.

4. If a recommended benchmark replacement becomes the benchmark replacement for any contract, security, or instrument pursuant to subdivision one or subdivision three of this section, then all benchmark replacement conforming changes that are applicable (in accordance with the definition of benchmark replacement conforming changes) to such recommended benchmark replacement shall become an integral part of such contract, security, or instrument by operation of law.

5. The provisions of this article shall not alter or impair:
   a. any written agreement by all requisite parties that, retrospectively or prospectively, a contract, security, or instrument shall not be
subject to this article without necessarily referring specifically to this article. For purposes of this subdivision, "requisite parties" means all parties required to amend the terms and provisions of a contract, security, or instrument that would otherwise be altered or affected by this article;

b. any contract, security or instrument that contains fallback provisions that would result in a benchmark replacement that is not based on LIBOR, including, but not limited to, the prime rate or the federal funds rate, except that such contract, security or instrument shall be subject to subdivision two of this section;

c. any contract, security, or instrument subject to subdivision three of this section as to which a determining person does not elect to use a recommended benchmark replacement pursuant to subdivision three of this section or as to which a determining person elects to use a recommended benchmark replacement prior to the occurrence of a LIBOR discontinuance event, except that such contract, security, or instrument shall be subject to subdivision two of this section; or

d. the application to a recommended benchmark replacement of any cap, floor, modifier, or spread adjustment to which LIBOR had been subject pursuant to the terms of a contract, security, or instrument.

§ 18-402. Continuity of contract and safe harbor. 1. The selection or use of a recommended benchmark replacement as a benchmark replacement under or in respect of a contract, security or instrument by operation of section 18-401 of this section shall constitute:

a. a commercially reasonable replacement for and a commercially substantial equivalent to LIBOR;

b. a reasonable, comparable or analogous term for LIBOR under or in respect of such contract, security or instrument;

c. a replacement that is based on a methodology or information that is similar or comparable to LIBOR; and

d. substantial performance by any person of any right or obligation relating to or based on LIBOR under or in respect of a contract, security or instrument.

2. None of: a. a LIBOR discontinuance event or a LIBOR replacement date, b. the selection or use of a recommended benchmark replacement as a benchmark replacement; or c. the determination, implementation or performance of benchmark replacement conforming changes, in each case, by operation of section 18-401 of this article, shall:

(i) be deemed to impair or affect the right of any person to receive a payment, or affect the amount or timing of such payment, under any contract, security, or instrument; or

(ii) have the effect of (A) discharging or excusing performance under any contract, security or instrument for any reason, claim or defense, including, but not limited to, any force majeure or other provision in any contract, security or instrument; (B) giving any person the right to unilaterally terminate or suspend performance under any contract, security or instrument; (C) constituting a breach of a contract, security or instrument; or (D) voiding or nullifying any contract, security or instrument.

3. No person shall have any liability for damages to any person or be subject to any claim or request for equitable relief arising out of or
related to the selection or use of a recommended benchmark replacement
or the determination, implementation or performance of benchmark
replacement conforming changes, in each case, by operation of section
18-401 of this article, and such selection or use of the recommended
benchmark replacement or such determination implementation or perform-
ance of benchmark replacement conforming changes shall not give rise to
any claim or cause of action by any person in law or in equity.

4. The selection or use of a recommended benchmark replacement or the
determination, implementation, or performance of benchmark replacement
conforming changes, by operation of section 18-401 of this article,
shall be deemed to:
   a. not be an amendment or modification of any contract, security or
   instrument; and
   b. not prejudice, impair or affect any person's rights, interests or
   obligations under or in respect of any contract, security or instrument.

5. Except as provided in either subdivision one or subdivision three
of section 18-401 of this article, the provisions of this article shall
not be interpreted as creating any negative inference or negative
presumption regarding the validity or enforceability of:
   a. any benchmark replacement that is not a recommended replacement
   benchmark;
   b. any spread adjustment, or method for calculating or determining a
   spread adjustment, that is not a recommended spread adjustment; or
   c. any changes, alterations or modifications to or in respect of a
   contract, security or instrument that are not benchmark replacement
   conforming changes.

§ 18-403. Severability. If any provision of this article or applica-
tion thereof to any person or circumstance is held invalid, the invalid-
ity shall not affect other provisions or applications of this article
that can be given effect without the invalid provision or application,
and to this end the provisions of this article shall be severable.

§ 2. This act shall take effect immediately.
aggregate principal amount of outstanding bonds, notes or other obligations may be greater than [sixteen] seventeen billion [six] four hundred million dollars only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For purposes hereof, the present values of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the agency including estimated accrued interest from the sale thereof. The agency shall not issue hospital and nursing home project bonds at any time secured by the hospital and nursing home capital reserve fund if upon issuance, the amount in the hospital and nursing home capital reserve fund will be less than the hospital and nursing home capital reserve fund requirement, unless the agency, at the time of issuance of such bonds, shall deposit in such reserve fund from the proceeds of the bonds so to be issued, or otherwise, an amount which together with the amount then in such reserve fund, will be not less than the hospital and nursing home capital reserve fund requirement. § 2. This act shall take effect immediately.

PART TT

Section 1. This act enacts into law components of legislation relating to the pandemic recovery and restart program. Each component is wholly contained within a Subpart identified as Subparts A through C. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this act sets forth the general effective date of this act.

SUBPART A

Section 1. The economic development law is amended by adding a new article 24 to read as follows:

ARTICLE 24

SMALL BUSINESS RETURN-TO-WORK TAX CREDIT PROGRAM

Section 460. Short title.

461. Statement of legislative findings and declaration.

462. Definitions.

463. Eligibility criteria.

464. Application and approval process.

465. Small business return-to-work tax credit.

466. Powers and duties of the commissioner.
467. Maintenance of records.
468. Reporting.
469. Cap on tax credit.

§ 460. Short title. This article shall be known and may be cited as the "small business return-to-work tax credit program act".

§ 461. Statement of legislative findings and declaration. It is hereby found and declared that New York state needs, as a matter of public policy, to create financial incentives for small businesses in industries that have suffered economic harm as a result of the COVID-19 pandemic to expeditiously rehire workers and increase total small business employment. The small business return-to-work tax credit program is created to provide financial incentives to economically harmed small businesses to offer relief, expedite their hiring efforts, and reduce the duration and severity of the current economic difficulties.

§ 462. Definitions. For the purposes of this article:

1. "Accommodation sector" means establishments that provide lodging or short-term accommodations for travelers, vacationers, and others.

2. "Arts, entertainment, and recreation sector" means establishments that operate facilities or provide services to meet varied cultural, entertainment, and recreational interests of their patrons. This sector comprises: (a) establishments that are involved in producing, promoting, or participating in live performances, events, or exhibits intended for public viewing; (b) establishments that preserve and exhibit objects and sites of historical, cultural, or educational interest; and (c) establishments that operate facilities or provide services that enable patrons to participate in recreational activities or pursue amusement, hobby, and leisure-time interests.

3. "Average full-time employment" shall mean the average number of full-time equivalent positions employed by a business entity in an eligible industry during a given period.

4. "Average starting full-time employment" shall be calculated as the average number of full-time equivalent positions employed by a business entity in an eligible industry between January first, two thousand twenty-one, and March thirty-first, two thousand twenty-one.

5. "Average ending full-time employment" shall be calculated as the average number of full-time equivalent positions employed by a business entity in an eligible industry between April first, two thousand twenty-one, and December thirty-first, two thousand twenty-one.

6. "Certificate of tax credit" means the document issued to a business entity by the department after the department has verified that the business entity has met all applicable eligibility criteria in this article. The certificate shall specify the exact amount of the tax credit under this article that a business entity may claim, pursuant to section four hundred sixty-five of this article.

7. "Commissioner" shall mean the commissioner of the department of economic development.

8. "Department" shall mean the department of economic development.

9. "Eligible industry" means a business entity operating predominantly in one of the following business sectors:

(a) accommodations; or
(b) arts, entertainment, and recreation.

10. "Net employee increase" means an increase of at least one full-time equivalent employee between the average starting full-time employment and the average ending full-time employment of a business entity.
§ 463. Eligibility criteria. 1. To be eligible for a tax credit under the small business return-to-work tax credit program, a business entity must:
(a) be a small business as defined in section one hundred thirty-one of this chapter and have fewer than one hundred full-time job equivalents in New York state as of April first, two thousand twenty-one;
(b) operate a business location in New York state that charges admission and/or accepts payment for goods and/or services from in-person customers;
(c) operate predominantly in an eligible industry as defined in subdivision nine of section four hundred sixty-two of this article; provided, however, that the department, in its regulations promulgated pursuant to this article, shall have the authority to list certain sectors of those industries as ineligible;
(d) have experienced economic harm as a result of the COVID-19 emergency as evidenced by a year-to-year decrease of at least forty percent in New York state between the second quarter of two thousand nineteen and the second quarter of two thousand twenty or the third quarter of two thousand nineteen and the third quarter of two thousand twenty for one or both of: (i) gross receipts or (ii) average full-time employment; and
(e) have demonstrated a net employee increase.
2. A business entity must be in substantial compliance with any emergency restrictions or public health orders impacting the industry sector or other laws and regulations as determined by the commissioner. In addition, a business entity may not owe past due state taxes or local property taxes unless the business entity is making payments and complying with an approved binding payment agreement entered into with the taxing authority.

§ 464. Application and approval process. 1. A business entity must submit a complete application as prescribed by the commissioner.
2. The commissioner shall establish procedures and a timeframe for business entities to submit applications. As part of the application, each business entity must:
(a) provide evidence in a form and manner prescribed by the commissioner of their business eligibility;
(b) agree to allow the department of taxation and finance to share the business entity's tax information with the department. However, any information shared as a result of this program shall not be available for disclosure or inspection under the state freedom of information law;
(c) agree to allow the department of labor to share its tax and employer information with the department. However, any information shared as a result of this program shall not be available for disclosure or inspection under the state freedom of information law;
(d) allow the department and its agents access to any and all books and records the department may require to monitor compliance;
(e) certify, under penalty of perjury, that it is in substantial compliance with all emergency orders or public health regulations currently required of such entity, and local, and state tax laws; and
(f) agree to provide any additional information required by the department relevant to this article.
3. After reviewing a business entity's completed final application and determining that the business entity meets the eligibility criteria as set forth in this article, the department may issue to that business entity a certificate of tax credit. A business entity may claim the tax
credit in the taxable year that includes December thirty-first, two
thousand twenty-one.

§ 465. Small business return-to-work tax credit. 1. A business entity
in the small business return-to-work tax credit program that meets the
eligibility requirements of section four hundred sixty-three of this
article may be eligible to claim a credit equal to five thousand dollars
per each full-time equivalent net employee increase as defined in subdi-
vision ten of section four hundred sixty-two of this article.

2. A business entity, including a partnership, limited liability
company and subchapter S corporation, may not receive in excess of fifty
thousand dollars in tax credits under this program.

3. The credit shall be allowed as provided in section forty-five,
subdivision fifty-five of section two hundred ten-B and subsection (kkk)
of section six hundred six of the tax law.

§ 466. Powers and duties of the commissioner. 1. The commissioner may
promulgate regulations establishing an application process and eligibil-
ity criteria, that will be applied consistent with the purposes of this
article, so as not to exceed the annual cap on tax credits set forth in
section four hundred sixty-nine of this article which, notwithstanding
any provisions to the contrary in the state administrative procedure
act, may be adopted on an emergency basis.

2. The commissioner shall, in consultation with the department of
taxation and finance, develop a certificate of tax credit that shall be
issued by the commissioner to eligible businesses. Such certificate
shall contain such information as required by the department of taxation
and finance.

3. The commissioner shall solely determine the eligibility of any
applicant applying for entry into the program and shall remove any busi-
ness entity from the program for failing to meet any of the requirements
set forth in section four hundred sixty-three of this article, or for
failing to meet the requirements set forth in subdivision one of section
four hundred sixty-four of this article.

§ 467. Maintenance of records. Each business entity participating in
the program shall keep all relevant records for their duration of
program participation for at least three years.

§ 468. Reporting. Each business entity participating in this program
must submit a performance report to the department at a time prescribed
in regulations by the commissioner.

§ 469. Cap on tax credit. The total amount of tax credits listed on
certificates of tax credit issued by the commissioner pursuant to this
article may not exceed fifty million dollars.

§ 2. The tax law is amended by adding a new section 45 to read as
follows:

§ 45. Small business return-to-work tax credit. (a) Allowance of cred-
it. A taxpayer subject to tax under article nine-A or twenty-two of this
chapter shall be allowed a credit against such tax, pursuant to the
provisions referenced in subdivision (f) of this section. The amount of
the credit is equal to the amount determined pursuant to section four
hundred sixty-five of the economic development law. No cost or expense
paid or incurred by the taxpayer which is included as part of the calcu-
lation of this credit shall be the basis of any other tax credit allowed
under this chapter.

(b) Eligibility. To be eligible for the small business return-to-work
tax credit, the taxpayer shall have been issued a certificate of tax
credit by the department of economic development pursuant to subdivision
two of section four hundred sixty-four of the economic development law,
which certificate shall set forth the amount of the credit that may be claimed for the taxable year. The taxpayer shall be allowed to claim only the amount listed on the certificate of tax credit for that taxable year. A taxpayer that is a partner in a partnership, member of a limited liability company or shareholder in a subchapter S corporation that has received a certificate of tax credit shall be allowed its pro rata share of the credit earned by the partnership, limited liability company or subchapter S corporation.

(c) Tax return requirement. The taxpayer shall be required to attach to its tax return, in the form prescribed by the commissioner, proof of receipt of its certificate of tax credit issued by the commissioner of the department of economic development.

(d) Information sharing. Notwithstanding any provision of this chapter, employees of the department of economic development and the department shall be allowed and are directed to share and exchange:

(1) information derived from tax returns or reports that is relevant to a taxpayer's eligibility to participate in the small business return-to-work tax credit program;

(2) information regarding the credit applied for, allowed or claimed pursuant to this section and taxpayers that are applying for the credit or that are claiming the credit; and

(3) information contained in or derived from credit claim forms submitted to the department and applications for admission into the small business return-to-work tax credit program. Except as provided in paragraph two of this subdivision, all information exchanged between the department of economic development and the department shall not be subject to disclosure or inspection under the state's freedom of information law.

(e) Credit recapture. If a certificate of tax credit issued by the department of economic development under article twenty-four of the economic development law is revoked by such department, the amount of credit described in this section and claimed by the taxpayer prior to that revocation shall be added back to tax in the taxable year in which any such revocation becomes final.

(f) Cross references. For application of the credit provided for in this section, see the following provisions of this chapter:

(1) article 9-A: section 210-B, subdivision 55;
(2) article 22: section 606, subsection (kkk).

§ 3. Section 210-B of the tax law is amended by adding a new subdivision 55 to read as follows:

55. Small business return-to-work tax credit. (a) Allowance of credit. A taxpayer shall be allowed a credit, to be computed as provided in section forty-five of this chapter, against the taxes imposed by this article.

(b) Application of credit. The credit allowed under this subdivision for the taxable year shall not reduce the tax due for such year to less than the amount prescribed in paragraph (d) of subdivision one of section two hundred ten of this article. However, if the amount of credit allowed under this subdivision for the taxable year reduces the tax to such amount or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount, any amount of credit thus not deductible in such taxable year shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section one thousand eighty-six of this chapter. Provided, however, the provisions of subsection (c) of section one thousand eighty-eight of this chapter notwithstanding, no interest will be paid thereon.
§ 4. Section 606 of the tax law is amended by adding a new subsection (kkk) to read as follows:

(kkk) Small business return-to-work tax credit. (1) Allowance of credit. A taxpayer shall be allowed a credit, to be computed as provided in section forty-five of this chapter, against the tax imposed by this article.

(2) Application of credit. If the amount of the credit allowed under this subsection for the taxable year exceeds the taxpayer's tax for such year, the excess shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section six hundred eighty-six of this article, provided, however, that no interest will be paid thereon.

§ 5. Subparagraph (B) of paragraph 1 of subsection (i) of section 606 of the tax law is amended by adding a new clause (xlvi) to read as follows:

(xlvi) Small business return-to-work tax credit under subdivision fifty-five of section two hundred ten-B

§ 6. This act shall take effect immediately.

SUBPART B

Section 1. The economic development law is amended by adding a new article 25 to read as follows:

ARTICLE 25

RESTAURANT RETURN-TO-WORK TAX CREDIT PROGRAM

Section 470. Short title. This article shall be known and may be cited as the "Restaurant return-to-work tax credit program act".

§ 471. Statement of legislative findings and declaration. It is hereby found and declared that New York state needs, as a matter of public policy, to create financial incentives for restaurants that have suffered economic harm as a result of the COVID-19 pandemic to expeditiously rehire workers and increase total employment. The restaurant return-to-work tax credit program is created to provide financial incentives to economically harmed restaurants to offer relief, expedite their hiring efforts, and reduce the duration and severity of the current economic difficulties.

§ 472. Definitions. For the purposes of this article:

1. "Average full-time employment" shall mean the average number of full-time equivalent positions employed by a business entity in an eligible industry during a given period.

2. "Average starting full-time employment" shall be calculated as the average number of full-time equivalent positions employed by a business entity in an eligible industry between January first, two thousand twenty-one, and March thirty-first, two thousand twenty-one.
"Average ending full-time employment" shall be calculated as the average number of full-time equivalent positions employed by a business entity in an eligible industry between April first, two thousand twenty-one, and either August thirty-first, two thousand twenty-one, or December thirty-first, two thousand twenty-one, whichever date the business entity chooses to use.

"Certificate of tax credit" means the document issued to a business entity by the department after the department has verified that the business entity has met all applicable eligibility criteria in this article. The certificate shall specify the exact amount of the tax credit under this article that a business entity may claim, pursuant to section four hundred seventy-five of this article.

"Commissioner" shall mean commissioner of the department of economic development.

"Department" shall mean the department of economic development.

"Eligible industry" means a business entity operating predominantly in the COVID-19 impacted food services sector.

"Net employee increase" means an increase of at least one full-time equivalent employee between the average starting full-time employment and the average ending full-time employment of a business entity.

"COVID-19 impacted food services sector" means:

(a) independently owned establishments that are located inside the city of New York and have been subjected to a ban on indoor dining for over six months and are primarily organized to prepare and provide meals, and/or beverages to customers for consumption, including for immediate indoor on-premises consumption, as further defined in regulations pursuant to this article; and

(b) independently owned establishments that are located outside of the city of New York in an area which has been and/or remains designated by the department of health as either an orange zone or red zone pursuant to Executive Order 202.68 as amended, and for which such designation was or has been in effect and resulted in additional restrictions on indoor dining for at least thirty consecutive days, and are primarily organized to prepare and provide meals, and/or beverages to customers for consumption, including for immediate indoor on-premises consumption, as further defined in regulations pursuant to this article.

§ 473. Eligibility criteria. 1. To be eligible for a tax credit under the restaurant return-to-work tax credit program, a business entity must:

(a) be a small business as defined in section one hundred thirty-one of this chapter and have fewer than one hundred full-time job equivalents in New York state as of April first, two thousand twenty-one;

(b) operate a business location in New York state that is primarily organized to accept payment for meals and/or beverages including from in-person customers;

(c) operate predominantly in the COVID-19 impacted food services sector; provided, however, that the department, in its regulations promulgated pursuant to this article, shall have the authority to list certain types of establishments as ineligible;

(d) have experienced economic harm as a result of the COVID-19 emergency as evidenced by a year-to-year decrease of at least forty percent in New York state between the second quarter of two thousand nineteen and the second quarter of two thousand twenty or the third quarter of two thousand nineteen and the third quarter of two thousand twenty for one or both of: (i) gross receipts or (ii) average full-time employment; and
(e) have demonstrated a net employee increase.

2. A business entity must be in substantial compliance with any public health or other emergency orders or regulations related to the entity's sector or other laws and regulations as determined by the commissioner. In addition, a business entity may not owe past due state taxes or local property taxes unless the business entity is making payments and complying with an approved binding payment agreement entered into with the taxing authority.

§ 474. Application and approval process. 1. A business entity must submit a complete application as prescribed by the commissioner.

2. The commissioner shall establish procedures and a timeframe for business entities to submit applications. As part of the application, each business entity must:
   (a) provide evidence in a form and manner prescribed by the commissioner of their business eligibility;
   (b) agree to allow the department of taxation and finance to share the business entity's tax information with the department. However, any information shared as a result of this program shall not be available for disclosure or inspection under the state freedom of information law;
   (c) agree to allow the department of labor to share its tax and employer information with the department. However, any information shared as a result of this program shall not be available for disclosure or inspection under the state freedom of information law;
   (d) allow the department and its agents access to any and all books and records the department may require to monitor compliance;
   (e) certify, under penalty of perjury, that it is in substantial compliance with all emergency orders or public health regulations currently required of such entity, and local, and state tax laws; and
   (f) agree to provide any additional information required by the department relevant to this article.

3. After reviewing a business entity's completed final application and determining that the business entity meets the eligibility criteria as set forth in this article, the department may issue to that business entity a certificate of tax credit. A business entity may claim the tax credit in the taxable year that includes December thirty-first, two thousand twenty-one.

§ 475. Restaurant return-to-work tax credit. 1. A business entity in the restaurant return-to-work tax credit program that meets the eligibility requirements of section four hundred seventy-three of this article may be eligible to claim a credit equal to five thousand dollars per each full-time equivalent net employee increase as defined in subdivision eight of section four hundred seventy-two of this article.

2. A business entity, including a partnership, limited liability company and subchapter S corporation, may not receive in excess of fifty thousand dollars in tax credits under this program.

3. The credit shall be allowed as provided in sections forty-six, subdivision fifty-six of section two hundred ten-B and subsection (lll) of section six hundred six of the tax law.

§ 476. Powers and duties of the commissioner. 1. The commissioner may promulgate regulations establishing an application process and eligibility criteria, that will be applied consistent with the purposes of this article, so as not to exceed the annual cap on tax credits set forth in section four hundred seventy-nine of this article which, notwithstanding any provisions to the contrary in the state administrative procedure act, may be adopted on an emergency basis.
2. The commissioner shall, in consultation with the department of taxation and finance, develop a certificate of tax credit that shall be issued by the commissioner to eligible businesses. Such certificate shall contain such information as required by the department of taxation and finance.

3. The commissioner shall solely determine the eligibility of any applicant applying for entry into the program and shall remove any business entity from the program for failing to meet any of the requirements set forth in section four hundred seventy-three of this article, or for failing to meet the requirements set forth in subdivision one of section four hundred seventy-four of this article.

§ 477. Maintenance of records. Each business entity participating in the program shall keep all relevant records for their duration of program participation for at least three years.

§ 478. Reporting. Each business entity participating in this program must submit a performance report to the department at a time prescribed in regulations by the commissioner.

§ 479. Cap on tax credit. The total amount of tax credits listed on certificates of tax credit issued by the commissioner pursuant to this article may not exceed fifty million dollars.

§ 2. The tax law is amended by adding a new section 46 to read as follows:

§ 46. Restaurant return-to-work tax credit. (a) Allowance of credit. A taxpayer subject to tax under article nine-A or twenty-two of this chapter shall be allowed a credit against such tax, pursuant to the provisions referenced in subdivision (f) of this section. The amount of the credit is equal to the amount determined pursuant to section four hundred seventy-five of the economic development law. No cost or expense paid or incurred by the taxpayer which is included as part of the calculation of this credit shall be the basis of any other tax credit allowed under this chapter.

(b) Eligibility. To be eligible for the restaurant return-to-work tax credit, the taxpayer shall have been issued a certificate of tax credit by the department of economic development pursuant to subdivision two of section four hundred seventy-four of the economic development law, which certificate shall set forth the amount of the credit that may be claimed for the taxable year. The taxpayer shall be allowed to claim only the amount listed on the certificate of tax credit for that taxable year. A taxpayer that is a partner in a partnership, member of a limited liability company or shareholder in a subchapter S corporation that has received a certificate of tax credit shall be allowed its pro rata share of the credit earned by the partnership, limited liability company or subchapter S corporation.

(c) Tax return requirement and advance payment option. (1) The taxpayer shall be required to attach to its tax return in the form prescribed by the commissioner, proof of receipt of its certificate of tax credit issued by the commissioner of the department of economic development.

(2) Taxpayers who choose to use August thirty-first, two thousand twenty-one as the last date to calculate their average ending full-time employment and have received their certificate of tax credit by November fifteenth, two thousand twenty-one shall have the option to request an advance payment of the amount of tax credit they are allowed under this section. A taxpayer must submit such request to the department in the manner prescribed by the commissioner after it has been issued a certificate of tax credit by the department of economic development pursuant to subdivision two of section four hundred seventy-four of the economic development law.
development law (or such certificate has been issued to a partnership, limited liability company or subchapter S corporation in which it is a partner, member or shareholder, respectively), but such request must be submitted no later than November fifteenth, two thousand twenty-one. For those taxpayers who have requested an advance payment and for whom the commissioner has determined eligible for this credit, the commissioner shall advance a payment of the tax credit allowed to the taxpayer. However, in the case of a taxpayer subject to article nine-A of this chapter, such payment shall be equal to the amount of credit allowed to the taxpayer less twenty-five dollars. Such twenty-five dollars shall represent a partial payment of tax owed by the taxpayer under article nine-A, including any fixed dollar minimum owed under paragraph (d) of subdivision one of section two hundred ten of this chapter. When a taxpayer files its return for the taxable year, such taxpayer shall properly reconcile the advance payment and any partial payment of fixed dollar minimum tax, if applicable, on the taxpayer's return.

(d) Information sharing. Notwithstanding any provision of this chapter, employees of the department of economic development and the department shall be allowed and are directed to share and exchange:

(1) information derived from tax returns or reports that is relevant to a taxpayer's eligibility to participate in the restaurant return-to-work tax credit program;

(2) information regarding the credit applied for, allowed or claimed pursuant to this section and taxpayers that are applying for the credit or that are claiming the credit; and

(3) information contained in or derived from credit claim forms submitted to the department and applications for admission into the restaurant return-to-work tax credit program. Except as provided in paragraph two of this subdivision, all information exchanged between the department of economic development and the department shall not be subject to disclosure or inspection under the state's freedom of information law.

(e) Credit recapture. If a certificate of tax credit issued by the department of economic development under article twenty-five of the economic development law is revoked by such department, the amount of credit described in this section and claimed by the taxpayer prior to that revocation shall be added back to tax in the taxable year in which any such revocation becomes final.

(f) Cross references. For application of the credit provided for in this section, see the following provisions of this chapter:

(1) article 9-A: section 210-B, subdivision 56;

(2) article 22: section 606, subsection (lil).

§ 3. Section 210-B of the tax law is amended by adding a new subdivision 56 to read as follows:

56. Restaurant return-to-work tax credit. (a) Allowance of credit. A taxpayer shall be allowed a credit, to be computed as provided in section forty-six of this chapter, against the taxes imposed by this article.

(b) Application of credit. The credit allowed under this subdivision for the taxable year shall not reduce the tax due for such year to less than the amount prescribed in paragraph (d) of subdivision one of section two hundred ten of this article. However, if the amount of credit allowed under this subdivision for the taxable year reduces the tax to such amount or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount, any amount of credit thus not deductible in such taxable year shall be treated as an overpayment of tax to be cred-
ited or refunded in accordance with the provisions of section one thousand eighty-six of this chapter. Provided, however, the provisions of subsection (c) of section one thousand eighty-eight of this chapter notwithstanding, no interest will be paid thereon.

§ 4. Section 606 of the tax law is amended by adding a new subsection (l)l) to read as follows:

(1l) Restaurant return-to-work tax credit. (1) Allowance of credit. A taxpayer shall be allowed a credit, to be computed as provided in section forty-six of this chapter, against the tax imposed by this article.

(2) Application of credit. If the amount of the credit allowed under this subsection for the taxable year exceeds the taxpayer's tax for such year, the excess shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section six hundred eighty-six of this article, provided, however, that no interest will be paid thereon.

§ 5. Subparagraph (B) of paragraph 1 of subsection (i) of section 606 of the tax law is amended by adding a new clause (xlvii) to read as follows:

(xlvii) Restaurant return-to-work tax credit under subdivision fifty-six of subsection (lll) section two hundred ten-B

§ 6. This act shall take effect immediately.

SUBPART C

Section 1. The tax law is amended by adding a new section 24-c to read as follows:

§ 24-c. New York city musical and theatrical production tax credit. (a) Allowance of credit. (1) A taxpayer that is a qualified New York city musical and theatrical production company, or is a sole proprietor of or a member of a partnership that is a qualified New York city musical and theatrical production company, and that is subject to tax under article nine-A or twenty-two of this chapter, shall be allowed a credit against such tax, pursuant to the provisions referred to in subdivision (d) of this section, and to be computed as provided in this section.

(2) The amount of the credit shall be the product (or pro rata share of the product, in the case of a member of a partnership) of twenty-five percent and the sum of the qualified production expenditures. Provided however that the amount of the credit cannot exceed five million dollars per qualified New York city musical and theatrical production.

(3) No qualified production expenditures reimbursed through a federal grant under section three hundred twenty-four of the federal consolidated appropriations act of two thousand twenty-one, referred to as save our stages, shall be used as the basis for the allowance of the credit provided pursuant to this section or used in the calculation of the credit provided pursuant to this section.

(b) Definitions. As used in this section, the following terms shall have the following meanings:
(1) "Qualified New York city musical and theatrical production" means a for-profit live, dramatic stage presentation that, in its original or adaptive version, is performed in a qualified New York city production facility, whether or not such production was performed in a qualified New York city production facility prior to March twelfth, two thousand twenty.

(2) "Qualified production expenditure" means any costs for tangible property used and services performed directly and predominantly in the production of a qualified New York city musical and theatrical production, including: (i) expenditures for design, construction and operation, including sets, special and visual effects, costumes, wardrobes, make-up, accessories and costs associated with sound, lighting, and staging; (ii) all salaries, wages, fees, and other compensation including related benefits for services performed; (iii) technical and crew production costs, such as expenditures for a qualified New York city production facility, or any part thereof, physical production storage spaces, rehearsal spaces, props, make-up, wardrobe, costumes, equipment used for special and visual effects, sound recording, set construction, and lighting; (iv) costs directly attributable to advertising, marketing and publicity; (v) expenditures incurred on or before the end of the twelfth week of public performances occurring after January, two thousand twenty-one; (vi) expenses in connection with hygiene and safety measures related to COVID-19 prevention; and (vii) all expenditures pursuant to this paragraph that were incurred after February, two thousand twenty in connection with a closing, ongoing suspension, remounting, and public performances of a production that closed in March, two thousand twenty due to COVID-19 and which reopens after January, two thousand twenty-one.

(3) "Qualified New York city production facility" means a facility located within the city of New York (i) in which live theatrical productions are or are intended to be primarily presented, (ii) that contains at least one stage, a seating capacity of five hundred or more seats, and dressing rooms, storage areas, and other ancillary amenities necessary for the qualified New York city musical and theatrical production, and (iii) for which receipts attributable to ticket sales constitute seventy-five percent or more of gross receipts of the facility.

(4) "Qualified New York city musical and theatrical production company" is a corporation, partnership, limited partnership, or other entity or individual which is or who is principally engaged in the production of a qualified New York city musical or theatrical production that is to be performed in a qualified New York city production facility.

(c) Cross-references. For application of the credit provided for in this section, see the following provisions of this chapter:

(1) article 9-A: section 210-B: subdivision 57;

(2) article 22: section 606: subsection (mmm).

(d) Notwithstanding any provision of this chapter, (i) employees and officers of the department of economic development and the department shall be allowed and are directed to share and exchange information regarding the credits applied for, allowed, or claimed pursuant to this section and taxpayers who are applying for credits or who are claiming credits, including information contained in or derived from credit claim forms submitted to the department and applications for certification submitted to the department of economic development, and (ii) the commissioner and the commissioner of the department of economic development may release the names and addresses of any qualified New York city
musical and theatrical production company entitled to claim this credit and the amount of the credit earned by such company.

(e) Maximum amount of credits. (1) The aggregate amount of tax credits allowed under this section, subdivision fifty-seven of section two hundred ten-B and subsection (mmm) of section six hundred six of this chapter in any calendar year shall be fifty million dollars. Such aggregate amount of credits shall be allocated by the department of economic development among taxpayers in order of priority based upon the date of filing an application for allocation of the New York city musical and theatrical production tax credit with such department. If the total amount of allocated credits applied for in any particular calendar year exceeds the aggregate amount of tax credits allowed for such year under this section, such excess shall be treated as having been applied for on the first day of the subsequent calendar year.

(2) The commissioner of economic development, after consulting with the commissioner, shall promulgate regulations to establish procedures for the allocation of tax credits as required by this section. Such rules and regulations shall include provisions describing the application process, the due dates for such applications, the standards that will be used to evaluate the applications, the documentation that will be provided by applicants to substantiate to the department the amount of qualified production expenditures of such applicants, and such other provisions as deemed necessary and appropriate. Notwithstanding any other provisions to the contrary in the state administrative procedure act, such rules and regulations may be adopted on an emergency basis.

(f) Additions to the maximum amount of credits. If applications for the New York city musical and theatrical production tax credit do not exceed the aggregate amount of credits allowed in a given calendar year, such remaining amounts shall be added to the amount of credits allowed in paragraph one of subdivision (e) of this section for the immediately following calendar year.

(g) Any qualified New York city musical and theatrical production company that performs in a qualified New York city production facility and applies to receive a credit under this section shall be required to:

(1) participate in a New York state diversity and arts job training program, which may include the Broadway League’s diversity and inclusion fellowship program; (2) create and implement a plan to ensure that their production is available and accessible for low or no-cost to low income New Yorkers; and (3) contribute to the New York state arts and cultural programs fund an amount up to fifty percent of the total credits received if such production company earns revenue prospectively after receipt of the credit that is at least equal to two hundred percent of its production costs, with such amount payable from twenty-five percent of net operating profits, such amounts payable on a monthly basis, up until such fifty percent of the total credit amount is reached. Any funds deposited pursuant to this subdivision shall be used for arts and cultural educational and workforce development programs in-school and community-based organizations.

§ 2. Section 210-B of the tax law is amended by adding a new subdivision 57 to read as follows:

57. New York city musical and theatrical production tax credit. (a) Allowance of credit. A taxpayer shall be allowed a credit, to be computed as provided in section twenty-four-c of this chapter, against the taxes imposed by this article.

(b) Application of credit. The credit allowed under this subdivision for the taxable year shall not reduce the tax due for such year to less
than the amount prescribed in paragraph (d) of subdivision one of section two hundred ten of this article. However, if the amount of credit allowed under this subdivision for the taxable year reduces the tax to such amount or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount, any amount of credit thus not deductible in such taxable year shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section one thousand eighty-six of this chapter. Provided, however, the provisions of subsection (c) of section one thousand eighty-eight of this chapter notwithstanding, no interest shall be paid thereon.

§ 3. Section 606 of the tax law is amended by adding a new subsection (mmm) to read as follows:

(mmm) New York city musical and theatrical production tax credit. (1)

Allowance of credit. A taxpayer shall be allowed a credit, to be computed as provided in section twenty-four-c of this chapter, against the tax imposed by this article.

(2) Application of credit. If the amount of the credit allowed under this subsection for the taxable year exceeds the taxpayer's tax for such year, the excess shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section six hundred eighty-six of this article, provided, however, that no interest shall be paid thereon.

§ 4. Subparagraph (B) of paragraph 1 of subsection (i) of section 606 of the tax law is amended by adding a new clause (xlviii) to read as follows:

(xlviii) New York city musical and theatrical production tax credit under subdivision fifty-seven of tax credit under subsection (mmm) section two hundred ten-B

§ 5. The state finance law is amended by adding a new section 99-ii to read as follows:

§ 99-ii. New York state arts and cultural programs fund. 1. There is hereby established in the joint custody of the state comptroller and commissioner of taxation and finance a special fund to be known as the "New York state arts and cultural programs fund".

2. Such fund shall consist of all revenues received by the state, pursuant to the provisions of section twenty-four-c of the tax law and all other moneys appropriated thereto from any other fund or source pursuant to law. Nothing contained in this section shall prevent the state from receiving grants, gifts or bequests for the purposes of the fund as defined in this section and depositing them into the fund according to law.

3. On or before the first day of February two thousand twenty-four, the commissioner of education shall provide a written report to the temporary president of the senate, the speaker of the assembly, the chair of the senate finance committee, the chair of the assembly ways and means committee, the chair of the senate committee on health, the chair of the assembly health committee, the state comptroller and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:

(a) the amount of money disbursed from the fund and the award process used for such disbursements;
(b) recipients of awards from the fund;
(c) the amount awarded to each;
(d) the purposes for which such awards were granted; and
(e) a summary financial plan for such monies which shall include estimates of all receipts and all disbursements for the current and succeed-
ing fiscal years, along with the actual results from the prior fiscal year.

4. Moneys shall be payable from the fund on the audit and warrant of the comptroller on vouchers approved and certified by the commissioner of education.

5. The moneys in such fund shall be expended for the purpose of supplementing art and cultural programs for secondary and elementary children, including programs that increase access to art and cultural programs and events for children in underserved communities.

§ 6. This act shall take effect immediately and shall apply to taxable years beginning on or after January 1, 2021, provided, however, that this act shall expire and be deemed repealed 8 years after such effective date.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Subparts A through C of this act shall be as specifically set forth in the last section of such Subparts.

PART UU

Intentionally Omitted

PART VV

Intentionally Omitted

PART WW

Section 1. Expenditures of moneys appropriated in a chapter of the laws of 2021 to the department of agriculture and markets from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the department of agriculture and markets' participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2022, the commissioner of the department of agriculture and markets shall submit an accounting of such expenses, including, but not limited to, expenses in the 2021-2022 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.
§ 2. Expenditures of moneys appropriated in a chapter of the laws of 2021 to the department of state from the special revenue funds—other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the activities of the department of state's utility intervention unit pursuant to subdivision 4 of section 94-a of the executive law, including, but not limited to participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, and expenses related to the activities of the major renewable energy development program established by section 94-c of the executive law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2022, the secretary of state shall submit an accounting of such expenses, including, but not limited to, expenses in the 2021-2022 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 3. Expenditures of moneys appropriated in a chapter of the laws of 2021 to the office of parks, recreation and historic preservation from the special revenue funds—other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the office of parks, recreation and historic preservation's participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2022, the commissioner of the office of parks, recreation and historic preservation shall submit an accounting of such expenses, including, but not limited to, expenses in the 2021-2022 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 4. Expenditures of moneys appropriated in a chapter of the laws of 2021 to the department of environmental conservation from the special revenue funds—other/state operations, environmental conservation special revenue fund-301, utility environmental regulation account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the department of environmental conservation's participation in state energy policy proceedings, or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2022, the commissioner of the department of environmental conservation shall submit an accounting of such expenses, including, but not limited to, expenses in the 2021-2022 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 5. Notwithstanding any other law, rule or regulation to the contrary, expenses of the department of health public service education
program incurred pursuant to appropriations from the cable television account of the state miscellaneous special revenue funds shall be deemed expenses of the department of public service. No later than August 15, 2022, the commissioner of the department of health shall submit an accounting of expenses in the 2021-2022 state fiscal year to the chair of the public service commission for the chair's review pursuant to the provisions of section 217 of the public service law.

§ 6. Any expense deemed to be expenses of the department of public service pursuant to sections one through four of this act shall not be recovered through assessments imposed upon telephone corporations as defined in subdivision 17 of section 2 of the public service law.

§ 7. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2021 and shall expire and be deemed repealed April 1, 2022.

PART XX

Section 1. The opening paragraph of subdivision 5-a of section 340-b of the highway law, as amended by chapter 30 of the laws of 1987, is amended to read as follows:

The commissioner of transportation and the city of New York, acting through the mayor or other administrative head thereof, pursuant to a resolution of the governing body of such city, are authorized to enter into a written agreement for the maintenance and repair, under the supervision and subject to the approval of the commissioner of transportation, of any state interstate highway or portion thereof, exclusive of service roads and pavement on intersecting street bridges, which is within the boundaries of such city and which is now or which shall hereafter be designated in section three hundred forty-a of this [chapter] article and which has been constructed or which shall have been constructed as authorized by section three hundred forty-a of this [chapter] article. Such agreement may provide that the state shall pay annually to such city a sum to be computed at the rate of (a) not more than [eighty-five] one dollar and eighty-seven cents per square yard of the pavement area that is included in the state highway system according to the provisions of this section, and (b) an additional [ten] twenty cents per square yard of such pavement area where such pavement area is located on any elevated bridge, such rate shall be increased in each year of the agreement by the percentage change in the consumer price index for all urban consumers (CPI-U), New York-Northern New Jersey-Long Island, NY-NJ-CT-PA, as published by the United States department of labor bureau of labor statistics, over the prior five years.

§ 2. The opening paragraph of subdivision 7 of section 349-c of the highway law, as amended by chapter 30 of the laws of 1987, is amended to read as follows:

The commissioner of transportation and any city named in this article, acting through the mayor or other administrative head thereof, pursuant to a resolution of the governing body of such city except the city of New York, are authorized to enter into a written agreement for the maintenance and repair, under the supervision and subject to the approval of the commissioner, of any public street, main route or thoroughfare or portion thereof, exclusive of service roads and pavement on intersecting street bridges, which is within the boundaries of such city and which is now or which shall hereafter be designated in this article and which has been constructed or which shall have been constructed as authorized by [articles] this article and article four [and twelve-B] of this chapter
and with grants made available by the federal government pursuant to the
federal aid highway act of nineteen hundred forty-four, being public law
five hundred twenty-one of the seventy-eighth congress, chapter six
hundred twenty-six, second session, as approved on the twentieth day of
December, nineteen hundred forty-four. Such agreement may provide that
the state shall pay annually to such city a sum to be computed at the
rate of (a) not more than eighty-five one dollar and eighty-seven
cents per square yard of the pavement area that is included in the state
highway system according to the provisions of this section, and (b) an
additional ten twenty cents per square yard of such pavement area
where such pavement area is located on any elevated bridge, such rate
shall be increased in each year of the agreement by the percentage
change in the consumer price index for all urban consumers (CPI-U), New
York-Northern New Jersey-Long Island, NY-NJ-CT-PA, as published by the
United States department of labor bureau of labor statistics, over the
prior five years.
§ 3. This act shall take effect on the first of April next succeeding
the date on which it shall have become a law.

PART YY

Section 1. Short title. This act shall be known and may be cited as
the "housing our neighbors with dignity act".
§ 2. The private housing finance law is amended by adding a new arti-
cle 31 to read as follows:

ARTICLE XXXI

HOUSING OUR NEIGHBORS WITH DIGNITY PROGRAM

Section 1280. Legislative findings and purpose.

1281. Definitions.

§ 1280. Legislative findings and purpose. The state of New York,
through the division of housing and community renewal, is empowered to
purchase and convert distressed hotels and commercial properties, in
cities with a population of one million or more, for use as affordable
permanent housing that meets standards established to ensure safety,
habitability, quality, and access to supportive services as appropriate,
to be made available to low-income households and people experiencing
homelessness immediately prior to entering such housing. These proper-
ties will be managed by appropriate nonprofit organizations, either
through transfer of ownership or long-term net lease by the New York
governmental entity that acquired the property.
The acquired properties may be converted into housing models as deemed
necessary by the state or appropriate nonprofit authority for the
purposes of creating supportive and/or affordable housing units;
provided that the housing remains affordable as defined by the term
affordable housing included in this article.

§ 1281. Definitions. For the purposes of this article, the following
terms shall have the following meanings:
1. "Appropriate nonprofit organization" shall mean a nonprofit organ-
ization that:
   (a) Has one of such organization's primary purposes:
   (i) The provision of housing that is affordable to low-income fami-
    lies; or
   (ii) The provision of services or housing for individuals or families
        experiencing homelessness; or
(b) Is otherwise considered by the state as a suitable housing manage-
ment organization.

2. "Affordable housing" shall mean housing that is affordable to a
low-income household with income at or below fifty percent of the area
median income for the county in which the property is located as calcu-
lated by the United States Department of housing and urban development.

3. "Distressed" shall mean an asset that is:
   (a) Listed for sale; and
   (b) In a financially distressing condition, as determined by the
       state.

4. "Experiencing homelessness" shall refer to those individuals resid-
ing in shelters, transitional housing, and other types of emergency
housing.

5. "Rent stabilized" shall mean collectively, the rent stabilization
   law of nineteen hundred sixty-nine, the rent stabilization code, and the
   emergency tenant protection act of nineteen seventy-four, all as in
   effect as of the effective date of the chapter of the laws of two thou-
   sand twenty-one that added this subdivision or as amended thereafter,
   together with any successor statutes or regulations addressing substan-
   tially the same subject matter.

§ 1282. Housing our neighbors with dignity program. 1. Establishment.
The commissioner, in conjunction with the division of housing and commu-
nity renewal, shall develop a housing our neighbors with dignity program
(hereinafter referred to as "the program"), which shall provide a mecha-
nism for the state to purchase, acquire and hold distressed commercial
real estate and other commercial properties for the purpose of maintain-
ning or increasing affordable housing in cities with a population of one
million or more. Such program shall actively acquire such properties
for two years following the effective date of this article; provided,
however, that all affordable housing properties produced through this
program shall remain permanently affordable, pursuant to this article.

2. Purpose. The purpose of the housing our neighbors with dignity
program shall be to:
   (a) Acquire distressed commercial real estate property for the purpose
       of stabilizing communities and the housing market;
   (b) Convert and rehabilitate the physical condition of acquired prop-
       erty in order to enhance the value and condition of such property for
       future occupants, for the environmental sustainability of such property,
       and for the economic and social conditions of the surrounding community;
   (c) Sell or otherwise transfer acquired property to entities that will
       use such property to guarantee affordable, habitable and environmentally
       sustainable housing to asset-limited, low-income individuals and fami-
       lies;
   (d) Finance the transfer of acquired property to such entities; and
   (e) Provide an appropriate and expedient manner for owners of
distressed properties to transfer ownership or long-term net lease.

3. Powers. (a) The state may purchase, acquire, and hold distressed
hotel real estate assets, and may take such actions as may be necessary
to identify such distressed real estate and other commercial properties,
and acquire such properties, for the purpose of maintaining or increas-
ing the stock of affordable, stable, quality housing in cities with a
population of one million or more.

(b) Hotel real estate assets shall only include hotels with fewer than
one hundred fifty units, and those that are located in any borough
outside of Manhattan, or within Manhattan excluding the following area
in the borough of Manhattan: beginning at the intersection of the United
States pierhead line in the Hudson river and the center line of Chambers street, extended, thence easterly to the center line of Chambers street and continuing along the center line of Chambers street to the center line of Centre street, thence southerly along the center line of Centre street to the center line of the Brooklyn Bridge to the intersection of the Brooklyn Bridge and the United States pierhead line in the East river, thence northerly along the United States pierhead line in the East river and the center line of One Hundred Tenth street extended, thence westerly to the center line of One Hundred Tenth street and continuing along the center line of One Hundred Tenth street to its westerly terminus, thence westerly to the intersection of the center line of One Hundred Tenth street extended and the United States pierhead line in the Hudson river, thence southerly along the United States pierhead line in the Hudson river to the point of beginning.

4. Converted properties. All properties converted to affordable housing pursuant to this section shall meet the minimum standards of habitability, safety and quality of life for all established housing. Tenants shall pay no more than thirty percent of their income toward rent. Additional operating expenses shall be met through any combination of subsidies, vouchers, commercial rents, or other sources of income available to the housing provider under the model the non-profit chooses to pursue. All units shall be rent stabilized as defined in this article. At least fifty percent of all converted properties shall be set aside for individuals and families who were experiencing homelessness immediately prior to entering such converted affordable housing.

5. Restrictions. The state shall not, in any case, sell or transfer property unless the state has:
   (a) Taken all actions necessary to bring the property into compliance with applicable building, safety, health and habitability codes and requirements; or
   (b) Entered into such agreements with the purchaser or transferee to ensure that any actions necessary to bring the property into compliance with applicable building, safety, health and habitability codes and requirements will be taken before such property is occupied.

6. Tenant protections. Tenants residing in properties converted to affordable housing pursuant to this section shall have full tenancy rights, including all the tenant protections pursuant to rent stabilization as defined in this article. Tenancy in such affordable housing shall not be restricted on the basis of sexual identity or orientation, gender identity or expression, conviction or arrest record, credit history, or immigration status.

§ 3. The state finance law is amended by adding a new section 99-ii to read as follows:

§ 99-ii. Distressed property conversion fund. 1. There is hereby established in the joint custody of the commissioner of housing and community renewal and the comptroller, a special fund to be known as the "distressed property conversion fund".

2. The distressed property conversion fund shall consist of monetary grants, gifts or bequests received by the state for the purposes of the fund, and all other moneys credited or transferred thereto from any other fund or source. Moneys of such fund shall be expended only to carry out the provisions of the housing our neighbors with dignity program pursuant to article thirty-one of the private housing finance law. Nothing in this section shall prevent the state from soliciting and
receiving grants, gifts or bequests for the purposes of such fund and depositing them into the fund according to law.

3. Moneys in such fund shall be kept separate from and shall not be commingled with any other moneys in the custody of the comptroller or the commissioner of taxation and finance. Any moneys of the fund not required for immediate use may, at the discretion of the comptroller, in consultation with the director of the budget, be invested by the comptroller in obligations of the United States or the state, or in obligations the principal and interest on which are guaranteed by the United States or by the state. Any income earned by the investment of such moneys shall be added to and become a part of and shall be used for the purposes of such fund.

§ 4. This act shall take effect on the sixtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART ZZ

Section 1. Section 2878-a of the public authorities law is amended by adding a new subdivision 3 to read as follows:

3. A transportation authority established under this chapter may, by resolution approved by a two-thirds vote of its members then in office, or by a declaration that competitive bidding is impractical or inappropriate with respect to electric-powered omnibuses, rolling stock, vehicles or other related equipment because the item is available through an existing contract between a vendor and (a) another public authority provided that such other authority utilized a process of competitive bidding or a process of competitive requests for proposals to award such contracts, or (b) the state of New York, or (c) a political subdivision of the state of New York, provided that in any case when under this subdivision the authority determines that obtaining such item thereby would be in the public interest and sets forth the reasons for such determination. The authority shall accept sole responsibility for any payment due the vendor as a result of the authority’s order. In each case where the authority declares competitive bidding impractical or inappropriate, it shall state the reason therefor in writing and summarize any negotiations that have been conducted. The authority shall not award any contract pursuant to this subdivision earlier than thirty days from the date on which the authority declares that competitive bidding is impractical or inappropriate. All procurements approved pursuant to this subdivision shall be subject to audit and inspection by the department of audit and control or any successor agencies. For purposes of this subdivision, "transportation authority" shall not include transportation authorities governed under titles nine, nine-a, and eleven of article five of this chapter or title three of article three of this chapter.

§ 2. Section 104 of the general municipal law is amended by adding a new subdivision 3 to read as follows:

3. Notwithstanding the provisions of section one hundred three of this article or of any other general, special or local law, any chief executive officer of a political subdivision or agency which operates a public transportation system is authorized to make purchases of electric-powered omnibuses or other related equipment upon a resolution approved by a two-thirds vote of its board then in office because the
item is available through an existing contract between a vendor and (a) a public authority of the state provided that such other authority utilized a process of competitive bidding or a process of competitive requests for proposals to award such contracts, or (b) the state of New York, or (c) a political subdivision of the state of New York, provided that in any case when under this subdivision the political subdivision determines that obtaining such item thereby would be in the public interest and sets forth the reasons for such determination. The political subdivision shall not award any contract pursuant to this subdivision earlier than thirty days from the date on which the political subdivision declares that competitive bidding is impractical or inappropriate. All purchases shall be subject to audit and inspection by the political subdivision for which made, in addition to the department of audit and control of New York state. For purposes of this subdivision, "political subdivision or agency which operates a public transportation system" shall not include transportation authorities governed under titles nine, nine-a, and eleven of article five of the public authorities law or title three of article three of the public authorities law.

§ 3. Section 104 of the general municipal law, as amended by section 27 of part L of chapter 55 of the laws of 2012, is amended to read as follows:

§ 104. Purchase through office of general services. 1. Notwithstanding the provisions of section one hundred three of this article or of any other general, special or local law, any officer, board or agency of a political subdivision, of a district therein, of a fire company or of a voluntary ambulance service is authorized to make purchases of commodities and services available pursuant to section one hundred sixty-three of the state finance law, may make such purchases through the office of general services subject to such rules as may be established from time to time pursuant to section one hundred sixty-three of the state finance law or through the general services administration pursuant to section 1555 of the federal acquisition streamlining act of 1994, P.L. 103-355; provided that any such purchase shall exceed five hundred dollars and that the political subdivision, district, fire company or voluntary ambulance service for which such officer, board or agency acts shall accept sole responsibility for any payment due the vendor. All purchases shall be subject to audit and inspection by the political subdivision, district, fire company or voluntary ambulance service for which made. No officer, board or agency of a political subdivision, or a district therein, of a fire company or of a voluntary ambulance service shall make any purchase through such office when bids have been received for such purchase by such officer, board or agency, unless such purchase may be made upon the same terms, conditions and specifications at a lower price through such office. Two or more fire companies or voluntary ambulance services may join in making purchases pursuant to this section, and for the purposes of this section such groups shall be deemed "fire companies or voluntary ambulance services."

2. Notwithstanding the provisions of section one hundred three of this article or of any other general, special or local law, any chief executive officer of a political subdivision or agency which operates a public transportation system is authorized to make purchases of electric-powered omnibuses or other related equipment upon a resolution approved by a two-thirds vote of its board then in office because the item is available through an existing contract between a vendor and (a) a public authority of the state provided that such other authority utilized a process of competitive bidding or a process of competitive
requests for proposals to award such contracts, or (b) the state of New
York, or (c) a political subdivision of the state of New York, provided
that in any case when under this subdivision the political subdivision
determines that obtaining such item thereby would be in the public
interest and sets forth the reasons for such determination. The politi-
tical subdivision shall not award any contract pursuant to this subdivi-
sion earlier than thirty days from the date on which the political
subdivision declares that competitive bidding is impractical or inappro-
priate. All purchases shall be subject to audit and inspection by the
political subdivision for which made, in addition to the department of
audit and control of New York state. For purposes of this subdivision,
"political subdivision or agency which operates a public transportation
system" shall not include transportation authorities governed under
titles nine, nine-a, and eleven of article five of the public authori-
ties law or title three of article five of the public authorities law.

§ 4. This act shall take effect immediately, provided, however, that
the amendments to section 104 of the general municipal law made by
section two of this act shall be subject to the expiration and reversion
of such section pursuant to section 9 of subpart A of part C of chapter
97 of the laws of 2011, as amended, when upon such date the provisions
of section three of this act shall take effect.

PART AAA

Section 1. The clean water, green jobs, green New York bond act is
enacted to read as follows:

ENVIRONMENTAL BOND ACT OF 2021
"CLEAN WATER, GREEN JOBS, GREEN NEW YORK"

Section 1. Short title.
2. Creation of state debt.
3. Bonds of the state.
4. Use of moneys received.

§ 1. Short title. This act shall be known and may be cited as the
"environmental bond act of 2021 clean water, green jobs, green New
York*".

§ 2. Creation of state debt. The creation of state debt in an amount
not exceeding in the aggregate three billion dollars ($3,000,000,000) is
hereby authorized to provide moneys for the single purpose of making
environmental improvements that preserve, enhance, and restore New
York's natural resources and reduce the impact of climate change by
funding capital projects for: restoration and flood risk reduction not
less than one billion dollars ($1,000,000,000); open space land conser-
vation and recreation up to five hundred fifty million dollars
($550,000,000); climate change mitigation up to seven hundred million
dollars ($700,000,000); and, water quality improvement and resilient
infrastructure not less than five hundred fifty million dollars
($550,000,000).

§ 3. Bonds of the state. The state comptroller is hereby authorized
and empowered to issue and sell bonds of the state up to the aggregate
amount of three billion dollars ($3,000,000,000) for the purposes of
this act, subject to the provisions of article 5 of the state finance
law. The aggregate principal amount of such bonds shall not exceed three
billion dollars ($3,000,000,000) excluding bonds issued to refund or
otherwise repay bonds heretofore issued for such purpose; provided,
however, that upon any such refunding or repayment, the total aggregate
principal amount of outstanding bonds may be greater than three billion
1 dollars ($3,000,000,000) only if the present value of the aggregate debt
service of the refunding or repayment bonds to be issued shall not
exceed the present value of the aggregate debt service of the bonds to
be refunded or repaid. The method for calculating present value shall be
determined by law.

§ 4. Use of moneys received. The moneys received by the state from the
sale of bonds sold pursuant to this act shall be expended pursuant to
appropriations for capital projects related to design, planning, site
acquisition, demolition, construction, reconstruction, and rehabili-
tation projects specified in section two of this act.

§ 2. This act shall take effect immediately, provided that the
provisions of section one of this act shall not take effect unless and
until this act shall have been submitted to the people at the general
election to be held in November 2021 and shall have been approved by a
majority of all votes cast for and against it at such election. Upon
approval by the people, section one of this act shall take effect imme-
diately. The ballots to be furnished for the use of voters upon
submission of this act shall be in the form prescribed by the election
law and the proposition or question to be submitted shall be printed
thereon in the following form, namely "To address and combat the impact
of climate change and damage to the environment, the Environmental Bond
Act of 2021 "Clean Water, Green Jobs, Green New York" authorizes the
sale of state bonds up to three billion dollars to fund environmental
protection, natural restoration, resiliency, and clean energy projects.
Shall the Environmental Bond Act of 2021 be approved?".

PART BBB

Section 1. The environmental conservation law is amended by adding a
new article 58 to read as follows:

ARTICLE 58
IMPLEMENTATION OF THE ENVIRONMENTAL BOND ACT OF 2021
"CLEAN WATER, GREEN JOBS, GREEN NEW YORK"

Title 1. General Provisions.

5. Open space land conservation and recreation.
7. Climate change mitigation.
11. Environmental justice and reporting.

TITLE 1
GENERAL PROVISIONS

Section 58-0101. Definitions.
58-0109. Consistency with federal tax laws.
58-0111. Compliance with other law.

§ 58-0101. Definitions.
As used in this article the following terms shall mean and include:
1. "Bonds" shall mean general obligation bonds issued pursuant to the
environmental bond act of 2021 "clean water, green jobs, green New York"
in accordance with article VII of the New York state constitution and
article five of the state finance law.
2. "Cost" means the expense of an approved project, which shall include but not be limited to appraisal, surveying, planning, engineering and architectural services, plans and specifications, consultant and legal services, site preparation, demolition, construction and other direct expenses incident to such project.

3. "Department" shall mean the department of environmental conservation.

4. "Endangered or threatened species project" means a project to restore, recover, or reintroduce an endangered, threatened, or species of special concern pursuant to a recovery plan or restoration plan prepared and adopted by the department, including but not limited to the state's wildlife action plan.

5. "Environmental justice community" means a minority or low-income community that may bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

6. "Flood risk reduction project" means projects that use nature-based solutions where possible to reduce erosion or flooding, and projects which mitigate or adapt to flood conditions.

7. "Green buildings project" means (i) installing, upgrading, or modifying a renewable energy source at a state-owned building or for the purpose of converting or connecting a state-owned building, or portion thereof, to a renewable energy source; (ii) reducing energy use or improving energy efficiency or occupant health at a state-owned building; (iii) installing a green roof at a state-owned building; and (iv) emission reduction projects.

8. "Municipality" means a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city, town or village, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York state, or any combination thereof.

9. "Nature-based solution" means projects that are supported or inspired by nature or natural processes and functions and that may also offer environmental, economic, and social benefits, while increasing resilience. Nature-based solutions include both green and natural infrastructure.

10. "Open space land conservation project" means purchase of fee title or conservation easements for the purpose of protecting lands or waters and/or providing recreational opportunities for the public that (i) possess ecological, habitat, recreational or scenic values; (ii) protect the quality of a drinking water supply; (iii) provide flood control or flood mitigation values; (iv) constitute a floodplain; (v) provide or have the potential to provide important habitat connectivity; (vi) provide open space for the use and enjoyment of the public; or (vii) provide community gardens in urban areas.

11. "Recreational infrastructure project" means the development or improvement of state and municipal parks, campgrounds, nature centers, fish hatcheries, and infrastructure associated with open space land conservation projects.

12. "State assistance payment" means payment of the state share of the cost of projects authorized by this article to preserve, enhance, restore and improve the quality of the state's environment.

13. "State entity" means any state department, division, agency, office, public authority, or public benefit corporation.
14. "Water quality improvement project" for the purposes of this title, means projects designed to improve the quality of drinking and surface waters.

15. "Wetland and stream restoration project" means activities designed to restore freshwater and tidal wetlands, and streams of the state, for the purpose of enhancing habitat, increasing connectivity, improving water quality, and flood risk reduction.

§ 58-0103. Allocation of moneys.

The moneys received by the state from the sale of bonds pursuant to the environmental bond act of 2021 shall be disbursed in the following amounts pursuant to appropriations as specifically provided for in titles three, five, seven, and nine of this article:

1. Not less than one billion dollars ($1,000,000,000) for restoration and flood risk reduction as set forth in title three of this article.

2. Up to five hundred fifty million dollars ($550,000,000) for open space land conservation and recreation as set forth in title five of this article.

3. Up to seven hundred million dollars ($700,000,000) for climate change mitigation as set forth in title seven of this article.

4. Not less than five hundred fifty million dollars ($550,000,000) for water quality improvement and resilient infrastructure as set forth in title nine of this article.


In implementing the provisions of this article the department is hereby authorized to:

1. Administer funds generated pursuant to the environmental bond act of 2021 "clean water, green jobs, green New York".

2. In the name of the state, as further provided within this article, contract to make, within the limitations of appropriations available therefor, state assistance payments toward the cost of a project approved, and to be undertaken pursuant to this article.

3. Approve vouchers for the payments pursuant to an approved contract.

4. Enter into contracts with any person, firm, corporation, not-for-profit corporation, agency or other entity, private or governmental, for the purpose of effectuating the provisions of this article.

5. Promulgate such rules and regulations and to develop such forms and procedures necessary to effectuate the provisions of this article, including but not limited to requirements for the form, content, and submission of applications by municipalities for state financial assistance.

6. Delegate to, or cooperate with, any other state entity in the administration of this article.

7. Perform such other and further acts as may be necessary, proper or desirable to carry out the provisions of this article.


A municipality shall have the power and authority to:

1. Undertake and carry out any project for which state assistance payments pursuant to contract are received or are to be received pursuant to this article and maintain and operate such project.

2. Expend money received from the state pursuant to this article for costs incurred in conjunction with the approved project.

3. Apply for and receive moneys from the state for the purpose of accomplishing projects undertaken or to be undertaken pursuant to this article.
4. Perform such other and further acts as may be necessary, proper or desirable to carry out a project or obligation, duty or function related thereto.

§ 58-0109. Consistency with federal tax law.
All actions undertaken pursuant to this article shall be reviewed for consistency with provisions of the federal internal revenue code and regulations thereunder, in accordance with procedures established in connection with the issuance of any tax exempt bonds pursuant to this article, to preserve the tax exempt status of such bonds.

§ 58-0111. Compliance with other law.
Every recipient of funds to be made available pursuant to this article shall comply with all applicable state, federal and local laws.

TITLE 3
RESTORATION AND FLOOD RISK REDUCTION
Section 58-0301. Allocation of moneys.

Of the moneys received by the state from the sale of bonds pursuant to the environmental bond act of 2021, not less than one billion dollars ($1,000,000,000) shall be available for disbursements for restoration and flood risk reduction projects developed pursuant to section 58-0303 of this title. Not more than two hundred fifty million dollars ($250,000,000) of this amount shall be available for projects pursuant to subdivision two of section 58-0303 of this title and not less than one hundred million dollars ($100,000,000) each shall be available for coastal rehabilitation and shoreline restoration projects and projects which address inland flooding pursuant to paragraph a of subdivision one of section 58-0303 of this title.

§ 58-0303. Programs, plans and projects.
1. Eligible restoration and flood risk reduction projects include, but are not limited to costs associated with:
   (2) local waterfront revitalization plans prepared pursuant to article forty-two of the executive law; and
   (3) coastal rehabilitation and shoreline restoration projects, including nature-based solutions;
   b. flood risk reduction projects including but not limited to: acquisition of real property; moving, lifting or raising of existing flood-prone infrastructure or structures; relocation, repair, or raising of flood-prone or repeatedly flooded roadways; and projects to remove, alter, or right-size dams, bridges, and culverts, but shall not include routine construction or maintenance undertaken by the state and municipalities which does not provide flood risk reduction benefits; and
   c. restoration projects including but not limited to: floodplain, wetland and stream restoration projects; forest conservation; endangered and threatened species projects; and habitat restoration projects, including acquisition of fee title and easements, intended to improve the lands and waters of the state of ecological significance or any part
thereof, including, but not limited to forests, ponds, bogs, wetlands, bays, sounds, streams, rivers, or lakes and shorelines thereof, to support a spawning, nursery, wintering, migratory, nesting, breeding, feeding, or foraging environment for fish and wildlife and other biota.

2. The commissioner and the commissioner of the division of housing and community renewal are authorized pursuant to paragraph b of subdivision one of this section to purchase private real property identified as at-risk to flooding, from willing sellers. The commissioner of the division of housing and community renewal shall be authorized to transfer to any state agency or public authority any real property in order to carry out the purposes of this article. In connection therewith, the housing trust fund corporation shall be authorized to create a subsidiary corporation to carry out the program authorized under this subdivision. Such subsidiary corporation shall have all the privileges, immunities, tax exemption and other exemptions of the agency to the extent the same are not inconsistent with this section.

a. The commissioner and the commissioner of the division of housing and community renewal or any other department or state agency that has received funds suballocated pursuant to this section may enter into agreements with municipalities, and not-for-profit corporations for the purpose of implementing a program pursuant to this section.

b. The department and the division of housing and community renewal shall prioritize projects in communities based on past flood risk or those that participate in the federal emergency management agency's (FEMA) community rating system.

c. Any state agency or authority, municipality, or not-for-profit corporation purchasing private real property may expend costs associated with:

(1) the acquisition of real property, based upon the pre-flood fair market value of the subject property;

(2) the demolition and removal of structures and/or infrastructure on the property; and

(3) the restoration of natural resources to facilitate beneficial open space, flood mitigation, and/or shoreline stabilization.

d. Notwithstanding any provision of law to the contrary, any structure which is located on real property purchased pursuant to this program shall be demolished or removed, provided that it does not serve a use or purpose consistent with paragraph f of this subdivision.

e. Notwithstanding any provision of law to the contrary, real property purchased with funding pursuant to this program shall be property of the state, municipality, or a not-for-profit corporation.

f. Notwithstanding any provision of law to the contrary, real property purchased with funding pursuant to this program shall be restored and maintained in perpetuity in a manner that, aims to increase ecosystem function, provide additional flood damage mitigation for surrounding properties, protect wildlife habitat, and wherever practicable and safe, allow for passive and/or recreational community use. Municipal flood mitigation plans, resilience, waterfront revitalization plans or hazard mitigation plans, when applicable, shall be consulted to identify the appropriate restoration and end-use of the property.

g. All or a portion of the appropriation in this section may be provided to the department or the division of housing and community renewal or suballocated to any other department, state agency or state authority.

h. Private real property identified as at-risk to flooding should generally be limited to those: (1) identified as being within the one
hundred-year floodplain on the most recent FEMA flood insurance maps; (2) flooded structures that would qualify for buyout under criteria generally applicable to FEMA post-emergency acquisitions; (3) structures identified in a state, federal, local or regional technical study as suitable for the location of a flood risk management or abatement project in areas immediately proximate to inland or coastal waterways; or (4) structures located in coastal or riparian areas that have been determined by a state, federal, local or regional technical study to significantly exacerbate flooding in other locations.

3. The department, the office of parks, recreation, and historic preservation and the department of state are authorized to provide state assistance payments or grants to municipalities and not-for-profit corporations and undertake projects pursuant to paragraph a of subdivision one of this section.

4. The department and the office of parks, recreation, and historic preservation are authorized to provide state assistance payments or grants to municipalities and not-for-profit corporations and undertake projects pursuant to paragraph b of subdivision one of this section. Culvert and bridge projects shall be in compliance with the department's stream crossing guidelines and best management practices, and engineered for structural integrity and appropriate hydraulic capacity including, where available, projects flows based on flood modeling that incorporates climate change projections and shall not include routine construction or maintenance undertaken by the state or municipalities.

5. The department and the office of parks, recreation, and historic preservation are authorized to provide state assistance payments or grants to municipalities and not-for-profit corporations and undertake projects pursuant to paragraph c of subdivision one of this section.

6. Provided that for the purposes of selecting projects for funding under paragraphs b and c of subdivision one of this section, the relevant agencies shall develop eligibility guidelines and post information on the department's website in the environmental notice bulletin providing for a thirty-day public comment period and upon adoption post such eligibility guidelines on the relevant agency's website.

TITLE 5
OPEN SPACE LAND CONSERVATION AND RECREATION
Section 58-0501. Allocation of moneys.
§ 58-0501. Allocation of moneys.
Of the moneys received by the state from the sale of bonds pursuant to the environmental bond act of 2021 to be used for open space land conservation and recreation projects, up to five hundred fifty million dollars ($550,000,000) shall be available for programs, plans, and projects developed pursuant to section 58-0503 of this title, however, not more than seventy-five million dollars ($75,000,000) shall be made available for the creation of a fish hatchery, or the improvement, expansion, repair or maintenance of existing fish hatcheries, not less than two hundred million dollars ($200,000,000) shall be made available for open space land conservation projects pursuant to paragraph a of subdivision one of section 58-0503 of this title and not less than one hundred million dollars ($100,000,000) shall be made available for farm-land protection pursuant to paragraph b of subdivision one of section 58-0503 of this title.

§ 58-0503. Programs, plans and projects.
1. Eligible open space working lands conservation and recreation projects include, but are not limited to:
a. costs associated with open space land conservation projects;
b. costs associated with purchasing conservation easements to protect farmland pursuant to article twenty-five-aaa of the agriculture and markets law; and
c. costs associated with recreational infrastructure projects.

2. The department or the office of parks, recreation and historic preservation are authorized to undertake open space land conservation projects, in cooperation with willing sellers pursuant to subdivision one of this section and may enter into an agreement for purchase of real property or conservation easements on real property by a municipality or a not-for-profit corporation. Any such agreement shall contain such provisions as shall be necessary to ensure that the purchase is consistent with, and in furtherance of, this title and shall be subject to the approval of the comptroller and, as to form, the attorney general. In undertaking such projects, such commissioners shall consider the state land acquisition plan prepared pursuant to section 49-0207 of this chapter. Further, the department or the office of parks, recreation and historic preservation are authorized to provide state assistance payments to municipalities for eligible projects consistent with paragraphs a and c of subdivision one of this section.

3. The cost of an open space land conservation project shall include the cost of preparing a management plan for the preservation and beneficial public enjoyment of the land acquired pursuant to this section except where such a management plan already exists for the acquired land.

4. The department and the department of agriculture and markets are authorized to provide, pursuant to paragraph b of subdivision one of this section, farmland preservation implementation grants to county agricultural and farmland protection boards pursuant to article twenty-five-aaa of the agriculture and markets law, or to municipalities, soil and water conservation districts or not-for-profit corporations for implementation of projects.

5. The department is authorized to expend moneys to purchase equipment, devices, and other necessary materials and to acquire fee title or conservation easements in lands for monitoring, restoration, recovery, or reintroduction projects for species listed as endangered or threatened or listed as a species of special concern pursuant to section 11-0535 of this chapter.

6. The department or the office of parks, recreation and historic preservation are authorized to expend moneys for the planning, design, and construction of projects to develop and improve parks, campgrounds, nature centers, fish hatcheries, and other recreational facilities.

7. The commissioner and a not-for-profit corporation may enter into a contract for the undertaking by the not-for-profit corporation of an open space land acquisition project.

8. Real property acquired, developed, improved, restored or rehabilitated by or through a municipality pursuant to paragraph a of subdivision one of this section or undertaken by or on behalf of a municipality with funds made available pursuant to this title shall not be sold, leased, exchanged, donated or otherwise disposed of or used for other than public park purposes without the express authority of an act of the legislature, which shall provide for the substitution of other lands of equal environmental value and fair market value and reasonably equivalent usefulness and location to those to be discontinued, sold or disposed of, and such other requirements as shall be approved by the commissioner.
9. Provided that for the purposes of selecting projects for funding under paragraphs a and b of subdivision one of this section, the relevant agencies shall develop eligibility guidelines and post information on the department’s website in the environmental notice bulletin providing for a thirty day public comment period and upon adoption post such eligibility guidelines on the relevant agency’s website.

TITLE 7
CLIMATE CHANGE MITIGATION

Section 58-0701. Allocation of moneys.

§ 58-0701. Allocation of moneys.
Of the moneys received by the state from the sale of bonds pursuant to the environmental bond act of 2021, up to seven hundred million dollars ($700,000,000) shall be made available for disbursements for climate change mitigation projects developed pursuant to section 58-0703 of this title. Not less than three hundred fifty million dollars ($350,000,000) of this amount shall be available for green buildings projects.

§ 58-0703. Programs, plans and projects.
1. Eligible climate change mitigation projects include, but are not limited to:

   a. costs associated with green building projects, projects that increase energy efficiency or the use or siting of renewable energy on state-owned buildings or properties including buildings owned by the state university of the state of New York, city university of the state of New York, and community colleges;

   b. costs associated with projects that utilize natural and working lands to sequester carbon and mitigate methane emissions from agricultural sources, such as manure storage through cover and methane reduction technologies;

   c. costs associated with implementing climate adaptation and mitigation projects pursuant to section 54-1523 of this chapter;

   d. costs associated with urban forestry projects such as forest and habitat restoration, for purchase and planting of street trees and for projects to expand the existing tree canopy and bolster community health;

   e. costs associated with projects that reduce urban heat island effect, such as installation of green roofs, open space protection, community gardens, cool pavement projects, projects that create or upgrade community cooling centers, and the installation of reflective roofs where installation of green roofs is not possible;

   f. costs associated with projects to reduce or eliminate air pollution from stationary or mobile sources of air pollution affecting an environmental justice community; and

   g. costs associated with projects which would reduce or eliminate water pollution, whether from point or non-point discharges, affecting an environmental justice community.

2. The department, the department of agriculture and markets, the office of parks, recreation and historic preservation, the New York state energy research and development authority and the office of general services are authorized to provide state assistance payments or grants to municipalities and not-for-profit corporations or undertake projects pursuant to this section.

3. Provided that for the purposes of selecting projects for funding under this section, the relevant agencies shall develop eligibility guidelines and post information on the department's website in the environmental notice bulletin providing for a thirty-day public comment
period and upon adoption post such eligibility guidelines on the relevant agency's website.

TITLE 9
WATER QUALITY IMPROVEMENT AND RESILIENT INFRASTRUCTURE

Section 58-0901. Allocation of moneys.
Of the moneys received by the state from the sale of bonds pursuant to the environmental bond act of 2021 for disbursements for state assistance for water quality improvement projects as defined by title one of this article, not less than five hundred fifty million dollars ($550,000,000) shall be available for water quality improvement projects developed pursuant to section 58-0903 of this title. Not less than two hundred million dollars ($200,000,000) of this amount shall be available for wastewater infrastructure projects undertaken pursuant to the New York state water infrastructure improvement act of 2017 pursuant to paragraph e of subdivision one of section 58-0903 of this title, and not less than one hundred million dollars ($100,000,000) shall be available for municipal stormwater projects pursuant to paragraph a of subdivision one of section 58-0903 of this title.

§ 58-0903. Programs, plans and projects.
1. Eligible water quality improvement project costs include, but are not limited to:
   a. costs associated with grants to municipalities for projects that reduce or control storm water runoff, using green infrastructure where practicable;
   b. costs associated with projects that reduce agricultural nutrient runoff and promote soil health such as projects which implement comprehensive nutrient management plans, other agricultural nutrient management projects, and non-point source abatement and control programs including projects developed pursuant to sections eleven-a and eleven-b of the soil and water conservation districts;
   c. costs associated with projects that address harmful algal blooms such as abatement projects and projects focused on addressing nutrient reduction in freshwater and marine waters, wastewater infrastructure systems that treat nitrogen and phosphorus, and lake treatment systems;
   d. costs associated with wastewater infrastructure projects including but not limited to extending or establishing sewer lines to replace failing septic systems or cesspools and projects as provided by section twelve hundred eighty-five-u of the public authorities law;
   e. costs associated with projects to reduce, avoid or eliminate point and non-point source discharges to water including projects authorized by the New York state water improvement infrastructure act of 2017 and section twelve hundred eighty-five-s of the public authorities law;
   f. costs associated with the establishment of riparian buffers to provide distance between farm fields and streams or abate erosion during high flow events; and
   g. costs associated with lead service line replacement pursuant to section eleven hundred fourteen of the public health law.
2. The department and the New York state environmental facilities corporation are authorized to provide state assistance payments or grants to municipalities for projects authorized pursuant to paragraphs a, b, and d of subdivision one of this section.
3. The department of agriculture and markets shall be authorized to make state assistance payments to soil and water conservation districts for the cost of implementing agricultural environmental management
plans, including purchase of equipment for measuring and monitoring soil health and soil conditions.

4. The department is authorized to make grants available to not-for-profits and academic institutions for paragraphs b, c, and f of subdivision one of this section, and make state assistance payments to municipalities and undertake projects pursuant to this section.

5. Provided that for the purposes of selecting projects for funding of this section, the relevant agencies shall develop eligibility guidelines and post information on the department’s website in the environmental notice bulletin providing for a thirty-day public comment period and upon adoption post such eligibility guidelines on the relevant agency’s website.

TITLE 11
ENVIRONMENTAL JUSTICE AND REPORTING

Section 58-1101. Benefits of funds.

§ 58-1103. Reporting.
The department shall make every effort practicable to ensure that thirty-five percent of the funds pursuant to this article benefit environmental justice communities.

§ 58-1103. Reporting.
1. No later than sixty days following the end of each fiscal year, the department, agency, public benefit corporation, and public authority receiving an allocation or allocations of appropriation financed from the clean water, green jobs, green New York environmental bond act of 2021 shall submit to the commissioner in a manner and form prescribed by the department, the following information as of March thirty-first of such fiscal year, within each category listed in this title: the total appropriation; total commitments; year-to-date disbursements; remaining uncommitted balances; and a description of each project.

2. No later than one hundred twenty days following the end of each fiscal year, the department shall submit to the governor, the temporary president of the senate, and the speaker of the assembly a report that includes the information received. A copy of the report shall be posted on the department’s website.

§ 2. The state finance law is amended by adding a new section 97-tttt to read as follows:

§ 97-tttt. Clean water, green jobs, green New York bond fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a special fund to be known as the "clean water, green jobs, green New York bond fund".

2. The state comptroller shall deposit into the clean water, green jobs, green New York bond fund all moneys received by the state from the sale of bonds and/or notes for uses eligible pursuant to section four of the environmental bond act of 2021 "clean water, green jobs, green New York".

3. Moneys in the clean water, green jobs, green New York bond fund, following appropriation by the legislature and allocation by the director of the budget, shall be available only for reimbursement of expenditures made from appropriations from the capital projects fund for the purpose of the clean water, green jobs, green New York bond fund, as set forth in the environmental bond act of 2021 "clean water, green jobs, green New York".

4. No moneys received by the state from the sale of bonds and/or notes sold pursuant to the environmental bond act of 2021 "clean water, green jobs, green New York" shall be expended for any project until funds
therefore have been allocated pursuant to the provisions of this section and copies of the appropriate certificates of approval filed with the chair of the senate finance committee, the chair of the assembly ways and means committee and the state comptroller.

§ 3. Section 61 of the state finance law is amended by adding a new subdivision 32 to read as follows:

32. Thirty years. For the payment of "clean water, green jobs, green New York" projects, as defined in article fifty-eight of the environmental conservation law and undertaken pursuant to a chapter of the laws of two thousand twenty-one, enacting and constituting the environmental bond act of 2021 "clean water, green jobs, green New York". Thirty years for flood control infrastructure, other environmental infrastructure, wetland and other habitat restoration, water quality projects, acquisition of land, including acquisition of real property, and renewable energy projects. Notwithstanding the foregoing, for the purposes of calculating annual debt service, the state comptroller shall apply a weighted average period of probable life of clean water, green jobs, green New York projects, including any other works or purposes to be financed with state debt. Weighted average period of probable life shall be determined by computing the sum of the products derived from multiplying the dollar value of the portion of the debt contracted for each work or purpose (or class of works or purposes) by the probable life of such work or purpose (or class of works or purposes) and dividing the resulting sum by the dollar value of the entire debt after taking into consideration any original issue premium or discount.

§ 4. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 5. This act shall take effect only in the event that section 1 of part AAA of the chapter of the laws of 2021 enacting the environmental bond act of 2021 "clean water, green jobs, green New York" is submitted to the people at the general election to be held in November 2021 and is approved by a majority of all votes cast for and against it at such election. Upon such approval, this act shall take effect immediately; provided that the commissioner of environmental conservation shall notify the legislative bill drafting commission upon the occurrence of the enactment of section 1 of part AAA of the chapter of the laws of 2021 enacting the environmental bond act of 2021 "clean water, green jobs, green New York", in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the implementation of the foregoing sections of this act are authorized and directed to be made and completed on or before such effective date.

PART CCC

Section 1. Legislative intent. The legislature finds the amount of waste generated in New York is a threat to the environment. The legislature further finds and declares that it is in the public interest of the state of New York for covered material and product producers to under-
take the responsibility for the development and implementation of strategies to promote reduction, reuse, recovery, and recycling of covered materials and products through investments in the end-of-product-life management of products, printed paper, and product packaging.

§ 2. Article 27 of the environmental conservation law is amended by adding a new title 33 to read as follows:

TITLE 33
EXTENDED PRODUCER RESPONSIBILITY ACT

Section 27-3301. Definitions.

27-3303. Producer Responsibility advisory board.
27-3305. Producer responsibilities.
27-3307. Funding mechanism.
27-3309. Producer responsibility plan and needs assessment.
27-3311. Producer responsibility plan approval.
27-3315. Outreach and education.
27-3317. Reporting requirements and audits.
27-3319. Antitrust protections.
27-3321. Penalties.
27-3323. State preemption.
27-3325. Authority to promulgate rules and regulations.
27-3327. Other assistance programs.
27-3329. Severability.

§ 27-3301. Definitions.

As used in this title:

1. "Covered materials and products" shall mean any part of a package or container, regardless of recyclability, that includes material that is used for the containment, protection, handling, delivery, and presentation of goods that are sold, offered for sale, or distributed to consumers, via retail commerce, in the state, including through an internet transaction. Covered materials and products include, but are not limited to, the following classes of materials:

   (a) Containers and packaging: this class includes all flexible, foam, or rigid material, including but not limited to paper, carton, plastic, glass, or metal, and any combination of such materials that:
       (i) is intended to contain, protect, wrap, present, or deliver products from the responsible party to the ultimate user or consumer, including tertiary packaging used for transportation or distribution directly to a consumer;
       (ii) is intended for single or short-term use and designed to contain, protect or wrap products, including secondary packaging intended for the consumer market; or
       (iii) does not include packaging used for the long-term protection or storage of a product or with a life of not less than five years.

   (b) Paper products: this class includes:
       (i) paper and other cellulosic fibers, whether or not they are used as a medium for text or images and materials in the newspapers class of materials;
       (ii) containers or packaging used to deliver printed matter directly to the ultimate consumer or recipient;
       (iii) paper of any description, including but not limited to:
           (1) flyers;
           (2) brochures;
           (3) booklets;
           (4) catalogs;
           (5) telephone directories:
(6) newspapers;
(7) magazines;
(8) paper fiber; and
(9) paper used for writing or any other purpose.
(c) Plastics: this class includes plastic products as determined by
the department that frequent the residential waste stream or are plastic
products that have the effect of severely disrupting recycling proc-
esses, including, but not limited to, single use plastic items such as
straws, utensils, cups, plates, and plastic bags.
(d) For the purpose of this title, the products covered designation
does not include the following:
(i) covered materials or products that could become unsafe or unsani-
tary to recycle by virtue of their anticipated use;
(ii) literary, text, and reference bound books;
(iii) beverage containers as defined in section 27-1003 of this arti-
cle on which a deposit is required to be initiated;
(iv) architectural paint containers collected and managed pursuant to
title twenty of this article;
(v) medical devices and covered materials and products regulated as a
drug, medical device or dietary supplement by the U.S. Food and Drug
Administration under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C.
321 et seq., sec. 3.2(e) of 21 U.S. Code of Federal Regulations or the
Dietary Supplement Health and Education Act;
(vi) Covered materials used to contain toxic or hazardous materials,
or regulated by the federal insecticide, fungicide, and rodenticide act,
7 U.S.C. SEC.136 ET SEQ. or other applicable federal law, rule or regu-
lation.
2. "Curbside recycling" means a recycling program that serves residen-
tial units, or schools, state or local agencies, or institutions where
such schools, state or local agencies, or institutions were served by a
municipality or a private sector hauler as of the effective date of this
title, and such recycling program is operated by a municipality or
pursuant to a contract with the municipality, private sector hauler, or
other public agency or through approved local solid waste management
plans.
3. "Post-consumer material" means only those covered products or mate-
rials generated by a business or consumer which have served their
intended end use as consumer items and which have been separated or
distributed from the waste stream for the purposes of collection and recy-
cling as a secondary material feedstock, but shall not include waste
material generated during or after the completion of a manufacturing or
converting process.
4. "Post-consumer recycled content" means the content of a product
made from post-consumer recycled materials or feedstock.
5. "Producer" means, in descending order of priority for assigning
responsibility to meet the requirements of this title: (a) the person
who manufactures the covered material or product under such person's own
name or brand and who sells or offers for sale the covered material or
product in the state.
(b) if paragraph (a) of this subdivision does not apply, the person
or company who imports the covered material or product as the owner or
licensee of a trademark or brand under which the covered material or
product is sold or distributed in the state;
(c) if paragraphs (a) and (b) of this subdivision do not apply, the
person or company that offers for sale, sells, or distributes the
covered material or product in the state.
A producer shall not include a municipality or a local government planning unit, or a registered 501(c)(3) charitable organization or 501(c)(4) social welfare organization.

6. "Producer responsibility organization" means a not-for-profit organization designated by a group of producers to act as an agent on behalf of each producer to develop and implement a producer responsibility plan, or a registered 501(c)(3) charitable organization. To the extent applicable, a producer responsibility organization shall have a governing board that represents the diversity of producers and the covered materials and product types and such board shall include non-voting members representing a diversity of material trade associations.

7. "Readily-recyclable" means covered materials or products included in the minimum recyclables list pursuant to subdivision 5 of section 27-3313 of this title. Readily-recyclable does not include materials that might be disposed of or become waste.

8. "Recovery" means the diversion of covered materials or products that might be disposed of or become waste.

9. "Recovery rate" means the amount of covered materials or products recovered over a program year divided by the amount of product produced, expressed as a percentage.

10. "Recycling" means reprocessing, by means of a manufacturing process, of a used material into a product, a component incorporated into a product, or a secondary (recycled) raw material. "Recycling", for purposes of this title, does not include energy recovery or energy generation by means of combustion, use as a fuel, or landfill disposal of discarded covered materials or products or discarded product component materials or chemical conversion processes, as determined by the department.

11. "Recycling rate" means the percentage of discarded covered materials or products that is managed through recycling or reuse, as defined by this title, and is computed by dividing the amount of discarded covered products recycled or reused by the total amount of discarded covered products collected over a program year.

12. "Reuse" means selling a discarded covered product back into the market for its original intended use, when the discarded covered product retains its original performance characteristics and can be used for its original purpose or covered materials or products that are intended to be refilled for the same or similar purpose by the producer.

13. "Retailer" means a person who sells or offers for sale a product to a consumer, including sales made through an internet transaction to be delivered to a consumer in the state.

14. "Toxic substance" means a chemical or chemical class of concern identified by a state agency, federal agency, international intergovernmental agency, accredited research university, or other scientific evidence. The department may reference existing toxic or hazardous substances lists it creates or those created by other state agencies, the Interstate Chemicals Clearinghouse, or chemicals classified by the European Union as carcinogens, mutagens, or reproductive toxicants pursuant to Category 1A or 1B in Annex VI to Regulation (EC) 1272/2008 in the promulgation of a toxic substance list.

§ 27-3303. Producer responsibility advisory board.

1. There is hereby established within the department a producer responsibility advisory board, hereinafter the advisory board, to receive and review the producer responsibility plans required under this title and to make recommendations to the department regarding the plan's approval.
2. (a) The advisory board shall be composed of an odd number of members and the commissioner shall appoint at least one member from each of the following: a municipality association or municipal recycling program, including an additional municipal representative from cities with a population of one million or more residents; a statewide environmental organization; a representative of environmental justice communities or organizations; a statewide waste disposal association; a materials recovery facility located within the state of New York; a recycling collection provider; a manufacturer of packaging materials utilizing post-consumer recycled content; a manufacturer of paper materials utilizing post-consumer recycled content; a consumer advocate; and a retailer.

(b) The member representing the producer or producer responsibility organization shall be a non-voting member.

(c) Appointments to the advisory board shall be made no later than six months after the effective date of this title.

3. The advisory board shall meet at least once a year by the call of the chair or by request of more than half the voting members.

4. (a) Each producer responsibility plan prepared by a producer or producer responsibility organization pursuant to this title shall be submitted to the advisory board, which shall consider whether the plan meets the criteria and objectives of this title.

(b) The advisory board shall, within ninety days of the submission of the producer responsibility plan, either: (i) forward the plan to the commissioner with its recommendation for approval; or (ii) forward the plan to the commissioner with its disapproval and stated reasons therefor, including any recommended changes to the plan necessary for approval.

(c) A producer responsibility organization may resubmit a producer responsibility plan for approval at any time. Upon such resubmission, the advisory board shall, within ninety days, forward the plan to the commissioner with its recommendation for approval or disapproval.

5. The advisory board shall review the submitted annual reports and make such recommendations to the department and the producer responsibility organization for improving the plan.

6. The decisions of the advisory board shall be by vote of the majority of its membership.

§ 27-3305. Producer responsibilities.

1. Within four years after the effective date of this title, no producer shall sell, offer for sale, or distribute covered materials or products for use in New York unless the producer, or a producer responsibility organization acting as their designated agent, has a producer responsibility plan approved by the department, upon the recommendation of the advisory board. Producers may satisfy participation obligations individually or jointly with other producers or through a producer responsibility organization.

2. Producers or a producer responsibility organization shall meet jointly with the advisory board at least annually.

3. The producer, or a producer responsibility organization shall be responsible for producers' compliance with the requirements of this title, including the preparation and implementation of a producer responsibility plan, the preparation and submission of annual audits, and the annual reports to the department.

4. Within the first four years after the department approves a producer responsibility plan, producers shall be required to report, on an annual basis, progress reports describing in detail progress towards
meeting or exceeding the recovery, recycling, and post-consumer recycled content rates by material type. Such progress reports shall also include an evaluation of whether they are on target to meet the approved recovery, recycling, and post-consumer recycled content rates by material type. If a producer or producer responsibility organization is not on target to meet the required rates, the department, in consultation with the advisory board, shall either require an approved producer responsibility plan to be amended or require the producer to implement additional measures. Within five years after the department approves the producer responsibility plan, producers shall be required to meet the minimum recovery, recycling and post-consumer recycled material content rate for a covered material or product as approved by the department in the producer responsibility plan or face penalties pursuant to section 27-3321 of this title.

5. A producer shall be exempt from the requirements of this title if the producer:

(a) Generates less than one million dollars in annual revenues;
(b) Generates less than one ton of covered materials or products supplied to New York state residents per year; or
(c) Operates as a single point of retail sale and is not supplied or operated as part of a franchise.

6. Retailers that are not producers are exempt from the requirements of this title.

7. Producers may comply individually or may form a producer responsibility organization and discharge their responsibilities to such organization.

8. The department shall establish regulations to allow voluntary agreements to be made between responsible parties to permit a responsible party to convey a different order of responsibility than defined in subdivision 4 of section 27-3301 of this title as long as both parties agree to the change in the hierarchy of responsibility.

§ 27-3307. Funding mechanism.
1. A producer or producer responsibility organization acting as their agent shall establish program participation charges for producers through the producer responsibility plan pursuant to section 27-3309 of this title which shall be sufficient to ensure the obligations of the statewide needs assessment and the producer responsibility plan are met. Provided, however, that covered materials in the newspaper or magazine class may satisfy their obligations hereunder by providing advertisement or publication in their newspapers, magazines, and/or on their websites in lieu of program participation charges so long as the value of the advertisement is equivalent to the financial obligations required under an approved producer responsibility plan.

2. A producer responsibility organization shall structure program charges to provide producers with financial incentives, to reward waste and source reduction and recycling compatibility innovations and practices, and to disincentivize designs or practices that increase costs of managing the products or which contain toxic substances. The producer responsibility organization may adjust charges to be paid by participating producers based on factors that affect system costs. At a minimum, charges shall be variable based on:

(a) Costs to provide curbside collection or other level of residential service that is, at minimum, as convenient as curbside collection or as convenient as the previous recycling collection plan in the particular jurisdiction or as convenient as the previous refuse collection plan in the particular jurisdiction should recycling collection not be provided;
(b) Costs to process a producer's covered materials or products for acceptance by secondary material markets;
(c) Whether the covered material or product would typically be readily-recyclable except that as a consequence of the product's design, the product has the effect of disrupting recycling processes or the product includes labels, inks, and adhesives containing heavy metals or other toxic substances as defined by the department in regulations that would contaminate the recycling process;
(d) Whether the covered materials or product is specifically designed to be reusable or refillable and has high reuse or refill rate;
(e) the commodity value of a covered material or product.

3. The charges shall be adjusted, or the producers may be provided a credit, based upon the percentage of post-consumer recycled material content and such percentage of post-consumer recycled content shall be verified by the producer responsibility organization or through an independent third party approved to perform verification services to ensure that such percentage exceeds the minimum requirements in the covered material, as long as the recycled content does not disrupt the potential for future recycling.

4. In addition to the annual schedule of fees approved in the producer responsibility plan, the producer responsibility organization fee schedule may include a special assessment on specific categories of covered materials or products at the request of responsible entities representing and approved by the advisory board if the nature of the covered material or product imposes unusual costs in collection or processing or requires special actions to address effective access to recycling or successful processing in municipal recycling facilities. The revenue from the special assessment shall be used to make system improvements for the specific covered materials or products on which the special assessment was applied.

5. A producer responsibility organization shall be responsible for calculating and dispersing funding at a reasonable recycling program funding rate, as approved by the department, and such reasonable rate may be varied based on population density rates, for municipal services utilized by a producer responsibility organization if the municipality elects to be compensated by the producer responsibility organization in the recovery, recycling, and processing of covered materials and products, whether such services are provided directly by the municipality or through a contracted service provider. If a municipality does not elect to provide service, the producer responsibility organization shall be responsible for contracting with a private entity for services and shall be responsible for calculating and disbursing funding at a reasonable recycling program rate for collection, recycling, recovery, and processing services provided by the private sector entity contracted to provide such services. The program funding mechanism shall be based on the cost of residential curbside collection, including the cost of curbside containers where relevant, as well as processing cost for each readily-recyclable material, cost of handling non-readily recyclable material types collected as part of a recycling operation, transportation cost of recycling for each material type, and any other cost factors as determined by the department. To facilitate the producer responsibility organization’s determination of the cost of recycling, participating municipalities and private sector haulers contracting with producer responsibility organizations shall report data related to their costs and the value of materials to the producer responsibility organ-
Cost calculations shall take into consideration revenue generated from recyclable materials.

6. Any funds directly collected pursuant to this title shall not be used to carry out lobbying activities on behalf of the producer responsibility organization.

7. No retailer may charge a point-of-sale or other fee to consumers to facilitate a producer to recoup the costs associated with meeting the obligations under this title.

8. Nothing in this title shall require a municipality to participate in a producer responsibility program.

9. The department shall make such rules and regulations which may be necessary for a producer responsibility organization to develop and manage a funding mechanism.

§ 27-3309. Producer responsibility plan and needs assessment.

1. A statewide needs assessment shall be conducted prior to the approval of a producer responsibility plan. The statewide needs assessment shall be funded by the producers or producer responsibility organization, and shall be conducted by an independent third party approved by the department and shall include an evaluation of the capacity, costs, gaps, and needs for the following factors:

(a) Current funding needs impacting recycling access and availability;

(b) Existing state statutory provisions and funding sources for recycling, reuse, reduction, and recovery;

(c) The collection and hauling system for recyclable materials in the state;

(d) The processing capacity and infrastructure for recyclable materials in the state and regionally and identifying necessary capital investments to existing and future reuse and recycling infrastructure;

(e) The market conditions and opportunities for recyclable materials in the state and regionally;

(f) Consumer education needs for recycling, reuse, and reduction of covered materials and products.

2. Producers, or a producer responsibility organization acting as their designated agent, shall develop and submit a producer responsibility plan to the advisory board. Such plan shall cover five years and shall be reviewed by the advisory board and updated every five years following the approval of the original plan. The department shall have the discretion to require the plan to be reviewed or revised prior to the five year period if the department has cause to believe the minimum post-consumer recycled material content rates, minimum recovery or recycling rates, or other factors of the plan are not being met or followed by the producer, or producer responsibility organization, or if there has been a change in circumstances that warrants revision of the plan. The advisory board shall also have the discretion to recommend revision of the plan to the department. The submitted plan shall include, but not be limited to:

(a) contact information of the producer responsibility organization and the producer or producers covered under the plan;

(b) a description of how comments of stakeholders were considered and, if applicable, addressed in the development of the plan;

(c) a comprehensive list of the covered materials or products for which the producer or producer responsibility organization is responsible for, which shall be included in the minimum recyclable lists pursuant to section 27-3313 of this title;

(d) a funding mechanism that allocates the costs to the producers to meet the requirements of this title and is sufficient to cover the cost
of registering, operating and updating the plan, and maintaining a
financial reserve sufficient to operate the program in a fiscally
prudent and responsible manner;
(e) a strategic capital investment plan and a mechanism to disperse
funds for existing and future infrastructure;
(f) a description of the process for participating municipalities to
recoup reasonable costs, both operational and capital, from the producer
or producer responsibility organization, including, as applicable, any
administrative, sorting, collection, transportation, public education,
or processing costs, if the producer responsibility organization uses
existing services through a municipality or obtains such services from a
private sector hauler;
(g) a detailed description of how the producer or the producer respon-
sibility organization, consulted with the advisory board in the develop-
ment of the plan prior to its submission to the department, and to what
extent the producers or the producer responsibility organization specif-
ically incorporated the advisory board's input into the plan. Producers
or the producer responsibility organization shall also provide the advi-
sory board an opportunity to review and comment upon the draft plan
prior to its submission to the department. Producers or the producer
responsibility organization shall make an assessment of comments
received and shall provide a summary and an analysis of the issues
raised by the advisory board and significant changes suggested by any
such comments, a statement of the reasons why any significant changes
were not incorporated into the plan, and a description of any changes
made to the plan as a result of such comments;
(h) a proposed minimum post-consumer recycled material content rate
requirement, minimum recovery, and minimum recycling rate for covered
materials and products. The minimum rates shall be varied for each
covered recycled material and shall include paper products, glass,
metal, and plastic;
(i) a description of a public education program pursuant to section
27-3313 of this title;
(j) how the producers, or the producer responsibility organization,
will work with existing waste haulers, material recovery facilities,
recyclers, and municipalities to operate or expand current collection
programs to address material collection methods;
(k) a description of how producers or the producer responsibility
organization will use open, competitive, and fair procurement practices
should they directly enter into contractual agreements with service
providers, including municipalities and private entities;
(l) a description of how a municipality will participate, on a volun-
tary basis, with collection and how existing municipal recycling proc-
essing and collection infrastructure will be used;
(m) a description of how the producer, or producer responsibility
organization, plans to meet the convenience requirements set forth in
this title;
(n) a description of how the producer, or producer responsibility
organization, will meet or exceed the minimum rates required under this
title for covered materials or product;
(o) a description of the process for end-of-life management, including
recycling and disposal of residuals collected for recycling, using envi-
ronmentally sound management practices;
(p) a description of how the producer responsibility organization
shall provide the option to purchase recycled materials from processors
on behalf of producer members interested in obtaining recycled feedstock
in order to achieve post-consumer recycled content objectives;
(q) a description of how a producer responsibility organization will
work with producers to reduce packaging through product design, systems
for reusable packaging, and program innovations;
(r) a description of how a producer responsibility organization will
invest in existing and future reuse and recycling infrastructure and
market development in the state, including, but not limited to, install-
ing or upgrading equipment to improve sorting of covered materials and
products or mitigating the impacts of covered materials and products to
other commodities at existing sorting and processing facilities, and
(s) a process to address concerns and questions from customers and
residents; and
(t) any other information as specified by the department through regu-
lations.

3. The department shall promulgate a registration fee schedule to
cover administrative costs, including a schedule for re-evaluating the
fee structure on an annual basis and shall consider if fees should be
adjusted to incentivize performance. Such fees collected by the depart-
ment shall only be used for the implementation, operation, and enforce-
ment of this title, including approved costs associated with the advi-
sory panel.
§ 27-3311. Producer responsibility plan approval.
1. Before rejection or approval of a producer responsibility plan can
be made in accordance with this title, the producer or producer respon-
sibility organization shall submit the plan to the producer responsibil-
ity advisory board.
2. Within sixty days of the advisory board making a recommendation to
the department, the department shall make a determination to approve the
plan as submitted; approve the plan with conditions; or deny the plan,
with reasons for the denial. The advisory board in recommending, and the
department in approving a plan, shall consider the following in whether
to approve a plan:
(a) the plan adequately addresses all elements described in section
27-3309 of this title with sufficient detail to demonstrate that the
objective of the plan will be met;
(b) the producer has undertaken satisfactory consultation with the
advisory board, has provided an opportunity for the advisory board’s
input in the implementation and operation of the plan prior to
submission of the plan, and has thoroughly described how the advisory
board’s input will be addressed by and incorporated into the plan
pursuant to paragraph (f) of subdivision 1 of section 27-3309 of this
title;
(c) the plan adequately provides for: (i) the producer collecting and
funding the costs of collecting and processing products covered by the
plan or reimbursing a municipality; (ii) the funding mechanism to cover
the entire cost of the program; (iii) convenient and free consumer
access to collection facilities or collection services; (iv) a formulaic
system for equitable distribution of funds; (v) comprehensive public
education and outreach; and (vi) an evaluation system for the fee struc-
ture, which shall be evaluated on an annual basis by the producer
responsibility organization and re-submitted to the department annually;
(d) the plan takes into consideration a post-consumer content rate and
recovery and recycling rates that will create or enhance markets for
recycled materials, there is a plan to adjust the minimum rates on an
annual basis, and the plan incentives waste prevention and reduction. Such post-consumer content rates, and such adjustments to the rates, shall take into consideration: (i) changes in market conditions, including supply and demand for post-consumer recycled plastics, recovery rates, and bale availability both domestically and globally; (ii) recycling rates; (iii) the availability of recycled materials suitable to meet the minimum recycled content goals, including the availability of high-quality recycled materials, and food-grade recycled materials; (iv) the capacity of recycling or processing infrastructure; (v) utilization rates of the material; and (vi) the progress made by producers in meeting the post-consumer recycled targets by material type;

(e) the plan creates a convenient system for consumers to recycle that is, at minimum, as convenient as curbside collection or as convenient as the previous waste collection schema in the particular jurisdiction;

(f) the plan adequately considers the state's solid waste management policy set forth in section 27-0106 of this article;

(g) The department may establish additional plan requirements in addition to those identified herein to fulfill the intent of this title; provided, however, that any additional requirements shall be established one year prior to a required submission of a plan unless such additional requirements are in relation to the power granted to the department in subdivision 4 of section 27-3305 of this title.

3. No later than six months after the date the plan is approved, the producer, or producer responsibility organization, shall implement the approved plan. The department may rescind the approval of an approved plan at any time with cause and documented justification.


A producer or producer responsibility organization shall provide for widespread, convenient, and equitable access to collection opportunities for the covered materials and products identified under the producer or producer responsibility organization's plan at no additional cost to residents. Such opportunities shall be provided to all residents of New York in a manner that is as convenient as the collection of municipal solid waste. A producer responsibility organization shall ensure services continue for curbside recycling programs that a municipality serves as of the effective date of this article, either directly or through a contract to provide services, and that such services are continued through the plan. A producer responsibility plan may not restrict a jurisdiction's resident's ability to contract directly with third parties to obtain recycling collection services if residents have the option to enter into such contracts as of the effective date of this title, as long as the resident still voluntarily chooses to contract directly with the third party. A producer responsibility organization may rely on a range of means to collect various categories of covered materials or products including, but not limited to, curbside collection, depot drop-off, and retailer take-back so long as covered materials and products collection options include curbside recycling collection services provided by municipal programs, municipal contracted programs, solid waste collection companies, or other approved entities as identified by the department if:

1. The category of covered materials and products is suitable for residential curbside recycling collection and can be effectively sorted by the facilities receiving the curbside collected material;

2. The recycling facility providing processing and sorting service agrees to include the category of covered materials and products as an accepted material;
3. The covered materials and products category is not handled through a deposit and return scheme or buy back system that relies on a collection system other than curbside or multi-family collection; and
4. The provider of the residential curbside recycling service agrees to the producer responsibility organization service provider costs arrangement.

5. (a) The producer or producer responsibility organization shall adopt a list of minimum types of readily recyclable materials and products based on available collection and processing infrastructure and recycling markets for covered materials and products. The producer or producer responsibility organization shall update and adopt the list on an annual basis, in consultation with the advisory board, in response to collection and processing improvements and changes in recycling end markets. If there are multiple lists, the department shall compile the lists and shall publish a compiled list to the public. Such lists may vary by geographic region depending on regional markets and regional collection and processing infrastructure.
   (b) All municipalities or private recycling service providers shall provide for the collection and recycling of all identified materials and products contained on the list of minimum recyclables, based on geographic regions, in order to be eligible for reimbursement; provided, however, nothing shall penalize a municipality or private recycling service for recovering and recycling materials that are generated in the municipality or geographic region that are not included on the list of minimum types of recyclable covered materials or products as long as it can be demonstrated that such materials have a market. Reimbursement shall cover recycling of all covered materials and products so long as the program includes at least the minimum recyclable list.
   (c) The department may grant an exception of the requirements in paragraph (b) of this subdivision upon a written showing by the municipality or private recycling service that compliance with the requirement is not practicable for a specific identified product or material and if the department finds it is in the best interest of the intent of this title to grant them an extension; provided, however, that the extension granted by the department shall not exceed twelve months.

§ 27-3315. Outreach and education.

1. The producer, or producer responsibility organization, shall provide effective outreach, education, and communications to consumers throughout New York state regarding:
   (a) proper end-of-life management of covered products and materials;
   (b) the location and availability of curbside recycling and additional drop-off collection opportunities;
   (c) how to prevent litter of covered materials and products in the process of collection; and
   (d) recycling and composting instructions that are: consistent statewide, except as necessary to take into account differences among local laws and processing capabilities; easy to understand; and easily accessible.

2. The outreach and education required pursuant to subdivision 1 of this section shall:
   (a) be designed to achieve the management goals of covered products under this title, including the prevention of contamination of covered products;
   (b) incorporate, at a minimum, electronic, print, web-based, and social media elements that municipalities could utilize at their discretion;
(c) be coordinated across programs to avoid confusion for consumers;
(d) include, at a minimum: consulting on education, outreach, and communications with local governments and other stakeholders; coordinating with and assisting local municipal programs, municipal contracted programs, solid waste collection companies, and other entities providing services; and developing and providing outreach and education to the diverse ethnic populations in the state; and
(e) a plan to work with participating producers to label covered products, in accordance with reasonable labeling standards, with information to assist consumers in responsibly managing and recycling covered materials and products.

3. The producer or producer responsibility organization shall consult with municipalities on the development of educational materials and may coordinate with municipalities on outreach and communication.

4. The department shall determine the effectiveness of outreach and education efforts under this section to determine whether changes are necessary to improve those outreach and education efforts and develop information that may be used to improve outreach and education efforts under this section.

5. The producer responsibility organization shall undertake outreach, education, and communications that assist in attaining or exceeding the recovery and recycling rates.

§ 27-3317. Reporting requirements and audits.
1. One year after a producer or producer responsibility organization's first plan is approved, and annually thereafter, each producer, or producer responsibility organization acting as their designated agent, shall submit a report to the department that details the performance for the prior year's program. The report shall be posted on the department's website and on the website of the producer, or producer responsibility organization acting as their designated agent. Such annual report shall include:
   (a) a detailed description of the methods used to collect, transport and process covered materials and products including detailing collection methods made available to consumers and an evaluation of the program's collection convenience;
   (b) a description of the status of achieving the recovery and recycling rates as set forth in the plan pursuant to this title and what efforts are proposed in the event of failing to achieve such rates;
   (c) a description on the status of achieving the post-consumer recycled content rates as set forth in the plan pursuant to this title, and what efforts are proposed in the event of failing to achieve such rates;
   (d) the amount of covered materials and products collected in the state by material type;
   (e) the amount and type of covered materials and products collected in the state by the method of disposition by material type;
   (f) the total cost of implementing the program, as determined by an independent financial audit, as performed by an independent auditor;
   (g) information regarding the independently audited financial statements detailing all payments received and issued by the producers covered by the approved plan;
   (h) a copy of the independent audit;
   (i) a detailed description of whether the program compensates municipalities, solid waste collection, sorting and processing facilities, and other approved entities for their recycling efforts and other related services provided by the above entities;
(j) samples of all educational materials provided to consumers or other entities;

(k) a detailed list of efforts undertaken and an evaluation of the methods used to disseminate such materials including recommendations, if any, for how the educational component of the program can be improved; and

(l) A detailed description of investments made in reuse and recycling infrastructure and market development.

2. The department shall not require public reporting of any confidential information that the department finds to be protected proprietary information. For purposes of this title, protected proprietary information shall mean information that, if made public, would divulge competitive business information, methods or processes entitled to protection as trade secrets of such producer or producer responsibility organization or information that would reasonably hinder the producer or producer responsibility organization’s competitive advantage in the marketplace.

§ 27-3319. Antitrust protections.

A producer or producer responsibility organization that organizes the collection, transportation, and procession of covered materials and products, in accordance with a producer responsibility plan approved under this title, shall not be liable for any claim of a violation of antitrust, restraint of trade, or unfair trade practice arising from conduct undertaken in accordance with the program pursuant to this title; provided, however, this section shall not apply to any agreement establishing or affecting the price of a covered material, product, or the output or production of any agreement restricting the geographic area or customers to which a covered material or product will be sold.

§ 27-3321. Penalties.

1. Except as otherwise provided in this section, any person or entity that violates any provision of or fails to perform any duty imposed pursuant to this title or any rule or regulation promulgated pursuant thereto, or any term or condition of any registration or permit issued pursuant thereto, or any final determination or order of the commissioner made pursuant to this article or article 71 of this chapter shall be liable for a civil penalty not to exceed five hundred dollars for each violation and an additional penalty of not more than five hundred dollars for each day during which such violation continues.

2. (a) Any producer or producer responsibility organization who violates any provision of or fails to perform any duty imposed pursuant to this title or any rule or regulation promulgated pursuant thereto, including compliance with requirements related to the producer responsibility plan, or any term or condition of any registration or permit issued pursuant thereto, or any final determination or order of the commissioner made pursuant to this article or article 71 of this chapter shall be liable for a civil penalty not to exceed five thousand dollars for each violation and an additional penalty of not more than one thousand five hundred dollars for each day during which such violation continues. For a second violation committed within twelve months of a prior violation, the producer or producer responsibility organization shall be liable for a civil penalty not to exceed ten thousand dollars and an additional penalty of not more than three thousand dollars for each day during which such violation continues. For a third or subsequent violation committed within twelve months of any prior violation, the producer or producer responsibility organization shall be liable for a civil penalty not to exceed twenty thousand dollars and an additional
penalty of six thousand dollars for each day during which such violation
continues.

(b) All producers participating in a producer responsibility organiza-
tion shall be jointly and severally liable for any penalties assessed
against the producer responsibility organization pursuant to this title
and article 71 of this chapter.

3. Civil penalties under this section shall be assessed by the depart-
ment after an opportunity to be heard pursuant to the provisions of
section 71-1709 of this chapter, or by the court in any action or
proceeding pursuant to section 71-2727 of this chapter, and in addition
thereto, such person or entity may by similar process be enjoined from
continuing such violation and any permit, registration or other approval
issued by the department may be revoked or suspended or a pending
renewal denied.

4. The department and the attorney general are hereby authorized to
enforce the provisions of this title and all monies collected shall be
deposited to the credit of the environmental protection fund established
pursuant to section 92-s of the state finance law.

§ 27-3323. State preemption.

Jurisdiction in all matters pertaining to costs and funding mechanisms
of producer responsibility organizations relating to the recovery of
covered materials by this title, vested exclusively in the state;
provided, however, that (i) nothing in this section shall preclude any
city, town, village or other local planning units, which already has in
place on the effective date of this title any local law, ordinance or
regulation governing a municipally-operated recycling program or
collection program operated on behalf of such municipality, from deter-
mining what materials shall be included for recycling in such municipal
recycling collection program, or shall preclude any such local law,
ordinance or regulation which provides environmental protection equal to
or greater than the provisions of this title or rules promulgated here-
under, and (ii) that nothing in this section shall preclude a person
from coordinating, for recycling or reuse, the collection of covered
materials and products.

§ 27-3325. Authority to promulgate rules and regulations.

The commissioner shall have the power to promulgate rules and regu-
lations necessary and appropriate for the administration of this title.

§ 27-3327. Other assistance programs.

Nothing in this title shall impact an entity's eligibility for any
state or local incentive or assistance program to which they are other-
wise eligible.

§ 27-3329. Severability.

The provisions of this title shall be severable and if any phrase,
clause, sentence or provision of this title or the applicability thereof
to any person or circumstance shall be held invalid, the remainder of
this title and the application thereof shall not be affected thereby.

§ 3. This act shall take effect on the one hundred eightieth day after
it shall have become a law.

PART DDD

Section 1. The agriculture and markets law is amended by adding a new
article 27 to read as follows:

ARTICLE 27

NOURISH NEW YORK

Section 450. Declaration of legislative findings and intent.

1. "Food relief organization" means a religious organization or other not-for-profit that provides food for free to persons experiencing food insecurity, including but not limited to a food pantry, food bank, or soup kitchen or community-based organization that provides food for free to persons experiencing food insecurity.

2. "Surplus agricultural products" means consumable or edible agricultural products grown in New York but shall not include condiments, sweeteners or beverages containing alcohol.

§ 452. Nourish New York program.

1. The commissioner shall, to the extent permitted by state or federal appropriations for such purpose, facilitate programming that ensures surplus agricultural products are provided to food relief organizations at competitive wholesale prices.

2. The commissioner shall provide technical assistance and information about the program to food relief organizations, producers of surplus agricultural products and the public, including, but not limited to, information posted on the department's website.

3. The commissioner shall provide means, which may include posting on the department's website, for producers to make available surplus agricultural products and for food relief organizations to access surplus agricultural products.

4. The commissioner, in consultation with the department of health, shall review the current funding structure, funding adequacy and current service levels of the hunger prevention nutrition assistance program in all regions of the state. Review of current service levels shall take into account the size of the service area, the population in need of such hunger prevention nutrition assistance program and the need for additional facilities within a region in order to address increasing food insecurity and hunger. Following such review, the commissioner shall make and report any recommendations, including but not limited to, increasing the maximum amount of money each food pantry may be allocated by such program, whether such program funding should be indexed for inflation annually, and any structural and funding adequacy changes deemed necessary.

5. The commissioner shall review and report on the need to establish a grant program to fund the purchase of cold storage equipment for regional food banks, food pantries and other emergency food organizations. Such grant program shall prioritize regions of the state that have the highest demand for emergency food and regions of the state...
where regional food banks and pantries have determined the need for more
capacity to safely store perishable food before such food is distrib-
uted. Such report shall be completed and submitted to the governor and
the legislature no later than February first, two thousand twenty-two.
§ 2. This act shall take effect immediately.

PART EEE

Section 1. Short title. This act shall be known and may be cited as
the "comprehensive broadband connectivity act".
§ 2. Legislative findings. The legislature hereby finds and declares
that more granular and adequate broadband mapping is an essential next
step in continuing the progress of expanding access to high-quality,
affordable broadband access in New York State. The New York Broadband
Program has helped expand broadband service to hundreds of thousands of
previously underserved New Yorkers. However, many still lack access.
Due to a lack of comprehensive data, measuring the true extent of this
problem has been hampered by the limitations of federal data on broad-
band access. More accurate and comprehensive data is necessary to
complete the State's work in ensuring truly universal broadband access.
§ 3. The public service law is amended by adding a new section 224-c
to read as follows:
§ 224-c. Broadband and fiber optic services. 1. For the purposes of
this section:
(a) The term "served" means any location with at least two internet
service providers and at least one such provider offers high-speed
internet service.
(b) The term "underserved" means any location which has fewer than two
internet service providers, or has internet speeds of at least 25 mega-
bits per second (mbps) download but less than 100 mbps download avail-
able.
(c) The term "unserved" means any location which has no fixed wireless
service or wired service with speeds of 25 mbps download or less avail-
able.
(d) The term "high-speed internet service" means internet service of
at least 100 mbps download and at least 10 mbps upload.
(e) The term "broadband service" shall mean a mass-market retail
service that provides the capability to transmit data to and receive
data from all or substantially all internet endpoints, including any
capabilities that are incidental to and enable the operation of the
communications service, but shall not include dial-up service.
(f) The term "location" shall mean a geographic area smaller than a
census tract.
(g) The term "internet service provider" shall mean any person, busi-
ness or organization qualified to do business in this state that
provides individuals, corporations, or other entities with the ability
to connect to the internet.
2. The commission shall study the availability, affordability and
reliability of high-speed internet and broadband services in New York
state. The commission shall, with the assistance of the New York state
energy research and development authority, to the extent practicable
under New York state law:
(a) assess the efficacy and make recommendations regarding levels of
competition among providers, as well as any regulatory and statutory
barriers, in order to deliver comprehensive statewide access to high-
speed internet;
(b) review available technology to identify solutions that best support high-speed internet service in underserved or unserved areas, and make recommendations on ensuring deployment of such technology in underserved and unserved areas;

(c) identify instances where local franchise agreements and legal settlements related to internet access have not been complied with;

(d) identify locations where insufficient access to high-speed internet and/or broadband service, and/or persistent digital divide, is causing negative social or economic impact on the community;

(e) identify locations where the commission believes fiber optic service is necessary for the successful implementation of commission's policies on competition, affordability, and adequate service;

(f) examine any other telecommunications deficiencies affecting broadband service it deems necessary to further the economic and social goals of the state; and

(g) produce, maintain and publish on its website, a detailed internet access map of the state, indicating access to internet service by location. Such map shall include, but not be limited to, the following information for each location:

(i) download and upload speeds advertised and experienced;

(ii) the consistency and reliability of download and upload speeds including latency;

(iii) the types of internet service and technologies available including but not limited to dial-up, broadband, wireless, fiber, coax, or satellite;

(iv) the number of internet service providers available, the price of internet service available; and

(v) any other factors the commission may deem relevant.

3. The commission shall submit a report of its findings and recommendations from the study required in subdivision two of this section, to the governor, the temporary president of the senate and the speaker of the assembly no later than one year after the effective date of this section, and an updated report annually thereafter. Such report shall include, but not be limited to, the following:

(a) the overall number of residences with access to high-speed internet identifying which areas are served, unserved and underserved;

(b) a regional survey of internet service prices in comparison to county-level median income;

(c) an analysis of the affordability of high-speed internet service in New York state;

(d) any relevant usage statistics;

(e) any other metrics or analyses the commission deems necessary in order to assess the availability, affordability and reliability of internet service in New York state; and

(f) the map maintained pursuant to paragraph (g) of subdivision two of this section.

4. The commission shall hold at least four regional public hearings within one year of the effective date of this section, to solicit input from the public and other stakeholders including but not limited to internet service providers, telecommunications concerns, labor organizations, public safety organizations, healthcare, education, agricultural and other businesses or organizations.

5. The commission shall work with internet service providers in the state to prioritize access to broadband and fiber optic services for the communities determined to have experienced negative economic and social
impacts due to absent, insufficient, or inadequate broadband or fiber optic service pursuant to subdivision one of this section.

6. To effectuate the purposes of this section, the commission may request and shall receive from any department, division, board, bureau, commission or other agency of the state or any state public authority such assistance, information and data as will enable the commission to carry out its powers and duties under this section.

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

PART FFF

Section 1. Short title. This act shall be known and may be cited as the "E-Let's Expand Access to Remote Now (E-LEARN) Act".

§ 2. Legislative intent. The legislature hereby finds and declares that the COVID-19 pandemic has plagued the health, economy and education systems throughout New York and impacted the livelihood of every resident of the state with an extensive, protracted and disproportionate impact on students in every region.

The legislature further finds the unprecedented closure of school buildings for the last quarter of the 2019-20 school year coupled with increasing COVID-19 public health and safety concerns throughout the summer and into the beginning of the 2020-21 school year have continued to present logistical challenges for the delivery of education and support services especially for students who are living in poverty.

The legislature further finds Article XI of the New York state Constitution which stipulates 'The Legislature shall provide for the maintenance and support of a system of free common schools, wherein all the children of the state may be educated' must be continuously upheld even throughout the ensuing pandemic period.

The legislature further finds schools across the state had to quickly implement technological programs and devices to deliver remote learning options to students during the closed down period and many schools are required to, or are requested to, continue distance learning modality as an instructional delivery model.

The legislature further finds lack of high-quality internet access has had and continues to have a disequalizing impact on children who are poor, homeless and without the resources to support their educational needs.

The Legislature further finds it is a state imperative to ensure all children have access to the delivery of technology through high-quality broadband internet connectivity in order to meet the State's constitutional requirement and maintain a system of free common schools.

The legislature further finds that high-speed internet access, commonly referred to as broadband internet, can be achieved through utilization of a variety of technologies, including wired infrastructure via fiber optic cable, and through wireless technologies such as fixed wireless internet and satellite internet, and that taking advantage of all available and evolving technologies can enable communities currently without wired infrastructure to nonetheless improve access to high-quality internet until such time as wired infrastructure is made universally available.

The legislature further finds that almost every sector of New York's economy, democracy, and society depends on widespread, high-quality internet access that supports vital functions regulated under the police power of the state.
The legislature further finds that while the internet is an interstate resource, the essential support it provides for innumerable municipal and state operations, vital business and community service, delivery of educational programs and services and daily interactions between the people of New York and their governments are of state concern.

The legislature further finds that while the operations of telecommunication service providers must be subject to state oversight, they also must be protected from undue restraint and regulation so as to assure optimum technology and maximum availability in this state as rapidly as economically and technically feasible.

The legislature further finds that telecommunication service providers, notwithstanding their unique attributes, are part of an increasingly integrated telecommunications industry, the soundness of which is essential, not only to education, but also to the state's economic growth and general welfare, and portions of whose business are wholly intrastate.

The legislature further finds that there is a need for one or more state agencies to determine state internet access policy as it relates to the education of the state's students during the COVID-19 pandemic, ensure that telecommunication service providers provide adequate, economical and efficient service to students and schools, and oversee, consonant with federal regulations and statutes, the availability of high-quality internet access during the COVID-19 pandemic in support of the constitutional education obligations of the state.

The legislature further finds that it is necessary to establish a competitively-neutral funding mechanism to provide the resources necessary to assure and maintain satisfaction of the constitutional education obligations of the state.

Therefore, be it resolved, that, the legislature hereby approves the use of the police power inherent in the state of New York to protect and promote the safety, life, public health, public convenience, general prosperity, and well-being of society, and the welfare of the state's population and economy, as necessary to satisfy the provisions of Article XI of the New York state Constitution to provide a free public education pursuant to the E-Let's Expand Access to Remote Now (E-LEARN) act, as defined in this act.

§ 3. The education law is amended by adding a new article 9-A to read as follows:

ARTICLE 9-A
E-LEARN PROGRAM

Section 430. Definitions.

431. Application for allocation from the E-LEARN fund.
432. Allocation of E-LEARN funds.
433. Grant of permission for use of information.
434. Provision of high-quality internet access to eligible students.
435. Provision of high-quality internet access to eligible schools.
436. Payment of costs and expenses.
437. Collaboration.
438. Cooperation of third parties.
439. Requirements.

§ 430. Definitions. For the purposes of this article:
1. "Broadband internet access service" means a service provided by wire or radio in New York state that provides the capability to transmit data to, and receive data from, all or substantially all internet
endpoints, including any capabilities that are incidental to and enable
the operation of the communications service, but excluding dial-up
internet access service. Broadband internet access service also encom-
passes any service provided in New York that provides a functional
equivalent of that service or that is used to evade the provisions set
forth in this article.

2. "Chancellor" means the chancellor of the New York city department
of education.

3. "Department" means the education department of the state of New
York.

4. "Eligible school" means a public school including a school operated
by a board of cooperative educational services, non-public school, char-
ter school, special act school, approved private school serving students
with disabilities subject to article eighty-one or eighty-nine of this
chapter, state supported school subject to article eighty-five of this
chapter, or state operated school subject to article eighty-seven or
eighty-eight of this chapter, in each case serving students between five
and twenty-one years of age.

5. "Eligible student" means a student who is a resident of the state
between five and twenty-one years of age who is enrolled in an eligible
school or who is provided home instruction in compliance with part one
of article sixty-five of this chapter and applicable regulations.

6. "High-quality internet access" means, with respect to broadband
internet access service provided to an eligible student, uninterrupted
broadband internet access service which is not limited to one or more
particular devices and which provides actual and stable download speeds
of at least 25 megabits per second (Mbps) and upload speeds of at least
3 Mbps at all times throughout the applicable school year, and, with
respect to broadband internet access service provided to an eligible
school, actual and stable download speeds of at least 1 Mbps per
enrolled student and upload speeds of at least 1 Mbps per enrolled
student at all times throughout the applicable school year.

7. "Telecommunication service provider" means a business that provides
broadband internet access service in the state.

§ 431. Application for allocation from the E-LEARN fund. 1. Each
public school district with respect to eligible schools under the juris-
diction of such public school district, board of cooperative educational
services with respect to eligible schools under the jurisdiction of such
board of cooperative educational services, non-public school, charter
school, approved private school serving students with disabilities
subject to article eighty-one or eighty-nine of this chapter, state
supported school subject to article eighty-five of this chapter, or
state operated school subject to article eighty-seven or eighty-eight of
this chapter is hereby directed to submit documentation to the depart-
ment of the requirements necessary to satisfy the provisions of sections
four hundred thirty-four and four hundred thirty-five of this article.
Each such public school district, board of cooperative educational
services or school, as applicable, shall make application within forty-
five days of the effective date of this article to the department
setting forth such requirements, and annually thereafter before August
first.

2. The chancellor is hereby directed to submit documentation to the
department of the requirements necessary to satisfy the provisions of
sections four hundred thirty-four and four hundred thirty-five of this
article with respect to eligible schools under the jurisdiction of the
New York city department of education and eligible students enrolled in
such eligible schools. The chancellor shall make application to the
department within ninety days of the effective date of this article
setting forth such requirements of such eligible schools, and annually
thereafter before August first.

3. The person in parental relation to each eligible student who is
providing home instruction in compliance with part one of article
sixty-five of this chapter and applicable regulations is hereby directed
to submit documentation to the department of the requirements necessary
to satisfy the provisions of sections four hundred thirty-four and four
hundred thirty-five of this article with respect to such eligible
students. Such person in parental relation shall make application to the
department within forty-five days of the effective date of this article
setting forth such requirements of such eligible school, and annually
thereafter before August first.

§ 432. Allocation of E-LEARN funds. The commissioner shall determine
criteria for allocation of moneys from the E-LEARN fund to public school
districts, boards of cooperative educational services, the New York city
department of education, non-public schools, charter schools, special
act schools, approved private schools serving students with disabilities
subject to article eighty-one or eighty-nine of this chapter, state
supported school subject to article eighty-five of this chapter, state
operated school subject to article eighty-seven or eighty-eight of this
chapter, and persons in parental relation to eligible students who are
providing home instruction in compliance with part one of article
sixty-five of this chapter and applicable regulations for achieving
equitable access to remote learning resources for eligible students and
eligible schools pursuant to sections four hundred thirty-four and four
hundred thirty-five of this article. Such criteria shall include but not
be limited to the number of eligible students at each eligible school,
the degree to which multiple eligible students are members of the same
household and reside at the same residence, the response rate of grants
of permission pursuant to section four hundred thirty-three of this
article, the degree of need of each eligible school and their respective
classrooms, and, subject to section four hundred thirty-seven of this
article, the different regional factors affecting the provision of high-
quality internet access.

§ 433. Grant of permission for use of information. Notwithstanding
section two-d of this chapter, public school districts, boards of coop-
erative education, the chancellor, charter schools, non-public schools,
approved private schools serving students with disabilities subject to
article eighty-one or eighty-nine of this chapter, state supported
schools subject to article eighty-five of this chapter, state operated
schools subject to article eighty-seven or eighty-eight of this
chapter, shall provide to eligible students or their families, as appro-
priate, a form requesting information as to whether the eligible student
had high-quality internet access as of the effective date of this
section and continues to have high-quality internet access, and if such
student had high-quality internet access as of such date and continues
to have high-quality internet access, the name of the current provider
of such high-quality internet service, and in either case requesting
permission for the use of names and contact information of such students
or families, as appropriate, for purposes of entering into agreements to
provide such eligible students with high-quality internet access in
accordance with this article or for purposes of the reduction in costs
pursuant to subdivision three of section two hundred twenty-four-c of
the public service law. Such form of request shall be in a form, and
distributed and collected, in such manner as the applicable public school district, board of cooperative educational services, the chancellor, or eligible school, as applicable, may deem appropriate; provided, however, that use of information provided shall be limited to use of only such personally identifiable information as shall be necessary to satisfy the requirements of this article and subdivision three of section two hundred twenty-four-c of the public service law. Such form of request shall be provided to eligible students, or their families, as appropriate, no later than fifteen days after the effective date of this article, and shall be translated in the predominant languages other than English of eligible students and their families served by such eligible schools.

§ 434. Provision of high-quality internet access to eligible students. 1. (a) Upon approval of the allocations of the E-LEARN fund pursuant to section four hundred thirty-two of this article each public school district with respect to eligible schools under the jurisdiction of such public school district, board of cooperative educational services with respect to eligible schools under the jurisdiction of such board of cooperative educational services, non-public school, charter school, approved private school serving students with disabilities subject to article eighty-one or eighty-nine of this chapter, state supported school subject to article eighty-five of this chapter, and state operated school subject to article eighty-seven or eighty-eight of this chapter shall be authorized to enter into agreements to provide each eligible student enrolled at an eligible school who did not have high-quality internet access as of the effective date of this article and continues to lack high-quality internet access, and for whom a grant of permission has been returned pursuant to this section, with high-quality internet access on a continual basis at the residence of such eligible student, whether such residence is temporary or permanent, in such manner as shall be deemed appropriate by such public school district, board of cooperative educational services, or eligible school, as appropriate; and

(b) The chancellor shall be authorized to enter into agreements to provide each eligible student enrolled at an eligible school under the jurisdiction of the New York city department of education who did not have high-quality internet access as of the effectiveness of this article and continues to lack high-quality internet access, and for whom a grant of permission has been returned pursuant to this section, with high-quality internet access on a continual basis at the residence of such eligible student, whether such residence is temporary or permanent, in such manner as shall be deemed appropriate by the chancellor.

2. In satisfying the requirements of subdivision one of this section, public school districts, boards of cooperative educational services, the chancellor and the eligible schools set forth in subdivision one of this section are authorized and directed to coordinate the provision of high-quality internet access in collaboration with community-based organizations, the office for people with developmental disabilities, the office of children and family services, the state university of New York, the department of corrections and community supervision, the office of temporary and disability assistance, the department of health, and such other persons or entities as may be appropriate, including parties with an interest in the residence of an eligible student, such as homeless shelters, landlords, and manufactured home parks.
§ 435. Provision of high-quality internet access to eligible schools.

Upon approval of the allocation of the E-LEARN fund pursuant to section four hundred thirty-two of this article:

1. Each public school district shall contract for high-quality internet access on a continual basis at each school district building and for all eligible schools under such public school district's jurisdiction sufficient to support all instructional and administrative operations of such public school district and such eligible schools to the extent that such buildings and eligible schools did not have high-quality internet access as of the effective date of this article and continue to lack high-quality internet access;

2. Each board of cooperative educational services shall contract for high-quality internet access on a continual basis at each such board of cooperative educational services building and for all eligible schools under such board of cooperative educational services' jurisdiction sufficient to support all instructional and administrative operations of such board of cooperative educational services and such eligible schools to the extent that such buildings and eligible schools did not have high-quality internet access as of the effective date of this article and continue to lack high-quality internet access;

3. The chancellor shall contract for high-quality internet access on a continual basis at each New York city department of education building and for all eligible schools under the jurisdiction of the New York city department of education sufficient to support all instructional and administrative operations of the New York city department of education and such eligible schools to the extent that such buildings and eligible schools did not have high-quality internet access as of the effective date of this article and continue to lack high-quality internet access;

and

4. Each non-public school, charter school, approved private school serving students with disabilities subject to article eighty-one or eighty-nine of this chapter, state supported school subject to article eighty-five of this chapter, state operated school subject to article eighty-seven or eighty-eight of this chapter which is an eligible school shall contract for high-quality internet access on a continual basis at such eligible school sufficient to support all instructional and administrative operations of such eligible school to the extent that such buildings and eligible schools did not have high-quality internet access as of the effective date of this article and continue to lack high-quality internet access;

§ 436. Payment of costs and expenses. 1. Public school districts, boards of cooperative educational services, the New York city department of education, non-public schools, charter schools, approved private schools serving students with disabilities subject to article eighty-one or eighty-nine of this chapter, state supported schools subject to article eighty-five of this chapter, state operated schools subject to article eighty-seven or eighty-eight of this chapter, and persons in parental relation to eligible students who are providing home instruction in compliance with part one of article sixty-five of this chapter and applicable regulations shall submit to the department:

(a) for reimbursement, such receipts and other appropriate evidence of costs and expenses incurred in satisfying the requirements of sections four hundred thirty-four and four hundred thirty-five of this article; and

(b) for direct payment out of amounts in the E-LEARN fund established in section ninety-five-j of the state finance law, evidence of unpaid
costs and related payment instructions, for goods or services obtained
in satisfying the requirements of sections four hundred thirty-four and
four hundred thirty-five of this article.

2. The department shall submit such documentation necessary for the
comptroller to make such reimbursements and payments out of the E-LEARN
fund.

§ 437. Collaboration. The department, public school districts, boards
of cooperative educational services, the chancellor, and eligible
schools, as appropriate, in fulfilling the obligations set forth in
sections four hundred thirty-four and four hundred thirty-five of this
article, shall make reasonable efforts to collaborate with community-
based organizations with expertise in internet access to facilitate the
provision of high-quality internet access to eligible students and
eligible schools, including eligible students residing in non-tradition-
al places of residence.

§ 438. Cooperation of third parties. Every telecommunication service
provider, landlord, building manager, or any other individual having
responsibility for the care and control of a premises which is a resi-
dence or domicile of any eligible student, whether such residence or
domicile is temporary or permanent, shall cooperate with the efforts of
public school districts, boards of cooperative education, the chancel-
lor, eligible schools, and eligible students and their families to
satisfy the requirements of section four hundred thirty-four of this
article by, where appropriate, being available at reasonable times to
communicate regarding provision of high-quality internet access, provid-
ing reasonable access to buildings or other structures, facilitating
installation of technologies necessary to provide high-quality internet
access and taking such other cooperative measures as may reasonably be
requested.

§ 439. Requirements. The requirements of this article shall not be
qualified by the difficulty or cost of providing high-quality internet
access to any particular eligible student or eligible school, nor shall
any eligible student or eligible school be prioritized over any other
eligible student or eligible school by reason of any such difficulty or
cost.

§ 4. The tax law is amended by adding a new section 186-h to read as
follows:

§ 186-h. Duties of the department under the E-LEARN program. 1. Defi-
nitions. For the purposes of this section:
(a) "Telecommunication service provider" means a business that
provides broadband internet access service in the state.
(b) "E-LEARN fund" shall mean the fund established in section ninety-
five-j of the state finance law.
(c) "Assessment rate" means the percentage rate which when multiplied
by each telecommunication service provider's total gross intrastate
telecommunication revenue for the prior calendar year, or if such reven-
ue is unavailable, the most recent calendar year for which such revenue
is available, which determines that provider's annual contribution to
the E-LEARN fund, determined by the department in consultation with the
state education department to be sufficient in amount to provide for
acquisition of high-quality internet access pursuant to article nine-A
of the education law, taking into account for any school year subsequent
to the two thousand twenty--two thousand twenty-one school year any
excess amounts remaining in the E-LEARN fund from the prior year pursu-
ant to subdivision five of section ninety-five-j of the state finance
law.
2. Contribution. All telecommunication service providers operating in the state shall contribute to the preservation and advancement of the E-LEARN fund in the manner set forth in this section. Any such contribution shall not be passed through in whole or in part as a fee, charge, increased service cost, or by any other means by a telecommunication service provider to any person or customer that contracts with such telecommunication service provider for service.

3. Annual charge. (a) The department shall assess an annual charge on each telecommunication service provider in an amount equal to the assessment rate multiplied by the telecommunication service provider’s total gross intrastate telecommunication revenue for the prior calendar year, or if such revenue is unavailable, the most recent calendar year for which such revenue is available. The department shall collect and deposit such amounts into a segregated account which shall subsequently be transferred to E-LEARN fund established in section ninety-five-j of the state finance law. All such amounts shall be kept separate and shall not be commingled with any other moneys collected by the department.

(b) Such annual charge shall be assessed on and collected from all telecommunication service providers operating in the state as of April first, July first, October first, and January first of each year, provided that the initial annual charge for fiscal year two thousand twenty shall be assessed and collected as of December thirty-first, two thousand twenty.

(c) Amounts collected from telecommunication service providers shall be transferred by the department of taxation and finance to the state comptroller to be deposited in the E-LEARN fund within thirty days after each collection deadline.

(d) Failure of a telecommunication service provider to make timely payment under this section will result in the levy of a late payment charge of one and one-half percent per month pro rata per diem on the delinquent contribution.

(e) If a telecommunication service provider’s contribution to the E-LEARN fund in a given fiscal year is less than one hundred fifty dollars such telecommunication service provider will not be required to pay a contribution for such year.

4. Requirements. The requirements of this section, including with respect to determinations of the assessment rate, shall not be qualified by the difficulty or cost of providing high-quality internet access to any particular eligible student or eligible school, as such terms are defined in section four hundred thirty of the education law, nor shall any eligible student or eligible school be prioritized over any other eligible student or eligible school by reason of any such difficulty or cost.

§ 5. The state finance law is amended by adding a new section 95-j to read as follows:

§ 95-j. E-LEARN fund. 1. There is hereby established in the joint custody of the comptroller and the commissioner of taxation and finance the E-LEARN fund to ensure the provision of high-quality internet access to eligible schools and eligible students in the state through the program set forth in article nine-A of the education law.

2. The E-LEARN fund shall consist of all moneys required to be deposited in the E-LEARN fund pursuant to the provisions of section one hundred eighty-six-h of the tax law.

3. The moneys in the E-LEARN fund shall be kept separate and shall not be commingled with any other moneys in the custody of the state comptroller.
4. The moneys in the E-LEARN fund shall be disbursed, upon proper
application made to the state commissioner of education by public school
districts, boards of cooperative educational services, the New York city
department of education, non-public schools, charter schools, special
act schools, approved private schools serving students with disabilities
subject to article eighty-one or eighty-nine of the education law, state
supported schools subject to article eighty-five of the education law,
state operated schools subject to article eighty-seven or eighty-eight
of the education law, and persons in parental relation to eligible
students who are providing home instruction in compliance with part one
of article sixty-five of the education law and section 100.10 of the
NYCRR, as applicable, for the purposes of providing cost-free high-qual-
ity internet access to eligible students and eligible schools in accord-
ance with article nine-A of the education law and for costs of the
department of education, the department of taxation and finance and the
comptroller's office to administer the E-LEARN fund and implement the
E-LEARN program.

5. To the extent amounts received from telecommunication service
providers in any given fiscal year exceed an amount equal to the aggre-
gate disbursements from the E-LEARN fund required to be made pursuant to
article nine-A of the education law plus the cost of administering the
E-LEARN fund and implementing the E-LEARN program, the excess amounts
shall remain in the E-LEARN fund for use in the subsequent fiscal year.

6. The requirements of this section shall not be qualified by the
difficulty or cost of providing high-quality internet access to any
particular eligible student or eligible school, nor shall any eligible
student or eligible school be prioritized over any other eligible
student or eligible school by reason of any such difficulty or cost.

§ 6. The article heading of article 11 of the public service law, as
added by chapter 83 of the laws of 1995, is amended to read as follows:

PROVISIONS RELATING TO CABLE TELEVISION COMPANIES

AND TELECOMMUNICATION SERVICE PROVIDERS

§ 7. The public service law is amended by adding a new section 224-c
to read as follows:

§ 224-c. Reimbursement by telecommunication service providers of
eligible students and eligible schools with current high-quality inter-
net access. 1. For the purposes of this section: (a) "Broadband inter-
net access service" means a service provided by wire or radio in New
York state that provides the capability to transmit data to, and receive
data from, all or substantially all internet endpoints, including any
capabilities that are incidental to and enable the operation of the
communications service, but excluding dial-up internet access service.
Broadband internet access service also encompasses any service provided
in New York state that provides a functional equivalent of that service
or that is used to evade the provisions set forth in this section.
(b) "Eligible school" means a public school, non-public school, char-
ter school, special act school, approved private school serving students
with disabilities subject to article eighty-one or eighty-nine of the
education law, state supported school subject to article eighty-five of
the education law, or state operated school subject to article eighty-
seven or eighty-eight of the education law, in each case serving
students between five and twenty-one years of age.
(c) "Eligible student" means a student who is a resident of the state
between five and twenty-one years of age who is enrolled in an eligible
school or who is provided home instruction in compliance with part one
of article sixty-five of the education law and applicable regulations.
(d) "High-quality internet access" means, with respect to broadband internet access service provided to an eligible student, uninterrupted broadband internet access service which is not limited to one or more particular devices and which provides actual and stable download speeds of at least 25 megabits per second (Mbps) and upload speeds of at least 3 Mbps at all times, and, with respect to broadband internet access service provided to an eligible school, actual and stable download speeds of at least 1 Mbps per enrolled student and upload speeds of at least 1 Mbps per enrolled student at all times.

(e) "State education department" means the education department of the state of New York.

(f) "Telecommunication service provider" means a business that provides broadband internet access service in this state.

2. In fulfilling the requirements of the E-LEARN fund application process pursuant to article nine-A of the education law, the state education department shall:

(a) provide information obtained pursuant to section four hundred thirty-three of the education law regarding those eligible students already receiving high-quality internet access as of the effective date of this section to the department of public service for purposes of subdivision four of this section; and

(b) coordinate with public school districts, boards of cooperative educational services, the New York city department of education, nonpublic schools, charter schools, special act schools, approved private schools serving students with disabilities subject to article eighty-one or eighty-nine of the education law, state supported schools subject to article eighty-five of the education law, and state operated schools subject to article eighty-seven or eighty-eight of the education law as applicable to identify those eligible schools and school buildings already receiving high-quality internet access as of the effective date of this section, and provide such information to the department of public service for purposes of subdivision five of this section.

3. The department shall provide information regarding eligible students and eligible schools obtained from the state education department pursuant to subdivision two of this section to the appropriate telecommunication service providers providing high-quality internet access to the applicable eligible students and eligible schools for purposes fulfilling the requirements of subdivisions four and five of this section.

4. With respect to each eligible student who was receiving high-quality internet access as of the effective date of this section and for whom a grant of permission has been returned pursuant to subdivision one of section four hundred thirty-three of the education law, the telecommunication service provider under contract to provide such high-quality internet access shall, in good faith, continue to provide such same service under such same contract, subject to those terms of such same contract which do not abrogate the provisions of this section. The costs for such high-quality internet access shall be reduced by the applicable telecommunication service provider (but not below zero) by an amount equal to the average expense per eligible student of providing eligible students with high-quality internet access pursuant to section four hundred thirty-four of the education law.

5. With respect to each eligible school which was receiving high-quality internet access as of the effective date of this section, the telecommunication service provider under contract to provide such high-quality internet access shall continue to provide such same service under
such same contract, subject to those terms of such same contract which
do not abrogate the provisions of this section. The costs for such high-
quality internet access shall be reduced by the applicable telecommuni-
cation service provider (but not below zero) by an amount equal to the
average expense per eligible school of providing eligible schools with
high-quality internet access pursuant to section four hundred thirty-five
of the education law.

6. No telecommunication service provider may pass through in whole or
in part as a fee, charge, increased service cost, or by any other means
to any person or customer that contracts with such telecommunication
service provider any cost incurred by such telecommunication service
provider in fulfilling the requirements of subdivision four or five of
this section.

7. No telecommunication service provider may discriminate or otherwise
confer advantage or disadvantage in respect of its obligations under
this section on the basis of whether an eligible student or eligible
school has failed to timely make any payments under a contract with such
telecommunication service provider.

8. The requirements of this section shall not be qualified by the
difficulty or cost of reducing the costs of any particular eligible
student or eligible school or the difficulty or cost of providing high-
quality internet access to any particular eligible student or eligible
school, nor shall any eligible student or eligible school be prioritized
over any other eligible student or eligible school by reason of any such
difficulty or cost.

§ 8. Severability. If any clause, sentence, paragraph, section or part
of this act shall be adjudged by any court of competent jurisdiction to
be invalid, after exhaustion of all further judicial review, the judg-
ment shall not affect, impair or invalidate the remainder thereof, but
shall be confined in its operation to the clause, sentence, paragraph,
section or part of this act directly involved in the controversy in
which the judgment shall have been rendered.

§ 9. This act shall take effect immediately, and shall expire and be
deemed repealed on the last day of the school year in which the state of
emergency declared pursuant to executive order 202 of 2020 terminates.

PART GGG

Section 1. Sections 15-a and 15-b of part F of chapter 60 of the laws
of 2015, as added by section 5 of part DD of chapter 58 of the laws of
2020, are amended to read as follows:

§ 15-a. Any contract awarded pursuant to this act shall be deemed to
be awarded pursuant to a competitive procurement for purposes of section
2879 of the public authorities law, provided that all contracts awarded
shall require a public employee or public employees, as defined by para-
graph (a) of subdivision 7 of section 201 of the civil service law and
who are employed by authorized entities as defined by paragraph (i) of
subdivision (a) of section two of this act, to be on the site of the
project for the duration of such project to the extent deemed appropri-
ate by such public employee or employees. Such requirement shall not
limit contractors' obligations under design-build contracts to issue
their own initial certifications of substantial completion and final
completion or any other obligations under the design-build contracts.

§ 15-b. Public employees as defined by paragraph (a) of subdivision 7
of section 201 of the civil service law and who are employed by author-
ized entities as defined in paragraph (i) of subdivision (a) of section
two of this act shall examine [and], review [certifications provided by contracts for conformance with], and determine whether the work performed by contractors is acceptable and has been performed in accordance with the applicable design-build contracts. Such examination, review, and determination shall include, but not be limited to material source testing, certifications testing, surveying, monitoring of environmental compliance, independent quality control testing and inspection and quality assurance audits. Such public employees may accept contractors' substantial or final completion of the public works as applicable. Performance by authorized entities of any review described in this subdivision shall not be construed to modify or limit contractors' obligations to perform work in strict accordance with the applicable design-build contracts or the contractors' or any subcontractors' obligations or liabilities under any law.

§ 2. This act shall take effect immediately; provided, however, that the amendments to part F of chapter 60 of the laws of 2015 made by section one of this act shall not affect the repeal of such part and shall be deemed repealed therewith.

PART HHH

Section 1. Section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding a new section 16-bb to read as follows:

§ 16-bb. New York small business grant program. 1. There is hereby established a New York state small business grant program under the purview of the empire state development corporation. Such program shall not expend more than one hundred million dollars and shall provide small businesses, as defined in section 131 of the economic development law, with grants in order to assist such businesses recovering from the COVID-19 pandemic.

2. The assistance provided under this section shall be funded by any available federal relief funds available to the state up to one hundred million dollars.

3. Grants made pursuant to this section shall, as far as practicable, be equitably distributed among all regions of the state, reflective of the economic impact on each region due to the closure or limitation of business operations due to any executive order issued by the governor related to the state disaster emergency declared pursuant to executive order 202 of 2020.

4. The empire state development corporation shall create an application process for such grants, and shall promulgate rules and regulations for awarding and distributing grants pursuant to this section; provided, however, that preference is given to small businesses that were forced to close during phase three or phase four of the state's reopening plan in the county or region in which the business is located.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section
or part thereof directly involved in the controversy in which such judg-
ment shall have been rendered. It is hereby declared to be the intent of
the legislature that this act would have been enacted even if such
invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that
the applicable effective date of Parts A through HHH of this act shall
be as specifically set forth in the last section of such Parts.