

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:

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

4 1. (a) There shall be appropriated annually for the department [~~of~~
5 ~~agriculture and markets~~] an amount of money sufficient to pay and satis-
6 fy the reimbursement moneys herein specified and which money shall be
7 disbursed by the commissioner on behalf of the state for the promotion
8 of agriculture and domestic arts, to duly incorporated agricultural or
9 horticultural corporations as defined in section fourteen hundred nine
10 of the not-for-profit corporation law, the county extension service
11 association in the county of Orange, the American institute in the city
12 of New York, the Goshen Historic Track, Inc., the Genesee Valley Breed-
13 ers' Association, Inc. and county extension service associations in
14 proportion to the actual premiums paid during the previous year includ-
15 ing premiums paid for trials or tests of speed and endurance of harness
16 horses.

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

22 § 2. Subdivision 2 of section 286 of the agriculture and markets law
23 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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1 (d) Notwithstanding any other provision of law to the contrary, all
2 organizations otherwise eligible to receive moneys appropriated by the
3 state pursuant to paragraphs (a) and (b) of this subdivision shall not
4 be deemed ineligible for premium reimbursement because of a failure to
5 hold a fair or exposition during the previous calendar year due to the
6 COVID-19 pandemic.

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

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

20 § 4. Notwithstanding any provision of law to the contrary, any moneys
21 appropriated in the state fiscal year 2020-2021 pursuant to section 286
22 of the agriculture and markets law which have not been disbursed shall
23 be reappropriated for the same purpose in the state fiscal year
24 2021-2022.

25 § 5. This act shall take effect immediately.