STATE OF NEW YORK

3684

2021-2022 Regular Sessions

IN SENATE

January 30, 2021

Introduced by Sen. FELDER -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

AN ACT to enact the "save our stores act"

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

Section 1. Short title. This act shall be known and may be cited as the "save our stores act".

§ 2. 1. (a) Notwithstanding any other law, rule or regulation to the contrary, in a city with a population of one million or more, any fine or monetary civil penalty assessed against a not-for-profit organization, school, place of worship or small business by a state or local agency for a violation of state or local law, rule, regulation or executive order during the COVID-19 covered period shall be deemed void and waived unless such fines or penalties are assessed for a violation provided in paragraph (b) of this subdivision.

(b) No waiver of fines or penalties shall be given if a state or local agency determines that the violation may result in a natural resource damage claim or serious actual harm, is a violation of human or civil rights law, results in loss of employee wages or benefits, interferes with any remedy, review, or resolution related to harassment or discrimination claims, was or is a willful violation, involves tax fraud, violates requirements related to federal funding to the state, relates to state funding or procurement, or is a penal law violation.

2. For the purposes of this act, the following terms shall have the following meanings:

(a) "COVID-19 covered period" means the duration of the state disaster emergency declared on March 7, 2020 pursuant to executive order number two hundred two of two thousand twenty; and

(b) "Small business" means any business which is resident in this state, independently owned and operated, and employs one hundred or less individuals.

§ 3. This act shall take effect immediately.

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

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