STATE OF NEW YORK

5481

2021-2022 Regular Sessions

IN SENATE

March 8, 2021

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

AN ACT to amend the agriculture and markets law, in relation to preserving premium reimbursement eligibility for fairs and expositions which are unable to have events due to the outbreak of COVID-19

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

Section 1. Subdivision 1 of section 286 of the agriculture and markets law, as amended by chapter 600 of the laws of 2019, is amended to read as follows:

1. **(a)** There shall be appropriated annually for the department [~~of agriculture and markets~~] an amount of money sufficient to pay and satisfy the reimbursement moneys herein specified and which money shall be disbursed by the commissioner on behalf of the state for the promotion of agriculture and domestic arts, to duly incorporated agricultural or horticultural corporations as defined in section fourteen hundred nine of the not-for-profit corporation law, the county extension service association in the county of Orange, the American institute in the city of New York, the Goshen Historic Track, Inc., the Genesee Valley Breeders' Association, Inc. and county extension service associations in proportion to the actual premiums paid during the previous year including premiums paid for trials or tests of speed and endurance of harness horses.

(b) Notwithstanding any other provision of law to the contrary, the annual appropriation made for the two thousand twenty-one--two thousand twenty-two state fiscal year for the department for the purpose of paying and satisfying reimbursement moneys shall be in proportion to the actual premiums paid during two thousand nineteen.

§ 2. Subdivision 2 of section 286 of the agriculture and markets law is amended by adding a new paragraph (d) to read as follows:

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

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(d) Notwithstanding any other provision of law to the contrary, all organizations otherwise eligible to receive moneys appropriated by the state pursuant to paragraphs (a) and (b) of this subdivision shall not be deemed ineligible for premium reimbursement because of a failure to hold a fair or exposition during the previous calendar year due to the COVID-19 pandemic.

§ 3. Subdivision 4 of section 286 of the agriculture and markets law, as amended by chapter 600 of the laws of 2019, is amended to read as follows:

4. Any organization that shall fail or neglect to hold an annual fair or exposition and file its annual report for two consecutive years, shall forfeit any privileges or money to which it may otherwise be entitled pursuant to the provisions of this article. In computing such period of two consecutive years, no year shall be counted in which such failure was deemed by the commissioner to be attributable to a cause or condition with respect to which the organization or its directors or officers had no control**, including but not limited to the outbreak of novel coronavirus, COVID-19**, or for any other reason which the commissioner deems justified.

§ 4. Notwithstanding any provision of law to the contrary, any moneys appropriated in the state fiscal year 2020-2021 pursuant to section 286 of the agriculture and markets law which have not been disbursed shall be reappropriated for the same purpose in the state fiscal year 2021-2022.

§ 5. This act shall take effect immediately.