

# STATE OF NEW YORK

349

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

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

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

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

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

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

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

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

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

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

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

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1 (d) information on protecting the assets of school districts from  
2 cyber crime, including risk reduction strategies and insurance avail-  
3 ability; and

4 (e) information on responses to cyber crime, including reporting of  
5 cyber crimes, submitting insurance claims and cyber crime victim assist-  
6 ance programs.

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

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

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

27 (n) Loans, loan guarantees, interest subsidies and grants to busi-  
28 nesses, municipalities, industrial development agencies and local and  
29 regional economic development corporations, not-for-profit corporations,  
30 business improvement districts, regional marketing authorities and agri-  
31 cultural cooperatives organized pursuant to the cooperative corporations  
32 law, and other entities for the construction, reconstruction, improve-  
33 ment, expansion or rehabilitation of wholesale regional farmers' markets  
34 or food hubs that facilitate the sale and promotion of farm products  
35 grown or produced in New York state.

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

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

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

46 23. Provide advice and assistance to the department of education in  
47 developing and operating a program of school district cyber crime  
48 prevention services pursuant to section one hundred fifteen of the  
49 education law, and provide advice and assistance to the urban develop-  
50 ment corporation in the development of the program of school district  
51 cyber crime prevention assistance pursuant to paragraph (o) of subdivi-  
52 sion one of section sixteen-m of section one of chapter one hundred  
53 seventy-four of the laws of nineteen hundred sixty-eight.

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

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