

STATE OF NEW YORK

3005--B

IN ASSEMBLY

February 1, 2023

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to the effectiveness thereof; to amend chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; 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; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend

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

LBD12570-03-3

chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the expiration thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 55 of the laws of 2018, amending the criminal procedure law relating to the pre-criminal proceeding settlements in the City of New York, in relation to the effectiveness thereof (Part A); intentionally omitted (Part B); intentionally omitted (Part C); intentionally omitted (Part D); intentionally omitted (Part E); intentionally omitted (Part F); to amend the state finance law and executive law, in relation to establishing a hazard mitigation revolving loan fund (Part G); to amend the volunteer firefighters' benefit law and the general municipal law, in relation to permitting the paying of a training stipend to volunteer firefighters (Part H); intentionally omitted (Part I); to amend the military law, in relation to the expansion of eligibility for World Trade Center death and disability benefits for members of New York's organized militia (Part J); intentionally omitted (Part K); intentionally omitted (Part L); intentionally omitted (Part M); intentionally omitted (Part N); intentionally omitted (Part O); to amend the county law, the judiciary law and the executive law, in relation to entitled

compensation for client representation (Part P); to amend chapter 303 of the laws of 1988, relating to the extension of the state commission on the restoration of the capitol, in relation to extending such provisions for an additional five years (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); intentionally omitted (Part T); intentionally omitted (Part U); intentionally omitted (Part V); intentionally omitted (Part W); intentionally omitted (Part X); to amend the general municipal law, in relation to moving the special accidental death benefit appropriation from the department of audit and control to the general fund's miscellaneous all state department and agencies (Part Y); intentionally omitted (Part Z); to amend the tax law and part C of chapter 2 of the laws of 2005 amending the tax law relating to exemptions from sales and use taxes, in relation to extending certain provisions thereof; to amend the general city law and the administrative code of the city of New York, in relation to extending certain provisions relating to specially eligible premises and special rebates; to amend the administrative code of the city of New York, in relation to extending certain provisions relating to exemptions and deductions from base rent; to amend the real property tax law, in relation to extending certain provisions relating to eligibility periods and requirements; to amend the real property tax law, in relation to extending certain provisions relating to eligibility periods and requirements, benefit periods and applications for abatements; and to amend the administrative code of the city of New York, in relation to extending certain provisions relating to a special reduction in determining the taxable base rent (Part AA); intentionally omitted (Part BB); intentionally omitted (Part CC); to amend the civil service law, in relation to waiving state civil service examination fees between July 1, 2023 and December 31, 2026; and to requiring the department of civil service to conduct a study on the impacts thereof; and providing for the repeal of such provisions upon the expiration thereof (Part DD); and to amend chapter 141 of the laws of 1994, amending the legislative law and the state finance law relating to the operation and administration of the legislature, in relation to extending such provisions (Part EE)

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

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state public protection and general govern-
3 ment budget for the 2023-2024 state fiscal year. Each component is whol-
4 ly contained within a Part identified as Parts A through EE. The effec-
5 tive date for each particular provision contained within such Part is
6 set forth in the last section of such Part. Any provision in any section
7 contained within a Part, including the effective date of the Part, which
8 makes a reference to a section "of this act", when used in connection
9 with that particular component, shall be deemed to mean and refer to the
10 corresponding section of the Part in which it is found. Section three of
11 this act sets forth the general effective date of this act.

12 **PART A**

13 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the
14 correction law relating to the psychological testing of candidates, as

1 amended by section 1 of part A of chapter 55 of the laws of 2021, is
2 amended to read as follows:

3 § 2. This act shall take effect on the one hundred eightieth day after
4 it shall have become a law and shall remain in effect until September 1,
5 [~~2023~~] 2025.

6 § 2. Section 3 of chapter 428 of the laws of 1999, amending the execu-
7 tive law and the criminal procedure law relating to expanding the
8 geographic area of employment of certain police officers, as amended by
9 section 2 of part A of chapter 55 of the laws of 2021, is amended to
10 read as follows:

11 § 3. This act shall take effect on the first day of November next
12 succeeding the date on which it shall have become a law, and shall
13 remain in effect until the first day of September, [~~2023~~] 2025, when it
14 shall expire and be deemed repealed.

15 § 3. Section 3 of chapter 886 of the laws of 1972, amending the
16 correction law and the penal law relating to prisoner furloughs in
17 certain cases and the crime of absconding therefrom, as amended by
18 section 3 of part A of chapter 55 of the laws of 2021, is amended to
19 read as follows:

20 § 3. This act shall take effect 60 days after it shall have become a
21 law and shall remain in effect until September 1, [~~2023~~] 2025.

22 § 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
23 50, 53 and 54 of the laws of 1987, the correction law, the penal law and
24 other chapters and laws relating to correctional facilities, as amended
25 by section 4 of part A of chapter 55 of the laws of 2021, is amended to
26 read as follows:

27 § 20. This act shall take effect immediately except that section thir-
28 teen of this act shall expire and be of no further force or effect on
29 and after September 1, [~~2023~~] 2025 and shall not apply to persons
30 committed to the custody of the department after such date, and provided
31 further that the commissioner of corrections and community supervision
32 shall report each January first and July first during such time as the
33 earned eligibility program is in effect, to the chairmen of the senate
34 crime victims, crime and correction committee, the senate codes commit-
35 tee, the assembly correction committee, and the assembly codes commit-
36 tee, the standards in effect for earned eligibility during the prior
37 six-month period, the number of inmates subject to the provisions of
38 earned eligibility, the number who actually received certificates of
39 earned eligibility during that period of time, the number of inmates
40 with certificates who are granted parole upon their first consideration
41 for parole, the number with certificates who are denied parole upon
42 their first consideration, and the number of individuals granted and
43 denied parole who did not have earned eligibility certificates.

44 § 5. Subdivision (q) of section 427 of chapter 55 of the laws of 1992,
45 amending the tax law and other laws relating to taxes, surcharges, fees
46 and funding, as amended by section 5 of part A of chapter 55 of the laws
47 of 2021, is amended to read as follows:

48 (q) the provisions of section two hundred eighty-four of this act
49 shall remain in effect until September 1, [~~2023~~] 2025 and be applicable
50 to all persons entering the program on or before August 31, [~~2023~~] 2025.

51 § 6. Section 10 of chapter 339 of the laws of 1972, amending the
52 correction law and the penal law relating to inmate work release,
53 furlough and leave, as amended by section 6 of part A of chapter 55 of
54 the laws of 2021, is amended to read as follows:

55 § 10. This act shall take effect 30 days after it shall have become a
56 law and shall remain in effect until September 1, [~~2023~~] 2025, and

provided further that the commissioner of correctional services shall report each January first, and July first, to the chairman of the senate crime victims, crime and correction committee, the senate codes committee, the assembly correction committee, and the assembly codes committee, the number of eligible inmates in each facility under the custody and control of the commissioner who have applied for participation in any program offered under the provisions of work release, furlough, or leave, and the number of such inmates who have been approved for participation.

§ 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994, relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994, enacting the state operations budget, as amended by section 7 of part A of chapter 55 of the laws of 2021, is amended to read as follows:

(c) sections forty-one and forty-two of this act shall expire September 1, ~~2023~~ 2025; provided, that the provisions of section forty-two of this act shall apply to inmates entering the work release program on or after such effective date; and

§ 8. Subdivision (aa) of section 427 of chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, as amended by section 10 of part A of chapter 55 of the laws of 2021, is amended to read as follows:

(aa) the provisions of sections three hundred eighty-two, three hundred eighty-three and three hundred eighty-four of this act shall expire on September 1, ~~2023~~ 2025;

§ 9. Section 12 of chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, as amended by section 11 of part A of chapter 55 of the laws of 2021, is amended to read as follows:

§ 12. This act shall take effect immediately, except that the provisions of sections one through ten of this act shall remain in full force and effect until September 1, ~~2023~~ 2025 on which date those provisions shall be deemed to be repealed.

§ 10. 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 2021, 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 take effect immediately and shall expire June 30, 1998 and shall revert to and be read as if this act had not been enacted; section three hundred sixty-four through three hundred sixty-seven of this act shall apply to claims filed on or after such effective date; sections three hundred sixty-nine, three hundred seventy-two, three hundred seventy-three, three hundred seventy-four, three hundred seventy-five and three hundred seventy-six of this act shall

1 remain in effect until September 1, [~~2023~~] 2025, at which time they
2 shall be deemed repealed; provided, however, that the mandatory
3 surcharge provided in section three hundred seventy-four of this act
4 shall apply to parking violations occurring on or after said effective
5 date; and provided further that the amendments made to section 235 of
6 the vehicle and traffic law by section three hundred seventy-two of this
7 act, the amendments made to section 1809 of the vehicle and traffic law
8 by sections three hundred thirty-seven and three hundred thirty-eight of
9 this act and the amendments made to section 215-a of the labor law by
10 section three hundred seventy-five of this act shall expire on September
11 1, [~~2023~~] 2025 and upon such date the provisions of such subdivisions
12 and sections shall revert to and be read as if the provisions of this
13 act had not been enacted; the amendments to subdivisions 2 and 3 of
14 section 400.05 of the penal law made by sections three hundred seventy-
15 seven and three hundred seventy-eight of this act shall expire on July
16 1, 1992 and upon such date the provisions of such subdivisions shall
17 revert and shall be read as if the provisions of this act had not been
18 enacted; the state board of law examiners shall take such action as is
19 necessary to assure that all applicants for examination for admission to
20 practice as an attorney and counsellor at law shall pay the increased
21 examination fee provided for by the amendment made to section 465 of the
22 judiciary law by section three hundred eighty of this act for any exam-
23 ination given on or after the effective date of this act notwithstanding
24 that an applicant for such examination may have prepaid a lesser fee for
25 such examination as required by the provisions of such section 465 as of
26 the date prior to the effective date of this act; the provisions of
27 section 306-a of the civil practice law and rules as added by section
28 three hundred eighty-one of this act shall apply to all actions pending
29 on or commenced on or after September 1, 1991, provided, however, that
30 for the purposes of this section service of such summons made prior to
31 such date shall be deemed to have been completed on September 1, 1991;
32 the provisions of section three hundred eighty-three of this act shall
33 apply to all money deposited in connection with a cash bail or a
34 partially secured bail bond on or after such effective date; and the
35 provisions of sections three hundred eighty-four and three hundred
36 eighty-five of this act shall apply only to jury service commenced
37 during a judicial term beginning on or after the effective date of this
38 act; provided, however, that nothing contained herein shall be deemed to
39 affect the application, qualification, expiration or repeal of any
40 provision of law amended by any section of this act and such provisions
41 shall be applied or qualified or shall expire or be deemed repealed in
42 the same manner, to the same extent and on the same date as the case may
43 be as otherwise provided by law;

44 § 11. Subdivision 8 of section 1809 of the vehicle and traffic law, as
45 amended by section 13 of part A of chapter 55 of the laws of 2021, is
46 amended to read as follows:

47 8. The provisions of this section shall only apply to offenses commit-
48 ted on or before September first, two thousand [~~twenty-three~~] twenty-
49 five.

50 § 12. Section 6 of chapter 713 of the laws of 1988, amending the vehi-
51 cle and traffic law relating to the ignition interlock device program,
52 as amended by section 14 of part A of chapter 55 of the laws of 2021, is
53 amended to read as follows:

54 § 6. This act shall take effect on the first day of April next
55 succeeding the date on which it shall have become a law; provided,
56 however, that effective immediately, the addition, amendment or repeal

1 of any rule or regulation necessary for the implementation of the fore-
2 going sections of this act on their effective date is authorized and
3 directed to be made and completed on or before such effective date and
4 shall remain in full force and effect until the first day of September,
5 ~~2023~~ 2025 when upon such date the provisions of this act shall be
6 deemed repealed.

7 § 13. Paragraph a of subdivision 6 of section 76 of chapter 435 of the
8 laws of 1997, amending the military law and other laws relating to vari-
9 ous provisions, as amended by section 15 of part A of chapter 55 of the
10 laws of 2021, is amended to read as follows:

11 a. sections forty-three through forty-five of this act shall expire
12 and be deemed repealed on September 1, ~~2023~~ 2025;

13 § 14. Section 4 of part D of chapter 412 of the laws of 1999, amending
14 the civil practice law and rules and the court of claims act relating to
15 prisoner litigation reform, as amended by section 16 of part A of chap-
16 ter 55 of the laws of 2021, is amended to read as follows:

17 § 4. This act shall take effect 120 days after it shall have become a
18 law and shall remain in full force and effect until September 1, ~~2023~~
19 2025, when upon such date it shall expire.

20 § 15. Subdivision 2 of section 59 of chapter 222 of the laws of 1994,
21 constituting the family protection and domestic violence intervention
22 act of 1994, as amended by section 17 of part A of chapter 55 of the
23 laws of 2021, is amended to read as follows:

24 2. Subdivision 4 of section 140.10 of the criminal procedure law as
25 added by section thirty-two of this act shall take effect January 1,
26 1996 and shall expire and be deemed repealed on September 1, ~~2023~~
27 2025.

28 § 16. Section 5 of chapter 505 of the laws of 1985, amending the crim-
29 inal procedure law relating to the use of closed-circuit television and
30 other protective measures for certain child witnesses, as amended by
31 section 18 of part A of chapter 55 of the laws of 2021, is amended to
32 read as follows:

33 § 5. This act shall take effect immediately and shall apply to all
34 criminal actions and proceedings commenced prior to the effective date
35 of this act but still pending on such date as well as all criminal
36 actions and proceedings commenced on or after such effective date and
37 its provisions shall expire on September 1, ~~2023~~ 2025, when upon such
38 date the provisions of this act shall be deemed repealed.

39 § 17. Subdivision d of section 74 of chapter 3 of the laws of 1995,
40 enacting the sentencing reform act of 1995, as amended by section 19 of
41 part A of chapter 55 of the laws of 2021, is amended to read as follows:

42 d. Sections one-a through twenty, twenty-four through twenty-eight,
43 thirty through thirty-nine, forty-two and forty-four of this act shall
44 be deemed repealed on September 1, ~~2023~~ 2025;

45 § 18. Section 2 of chapter 689 of the laws of 1993, amending the crim-
46 inal procedure law relating to electronic court appearance in certain
47 counties, as amended by section 20 of part A of chapter 55 of the laws
48 of 2021, is amended to read as follows:

49 § 2. This act shall take effect immediately, except that the
50 provisions of this act shall be deemed to have been in full force and
51 effect since July 1, 1992 and the provisions of this act shall expire
52 September 1, ~~2023~~ 2025 when upon such date the provisions of this act
53 shall be deemed repealed.

54 § 19. Section 3 of chapter 688 of the laws of 2003, amending the exec-
55 utive law relating to enacting the interstate compact for adult offender

1 supervision, as amended by section 21 of part A of chapter 55 of the
2 laws of 2021, is amended to read as follows:

3 § 3. This act shall take effect immediately, except that section one
4 of this act shall take effect on the first of January next succeeding
5 the date on which it shall have become a law, and shall remain in effect
6 until the first of September, [~~2023~~] 2025, upon which date this act
7 shall be deemed repealed and have no further force and effect; provided
8 that section one of this act shall only take effect with respect to any
9 compacting state which has enacted an interstate compact entitled
10 "Interstate compact for adult offender supervision" and having an iden-
11 tical effect to that added by section one of this act and provided
12 further that with respect to any such compacting state, upon the effec-
13 tive date of section one of this act, section 259-m of the executive law
14 is hereby deemed REPEALED and section 259-mm of the executive law, as
15 added by section one of this act, shall take effect; and provided
16 further that with respect to any state which has not enacted an inter-
17 state compact entitled "Interstate compact for adult offender super-
18 vision" and having an identical effect to that added by section one of
19 this act, section 259-m of the executive law shall take effect and the
20 provisions of section one of this act, with respect to any such state,
21 shall have no force or effect until such time as such state shall adopt
22 an interstate compact entitled "Interstate compact for adult offender
23 supervision" and having an identical effect to that added by section one
24 of this act in which case, with respect to such state, effective imme-
25 diately, section 259-m of the executive law is deemed repealed and
26 section 259-mm of the executive law, as added by section one of this
27 act, shall take effect.

28 § 20. Section 8 of part H of chapter 56 of the laws of 2009, amending
29 the correction law relating to limiting the closing of certain correc-
30 tional facilities, providing for the custody by the department of
31 correctional services of inmates serving definite sentences, providing
32 for custody of federal prisoners and requiring the closing of certain
33 correctional facilities, as amended by section 22 of part A of chapter
34 55 of the laws of 2021, is amended to read as follows:

35 § 8. This act shall take effect immediately; provided, however that
36 sections five and six of this act shall expire and be deemed repealed
37 September 1, [~~2023~~] 2025.

38 § 21. Section 3 of part C of chapter 152 of the laws of 2001, amending
39 the military law relating to military funds of the organized militia, as
40 amended by section 23 of part A of chapter 55 of the laws of 2021, is
41 amended to read as follows:

42 § 3. This act shall take effect immediately; provided however that the
43 amendments made to subdivision 1 of section 221 of the military law by
44 section two of this act shall expire and be deemed repealed September 1,
45 [~~2023~~] 2025.

46 § 22. Section 5 of chapter 554 of the laws of 1986, amending the
47 correction law and the penal law relating to providing for community
48 treatment facilities and establishing the crime of absconding from the
49 community treatment facility, as amended by section 24 of part A of
50 chapter 55 of the laws of 2021, is amended to read as follows:

51 § 5. This act shall take effect immediately and shall remain in full
52 force and effect until September 1, [~~2023~~] 2025, and provided further
53 that the commissioner of correctional services shall report each January
54 first and July first during such time as this legislation is in effect,
55 to the chairmen of the senate crime victims, crime and correction
56 committee, the senate codes committee, the assembly correction commit-

tee, and the assembly codes committee, the number of individuals who are released to community treatment facilities during the previous six-month period, including the total number for each date at each facility who are not residing within the facility, but who are required to report to the facility on a daily or less frequent basis.

§ 23. Section 2 of part F of chapter 55 of the laws of 2018, amending the criminal procedure law relating to pre-criminal proceeding settlements in the city of New York, as amended by section 25 of part A of chapter 55 of the laws of 2021, is amended to read as follows:

§ 2. This act shall take effect immediately and shall remain in full force and effect until March 31, ~~2023~~ 2025, when it shall expire and be deemed repealed.

§ 24. This act shall take effect immediately.

PART B

Intentionally Omitted

PART C

Intentionally Omitted

PART D

Intentionally Omitted

PART E

Intentionally Omitted

PART F

Intentionally Omitted

PART G

Section 1. The state finance law is amended by adding a new section 99-qq to read as follows:

§ 99-qq. Hazard mitigation state revolving loan fund. 1. There is hereby established within the custody of the state comptroller a new fund to be known as the "hazard mitigation revolving loan fund".

2. The fund shall consist of all moneys appropriated therefore, all moneys received by the state pursuant to a capitalization grant from the federal emergency management agency in accordance with the Safeguarding Tomorrow through Ongoing Risk Mitigation Act of 2020 (STORM Act) (P.L. 116-284), payments of principal and interest on loans made from the fund, and interest earned on amounts in the fund.

3. Moneys of the account, when allocated, shall be available to the commissioner of the Division of Homeland Security and Emergency Services to make loans pursuant to section seven hundred nineteen of the executive law.

§ 2. The executive law is amended by adding a new section 719 to read as follows:

§ 719. Loans for eligible hazard mitigation activities. 1. The commissioner may make loans to local governments for eligible hazard mitigation activities, as defined in the STORM Act and corresponding federal regulations, to reduce disaster risks for homeowners, businesses, non-profit organizations, and communities subject to available funds for such purpose pursuant to section ninety-nine-qq of the state finance law.

2. The commissioner may make loans under this section subject to such other terms and conditions of the STORM Act, and related federal and state rules, regulations, policies and guidelines.

§ 3. This act shall take effect immediately.

PART H

Section 1. Intentionally omitted.

§ 2. Subdivision 3 of section 3 of the volunteer firefighters' benefit law, as amended by chapter 458 of the laws of 1996, is amended to read as follows:

3. "Line of duty" means the performance by a volunteer firefighter as a volunteer firefighter of the duties and activities described in subdivision one of section five of this chapter and the same such duties and activities performed for a specialized team established pursuant to the provisions of section two hundred nine-bb of the general municipal law for which the volunteer firefighter does not receive any remuneration or a gratuity and shall be deemed to include any date of injury as determined by the workers' compensation board pursuant to the provisions of section forty-one of this chapter. The following shall not be deemed to be remuneration or a gratuity: receipt of a training stipend as outlined in section two hundred-aa of the general municipal law; reimbursement of expenses for meals, lodging and actual and necessary travel; the receipt of a mileage allowance in lieu of travel expense; reimbursement of expenses for registration and tuition fees payable under section seventy-two-g of the general municipal law, and the acceptance of transportation, food, drink, shelter, clothing and similar items while on duty or engaged in such activities.

§ 3. The general municipal law is amended by adding a new section 200-aa to read as follows:

§ 200-aa. Training stipend for volunteer firefighters. 1. For purposes of this section:

(a) "fire company" shall have the same meaning as defined in section three of the volunteer firefighters' benefit law.

(b) "training stipend" means payment of a nominal fee to a volunteer firefighter of a stipend for completion of certain firefighter training, as identified and published by the office of fire prevention and control.

(c) "volunteer firefighter" shall have the same meaning as defined in section three of the volunteer firefighters' benefit law.

2. The governing board of a city, town, village or fire district may, by local law, ordinance or resolution, authorize a fire company to provide training stipends to volunteer firefighters.

3. The office of fire prevention and control may make available state funds through a training stipend to volunteer firefighters for completion of certain firefighter training, as identified and published by the office of fire prevention and control.

1 4. No volunteer firefighter may receive a training stipend from both
2 a volunteer fire company pursuant to subdivision two of this section and
3 the office of fire prevention and control pursuant to subdivision three
4 of this section for completion of the same firefighter training.

5 5. The office of fire prevention and control shall promulgate rules
6 and regulations necessary to implement the provisions of this section.

7 § 4. Intentionally omitted.

8 § 5. Intentionally omitted.

9 § 6. Intentionally omitted.

10 § 7. Intentionally omitted.

11 § 8. Paragraph c of subdivision 1 of section 205-g of the general
12 municipal law, as added by chapter 559 of the laws of 2006, is amended
13 to read as follows:

14 c. "Line of duty" means the performance by a volunteer firefighter of
15 the duties and activities described in subdivision one of section five
16 of the volunteer firefighters' benefit law and the same such duties and
17 activities performed for a specialized team established pursuant to the
18 provisions of section two hundred nine-bb of this article for which the
19 volunteer firefighter does not receive any remuneration or a gratuity
20 and shall be deemed to include any date of injury as determined by the
21 workers' compensation board pursuant to the provisions of section
22 forty-one of the volunteer firefighters' benefit law. The following
23 shall not be deemed to be remuneration or a gratuity: reimbursement of
24 expenses for meals, lodging and actual and necessary travel; the receipt
25 of a mileage allowance in lieu of travel expense; reimbursement of
26 expenses for registration and tuition fees payable under section seven-
27 ty-two-g of this chapter, ~~and~~ the acceptance of transportation, food,
28 drink, shelter, clothing and similar items while on duty or engaged in
29 such activities; and receipt of a training stipend as outlined in
30 section two hundred-aa of this article.

31 § 9. Intentionally omitted.

32 § 10. This act shall take effect on the ninetieth day after it shall
33 become a law.

34 PART I

35 Intentionally Omitted

36 PART J

37 Section 1. Subdivisions 1, 2, and 6 of section 217 of the military
38 law, subdivisions 1 and 6 as amended by chapter 141 of the laws of 1988,
39 and subdivision 2 as amended by chapter 63 of the laws of 1976, are
40 amended and a new subdivision 8 is added to read as follows:

41 1. Any member of the organized militia who (a) shall be disabled or
42 has been so disabled in the performance of any actual service of this
43 state within three years preceding the application for a pension under
44 this chapter, in case of riots, tumults, breach of the peace, resistance
45 to process, invasion, insurrection or imminent danger thereof, or when-
46 ever called upon in aid of the civil authorities, or while engaged in
47 any lawfully ordered parade, drill, encampment or inspection, shall,
48 upon proof of the fact, as hereinafter provided, be placed on the disa-
49 bility retired roll of the state and shall receive out of any moneys in
50 the treasury of the state, not otherwise appropriated, upon the approval
51 of the chief of staff and approval of the governor, the same pension or

1 reward that persons under similar circumstances receive from the United
2 States[~~+~~], or

3 (b) was ordered into the active service of the state on or after
4 September eleventh, two thousand one, and participated in World Trade
5 Center site rescue, recovery, or cleanup operations as part of such
6 active service, and who is determined to have incurred a qualifying
7 World Trade Center condition, as hereinafter provided, shall be entitled
8 to receive the greater of: (i) placement on the disability retired roll
9 of the state and receipt out of moneys in the treasury of the state, not
10 otherwise appropriated, upon the approval of the chief of staff and
11 approval of the governor, the same pension or reward that persons under
12 similar circumstances receive from the United States; or (ii) a perform-
13 ance of duty disability allowance equivalent to three-quarters of the
14 member's final average salary. The deadline for submitting any qualify-
15 ing claim under this paragraph shall be on or before September eleventh,
16 two thousand twenty-six. The adjutant general of the division of mili-
17 tary and naval affairs is authorized to promulgate regulations to imple-
18 ment the provisions of this paragraph.

19 2. In case any such member of the organized militia (a) shall die as
20 the result of any such wound, injury or disease within one year after it
21 has been incurred or contracted, the surviving spouse, children under
22 twenty-one years of age or dependent parent of such member of the organ-
23 ized militia shall receive such pension and reward as persons under
24 similar circumstances receive from the United States[~~+~~], or

25 (b) was ordered into the active service of the state on or after
26 September eleventh, two thousand one, and participated in World Trade
27 Center site rescue, recovery, or cleanup operations as part of such
28 active service, and whose death is determined to be the result of incur-
29 ring a qualifying World Trade Center condition, as hereinafter provided,
30 the surviving spouse, children under twenty-one years of age or depend-
31 ent parent of such member of the organized militia shall be entitled to
32 receive the greater of: (i) such pension and reward as persons under
33 similar circumstances receive from the United States; or (ii) an acci-
34 dental death benefit equivalent to one-half of the member's final aver-
35 age salary. The deadline for submitting any qualifying claim under this
36 paragraph shall be on or before September eleventh, two thousand twen-
37 ty-six. The adjutant general of the division of military and naval
38 affairs is authorized to promulgate regulations to implement the
39 provisions of this paragraph.

40 6. Before the name of any person is placed upon the disability retired
41 roll of the state under this section, proof shall be made under regu-
42 lations issued pursuant to this chapter that the applicant is entitled
43 to such pension or reward; provided, however, that in the case of the
44 death or disability of a member of the organized militia who partic-
45 ipated in World Trade Center rescue, recovery or cleanup operations,
46 and in which such death or disability is determined, pursuant to regu-
47 lations issued under this chapter, to have been the result of a qualify-
48 ing World Trade Center condition, then unless the contrary is proved by
49 competent evidence, it shall be presumed that such death or disability
50 was the natural and proximate result of an accident sustained in the
51 performance of actual service of this state and not as a result of will-
52 ful negligence on the part of such member. The chief of staff, with the
53 approval of the governor, shall cause to be [~~stricken~~] stricken from such
54 roll the name of any person whenever it appears by satisfactory proof
55 that such name was put upon such roll through false or fraudulent
56 representations. The chief of staff, with the approval of the governor,

1 may increase, reduce or withdraw any pension or reward according to the
2 right and justice and the practice under the laws and regulations of the
3 United States.

4 8. For the purposes of this section:

5 (a) "Qualifying World Trade Center condition" shall mean a qualifying
6 condition or impairment of health resulting in disability to a member of
7 the organized militia who participated in World Trade Center rescue,
8 recovery, or cleanup operations for a qualifying period.

9 (b) "Qualifying condition or impairment of health" shall mean a quali-
10 fying physical condition, or a qualifying psychological condition, or
11 both.

12 (c) "Qualifying physical condition" and "qualifying psychological
13 condition" shall have the same meaning as such terms are defined in
14 subdivision thirty-six of section two of the retirement and social secu-
15 rity law.

16 (d) "Participated in World Trade Center rescue, recovery, or cleanup
17 operations" shall mean any member of the organized militia who: (i)
18 participated in the rescue, recovery, or cleanup operations at the World
19 Trade Center site; (ii) worked at the Fresh Kills Land Fill in New York;
20 (iii) worked at the New York city morgue or the temporary morgue on pier
21 locations on the west side of Manhattan; (iv) manned the barges between
22 the west side of Manhattan and the Fresh Kills Land Fill in New York; or
23 (v) repaired, cleaned or rehabilitated vehicles or equipment, including
24 emergency vehicle radio equipment owned by the city of New York that
25 were contaminated by debris in the World Trade Center site, regardless
26 of whether the work on the repair, cleaning or rehabilitation of said
27 vehicles and equipment was performed within the World Trade Center site,
28 provided such work was performed prior to decontamination of such vehi-
29 cles or equipment.

30 (e) "World Trade Center site" shall mean anywhere below a line start-
31 ing from the Hudson River and Canal Street; east on Canal Street to Pike
32 Street; south on Pike Street to the East River; and extending to the
33 lower tip of Manhattan.

34 (f) "Qualifying period" shall mean: (i) any period of time within the
35 forty-eight hours after the first airplane hit the towers; or (ii) a
36 total of forty hours accumulated any time between September eleventh,
37 two thousand one and September twelfth, two thousand two.

38 § 2. This act shall take effect immediately.

39 PART K

40 Intentionally Omitted

41 PART L

42 Intentionally Omitted

43 PART M

44 Intentionally Omitted

45 PART N

Intentionally Omitted

PART O

Intentionally Omitted

PART P

Section 1. Section 722-b of the county law, as amended by section 2 of part J of chapter 62 of the laws of 2003, is amended to read as follows:

§ 722-b. Compensation and reimbursement for representation. 1. All counsel assigned in accordance with a plan of a bar association conforming to the requirements of section seven hundred twenty-two of this article whereby the services of private counsel are rotated and coordinated by an administrator shall at the conclusion of the representation receive[+]

~~(a) for representation of a person entitled to representation by law who is initially charged with a misdemeanor or lesser offense and no felony, compensation for such misdemeanor or lesser offense representation at a rate of sixty dollars per hour for time expended in court or before a magistrate, judge or justice, and sixty dollars per hour for time reasonably expended out of court, and shall receive reimbursement for expenses reasonably incurred; and~~

~~(b)~~ for representation of a person in all [other] cases governed by this article, including all representation in an appellate court, compensation at a rate of [seventy-five] one hundred sixty-four dollars per hour for time expended in court before a magistrate, judge or justice and [seventy-five] one hundred sixty-four dollars per hour for time reasonably expended out of court, and shall receive reimbursement for expenses reasonably incurred.

2. ~~[Except as provided in this section, compensation for time expended in providing representation+]~~

~~(a) pursuant to paragraph (a) of subdivision one of this section shall not exceed two thousand four hundred dollars; and~~

~~(b) pursuant to paragraph (b) of subdivision one of this section shall not exceed four thousand four hundred dollars.~~

~~3. For representation on an appeal, compensation and reimbursement shall be fixed by the appellate court. For all other representation, compensation and reimbursement shall be fixed by the trial court judge. In extraordinary circumstances a trial or appellate court may provide for compensation in excess of the foregoing limits and for payment of compensation and reimbursement for expenses before the completion of the representation.]~~ In extraordinary circumstances a trial or appellate court may provide for compensation in excess of the foregoing limits pursuant to subdivision one of this section and for payment of compensation and reimbursement for expenses before the completion of the representation.

~~[4.]~~ 3. Each claim for compensation and reimbursement shall be supported by a sworn statement specifying the time expended, services rendered, expenses incurred and reimbursement or compensation applied for or received in the same case from any other source. No counsel assigned hereunder shall seek or accept any fee for representing the party for whom he or she is assigned without approval of the court as herein provided.

§ 2. Section 722-e of the county law, as amended by section 11 of part VVV of chapter 59 of the laws of 2017, is amended to read as follows:

§ 722-e. Expenses. 1. All expenses for providing counsel and services other than counsel hereunder shall be a county charge or in the case of a county wholly located within a city a city charge to be paid out of an appropriation for such purposes. Provided, however, that any such additional expenses incurred for the provision of counsel and services as a result of the implementation of a plan established pursuant to subdivision four of section eight hundred thirty-two of the executive law, including any interim steps taken to implement such plan, shall be reimbursed by the state to the county or city providing such services. Such plans shall be submitted by the office of indigent legal services to the director of the division of budget for review and approval. However, the director's approval shall be limited solely to the plan's projected fiscal impact of the required appropriation for the implementation of such plan, and his or her approval shall not be unreasonably withheld. The state shall appropriate funds sufficient to provide for the reimbursement required by this section; provided further that counties have no authority to withhold payments approved by the appellate court or trial court judge.

2. All expenses for providing counsel and services pursuant to section seven hundred twenty-two-b of this article in excess of sixty dollars per hour of representation for a misdemeanor or lesser offense and no felony, or seventy-five dollars per hour for all other representation governed by this article shall be reimbursed by the state. Such reimbursement shall be paid in accordance with a certification and reimbursement process developed by the office of indigent legal services.

§ 3. Subdivision 3 of section 35 of the judiciary law, as amended by section 5 of part J of chapter 62 of the laws of 2003, is amended to read as follows:

3. No counsel assigned pursuant to this section shall seek or accept any fee for representing the person for whom he or she is assigned without approval of the court as herein provided. Whenever it appears that such person is financially able to obtain counsel or make partial payment for the representation, counsel may report this fact to the court and the court may terminate the assignment or authorize payment, as the interests of justice may dictate, to such counsel. Counsel assigned hereunder shall at the conclusion of the representation receive compensation at a rate of [~~seventy-five~~ one hundred sixty-four] dollars per hour for time expended in court, and [~~seventy-five~~ one hundred sixty-four] dollars per hour for time reasonably expended out of court, and shall receive reimbursement for expenses reasonably incurred. [~~For representation upon a hearing, compensation and reimbursement shall be fixed by the court wherein the hearing was held and such compensation shall not exceed four thousand four hundred dollars. For representation in an appellate court, compensation and reimbursement shall be fixed by such court and such compensation shall not exceed four thousand four hundred dollars.~~] In extraordinary circumstances the court may provide for compensation in excess of the foregoing limits.

§ 4. Section 35 of the judiciary law is amended by adding a new subdivision 9 to read as follows:

9. All expenses for providing counsel and services pursuant to subdivision three of this section shall be funded by the state.

§ 5. Paragraphs (l) and (m) of subdivision 3 of section 832 of the executive law, as added by section 1 of part E of chapter 56 of the laws

of 2010, are amended and a new paragraph (n) is added to read as follows:

(l) to present findings and make recommendations for consideration by the indigent legal services board established pursuant to section eight hundred thirty-three of this article; ~~and~~

(m) to execute decisions of the indigent legal services board established pursuant to section eight hundred thirty-three of this article, including the distribution of funds~~[-]~~; and

(n) to create a uniform certification process for the reimbursement of expenses pursuant to subdivision two of section seven hundred twenty-two-e of the county law.

§ 6. This act shall take effect April 1, 2023. 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 Q

Section 1. Section 2 of chapter 303 of the laws of 1988, relating to the extension of the state commission on the restoration of the capitol, as amended by section 1 of part T of chapter 55 of the laws of 2018, is amended to read as follows:

§ 2. The temporary state commission on the restoration of the capitol is hereby renamed as the state commission on the restoration of the capitol (hereinafter to be referred to as the "commission") and is hereby continued until April 1, ~~2023~~ 2028. The commission shall consist of eleven members to be appointed as follows: five members shall be appointed by the governor; two members shall be appointed by the temporary president of the senate; two members shall be appointed by the speaker of the assembly; one member shall be appointed by the minority leader of the senate; one member shall be appointed by the minority leader of the assembly, together with the commissioner of general services and the commissioner of parks, recreation and historic preservation. The term for each elected member shall be for three years, except that of the first five members appointed by the governor, one shall be for a one year term, and two shall be for a two year term, and one of the first appointments by the president of the senate and by the speaker of the assembly shall be for a two year term. Any vacancy that occurs in the commission shall be filled in the same manner in which the original appointment was made. The commission shall elect a chairman and a vice-chairman from among its members. The members of the state commission on the restoration of the capitol shall be deemed to be members of the commission until their successors are appointed. The members of the commission shall receive no compensation for their services, but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties hereunder.

§ 2. Section 9 of chapter 303 of the laws of 1988, relating to the extension of the state commission on the restoration of the capitol, as amended by section 2 of part T of chapter 55 of the laws of 2018, is amended to read as follows:

§ 9. This act shall take effect immediately, and shall remain in full force and effect until April 1, ~~2023~~ 2028.

§ 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2023; provided that the amendments to section 2 of chapter 303 of the laws of 1988 made

1 by section one of this act shall not affect the expiration of such chap-
2 ter, and shall be deemed to expire therewith.

3 PART R

4 Intentionally Omitted

5 PART S

6 Intentionally Omitted

7 PART T

8 Intentionally Omitted

9 PART U

10 Intentionally Omitted

11 PART V

12 Intentionally Omitted

13 PART W

14 Intentionally Omitted

15 PART X

16 Intentionally Omitted

17 PART Y

18 Section 1. The opening paragraph and paragraph 1 of subdivision b and
19 subdivision e of section 208-f of the general municipal law, paragraph 1
20 of subdivision b and subdivision e as added by chapter 472 of the laws
21 of 1978 and the opening paragraph of subdivision b as amended by chapter
22 782 of the laws of 2022, are amended and a new subdivision k is added to
23 read as follows:

24 The special accidental death benefit shall be paid by the county,
25 city, town or village which employed the deceased member at the time of
26 death, and shall consist of a pension which is equal to the salary of
27 the deceased member, reduced by the sum of each of the following bene-
28 fits received by the widow or widower or the deceased member's children
29 under the age of eighteen, if the widow or widower has died, or to the
30 deceased member's parents if the member has no widow, widower, children
31 under the age of eighteen, or a student under the age of twenty-three,
32 on account of the death of the deceased member:

1 1. Any death benefit and any supplementation thereto paid by the said
2 county, city, town or village in the form of a pension, and
3 e. There shall be appropriated to the [~~local assistance fund in the~~]
4 general fund [~~to the department of audit and control~~] an amount equal to
5 the special accidental death benefits paid pursuant to subdivisions b
6 and c of this section during each preceding state fiscal year, as certi-
7 fied to the comptroller by the appropriate municipal official, for the
8 purposes of reimbursing such special accidental death benefits.

9 The monies appropriated [~~to the department of audit and control~~] and
10 made available pursuant to this subdivision shall be paid under rules
11 and regulations adopted by the comptroller and subject to the approval
12 of the director of the budget upon the audit and warrant of the comp-
13 troller on vouchers certified or approved as provided by law.

14 k. In the case of a deceased county member who died prior to the
15 effective date of this subdivision, the payment of the benefit to the
16 deceased member's beneficiaries pursuant to subdivision f of this
17 section, shall commence on the effective date of this subdivision,
18 provided, however that the benefit amount shall be deemed to have been
19 subject to annual increases pursuant to subdivision b of this section
20 and escalation pursuant to subdivision c of this section, from the date
21 of such member's death.

22 § 2. This act shall take effect immediately, and shall be deemed to
23 have been in full force and effect on and after April 1, 2023.

24 PART Z

25 Intentionally Omitted

26 PART AA

27 Section 1. Subparagraph (A) of paragraph 7 of subdivision (ee) of
28 section 1115 of the tax law, as amended by section 1 of item A of
29 subpart H of part XXX of chapter 58 of the laws of 2020, is amended to
30 read as follows:

31 (A) "Tenant" means a person who, as lessee, enters into a space lease
32 with a landlord for a term of ten years or more commencing on or after
33 September first, two thousand five, but not later than, in the case of a
34 space lease with respect to leased premises located in eligible areas as
35 defined in clause (i) of subparagraph (D) of this paragraph, September
36 first, two thousand [~~twenty-three~~] twenty-six and, in the case of a
37 space lease with respect to leased premises located in eligible areas as
38 defined in clause (ii) of subparagraph (D) of this paragraph not later
39 than September first, two thousand [~~twenty-five~~] twenty-eight, of prem-
40 ises for use as commercial office space in buildings located or to be
41 located in the eligible areas. A person who currently occupies premises
42 for use as commercial office space under an existing lease in a building
43 in the eligible areas shall not be eligible for exemption under this
44 subdivision unless such existing lease, in the case of a space lease
45 with respect to leased premises located in eligible areas as defined in
46 clause (i) of subparagraph (D) of this paragraph expires according to
47 its terms before September first, two thousand [~~twenty-three~~] twenty-six
48 or such existing lease, in the case of a space lease with respect to
49 leased premises located in eligible areas as defined in clause (ii) of
50 subparagraph (D) of this paragraph and such person enters into a space
51 lease, for a term of ten years or more commencing on or after September

1 first, two thousand five, of premises for use as commercial office space
2 in a building located or to be located in the eligible areas, provided
3 that such space lease with respect to leased premises located in eligi-
4 ble areas as defined in clause (i) of subparagraph (D) of this paragraph
5 commences no later than September first, two thousand [~~twenty-three~~]
6 ~~twenty-six~~, and provided that such space lease with respect to leased
7 premises located in eligible areas as defined in clause (ii) of subpara-
8 graph (D) of this paragraph commences no later than September first, two
9 thousand [~~twenty-five~~] ~~twenty-eight~~ and provided, further, that such
10 space lease shall expire no earlier than ten years after the expiration
11 of the original lease.

12 § 2. Section 2 of part C of chapter 2 of the laws of 2005 amending the
13 tax law relating to exemptions from sales and use taxes, as amended by
14 section 2 of item A of subpart H of part XXX of chapter 58 of the laws
15 of 2020, is amended to read as follows:

16 § 2. This act shall take effect September 1, 2005 and shall expire and
17 be deemed repealed on December 1, [~~2026~~] ~~2029~~, and shall apply to sales
18 made, uses occurring and services rendered on or after such effective
19 date, in accordance with the applicable transitional provisions of
20 sections 1106 and 1217 of the tax law; except that clause (i) of subpar-
21 agraph (D) of paragraph seven of subdivision (ee) of section 1115 of the
22 tax law, as added by section one of this act, shall expire and be deemed
23 repealed December 1, [~~2024~~] ~~2027~~.

24 § 3. Paragraph 1 of subdivision (b) of section 25-s of the general
25 city law, as amended by section 3 of item A of subpart H of part XXX of
26 chapter 58 of the laws of 2020, is amended to read as follows:

27 (1) non-residential premises that are wholly contained in property
28 that is eligible to obtain benefits under title two-D or two-F of arti-
29 cle four of the real property tax law, or would be eligible to receive
30 benefits under such article except that such property is exempt from
31 real property taxation and the requirements of paragraph (b) of subdivi-
32 sion seven of section four hundred eighty-nine-dddd of such title two-D,
33 or the requirements of subparagraph (ii) of paragraph (b) of subdivision
34 five of section four hundred eighty-nine-ccccc of such title two-F,
35 whichever is applicable, have not been satisfied, provided that applica-
36 tion for such benefits was made after May third, nineteen hundred eight-
37 y-five and prior to July first, two thousand [~~twenty-three~~] ~~twenty-six~~,
38 that construction or renovation of such premises was described in such
39 application, that such premises have been substantially improved by such
40 construction or renovation so described, that the minimum required
41 expenditure as defined in such title two-D or two-F, whichever is appli-
42 cable, has been made, and that such real property is located in an
43 eligible area; or

44 § 4. Paragraph 3 of subdivision (b) of section 25-s of the general
45 city law, as amended by section 4 of item A of subpart H of part XXX of
46 chapter 58 of the laws of 2020, is amended to read as follows:

47 (3) non-residential premises that are wholly contained in real proper-
48 ty that has obtained approval after October thirty-first, two thousand
49 and prior to July first, two thousand [~~twenty-three~~] ~~twenty-six~~ for
50 financing by an industrial development agency established pursuant to
51 article eighteen-A of the general municipal law, provided that such
52 financing has been used in whole or in part to substantially improve
53 such premises (by construction or renovation), and that expenditures
54 have been made for improvements to such real property in excess of ten
55 per centum of the value at which such real property was assessed for tax
56 purposes for the tax year in which such improvements commenced, that

1 such expenditures have been made within thirty-six months after the
2 earlier of (i) the issuance by such agency of bonds for such financing,
3 or (ii) the conveyance of title to such property to such agency, and
4 that such real property is located in an eligible area; or

5 § 5. Paragraph 5 of subdivision (b) of section 25-s of the general
6 city law, as amended by section 5 of item A of subpart H of part XXX of
7 chapter 58 of the laws of 2020, is amended to read as follows:

8 (5) non-residential premises that are wholly contained in real proper-
9 ty owned by such city or the New York state urban development corpo-
10 ration, or a subsidiary thereof, a lease for which was approved in
11 accordance with the applicable provisions of the charter of such city or
12 by the board of directors of such corporation, and such approval was
13 obtained after October thirty-first, two thousand and prior to July
14 first, two thousand [~~twenty-three~~ **twenty-six**, provided, however, that
15 such premises were constructed or renovated subsequent to such approval,
16 that expenditures have been made subsequent to such approval for
17 improvements to such real property (by construction or renovation) in
18 excess of ten per centum of the value at which such real property was
19 assessed for tax purposes for the tax year in which such improvements
20 commenced, that such expenditures have been made within thirty-six
21 months after the effective date of such lease, and that such real prop-
22 erty is located in an eligible area; or

23 § 6. Paragraph 2 of subdivision (c) of section 25-t of the general
24 city law, as amended by section 6 of item A of subpart H of part XXX of
25 chapter 58 of the laws of 2020, is amended to read as follows:

26 (2) No eligible energy user, qualified eligible energy user, on-site
27 cogenerator, or clean on-site cogenerator shall receive a rebate pursu-
28 ant to this article until it has obtained a certification from the
29 appropriate city agency in accordance with a local law enacted pursuant
30 to this section. No such certification for a qualified eligible energy
31 user shall be issued on or after November first, two thousand. No such
32 certification of any other eligible energy user, on-site cogenerator, or
33 clean on-site cogenerator shall be issued on or after July first, two
34 thousand [~~twenty-three~~ **twenty-six**.

35 § 7. Paragraph 1 of subdivision (a) of section 25-aa of the general
36 city law, as amended by section 7 of item A of subpart H of part XXX of
37 chapter 58 of the laws of 2020, is amended to read as follows:

38 (1) is eligible to obtain benefits under title two-D or two-F of arti-
39 cle four of the real property tax law, or would be eligible to receive
40 benefits under such title except that such property is exempt from real
41 property taxation and the requirements of paragraph (b) of subdivision
42 seven of section four hundred eighty-nine-dddd of such title two-D, or
43 the requirements of subparagraph (ii) of paragraph (b) of subdivision
44 five of section four hundred eighty-nine-cccccc of such title two-F,
45 whichever is applicable, of the real property tax law have not been
46 satisfied, provided that application for such benefits was made after
47 the thirtieth day of June, nineteen hundred ninety-five and before the
48 first day of July, two thousand [~~twenty-three~~ **twenty-six**, that
49 construction or renovation of such building or structure was described
50 in such application, that such building or structure has been substan-
51 tially improved by such construction or renovation, and (i) that the
52 minimum required expenditure as defined in such title has been made, or
53 (ii) where there is no applicable minimum required expenditure, the
54 building was constructed within such period or periods of time estab-
55 lished by title two-D or two-F, whichever is applicable, of article four

1 of the real property tax law for construction of a new building or
2 structure; or

3 § 8. Paragraphs 2 and 3 of subdivision (a) of section 25-aa of the
4 general city law, as amended by section 8 of item A of subpart H of part
5 XXX of chapter 58 of the laws of 2020, are amended to read as follows:

6 (2) has obtained approval after the thirtieth day of June, nineteen
7 hundred ninety-five and before the first day of July, two thousand
8 [~~twenty-three~~ twenty-six, for financing by an industrial development
9 agency established pursuant to article eighteen-A of the general municipi-
10 pal law, provided that such financing has been used in whole or in part
11 to substantially improve such building or structure by construction or
12 renovation, that expenditures have been made for improvements to such
13 real property in excess of twenty per centum of the value at which such
14 real property was assessed for tax purposes for the tax year in which
15 such improvements commenced, and that such expenditures have been made
16 within thirty-six months after the earlier of (i) the issuance by such
17 agency of bonds for such financing, or (ii) the conveyance of title to
18 such building or structure to such agency; or

19 (3) is owned by the city of New York or the New York state urban
20 development corporation, or a subsidiary corporation thereof, a lease
21 for which was approved in accordance with the applicable provisions of
22 the charter of such city or by the board of directors of such corpo-
23 ration, as the case may be, and such approval was obtained after the
24 thirtieth day of June, nineteen hundred ninety-five and before the first
25 day of July, two thousand [~~twenty-three~~ twenty-six, provided that
26 expenditures have been made for improvements to such real property in
27 excess of twenty per centum of the value at which such real property was
28 assessed for tax purposes for the tax year in which such improvements
29 commenced, and that such expenditures have been made within thirty-six
30 months after the effective date of such lease; or

31 § 9. Subdivision (f) of section 25-bb of the general city law, as
32 amended by section 9 of item A of subpart H of part XXX of chapter 58 of
33 the laws of 2020, is amended to read as follows:

34 (f) Application and certification. An owner or lessee of a building or
35 structure located in an eligible revitalization area, or an agent of
36 such owner or lessee, may apply to such department of small business
37 services for certification that such building or structure is an eligi-
38 ble building or targeted eligible building meeting the criteria of
39 subdivision (a) or (q) of section twenty-five-aa of this article.
40 Application for such certification must be filed after the thirtieth day
41 of June, nineteen hundred ninety-five and before a building permit is
42 issued for the construction or renovation required by such subdivisions
43 and before the first day of July, two thousand [~~twenty-three~~ twenty-six,
44 provided that no certification for a targeted eligible
45 building shall be issued after October thirty-first, two thousand. Such
46 application shall identify expenditures to be made that will affect
47 eligibility under such subdivision (a) or (q). Upon completion of such
48 expenditures, an applicant shall supplement such application to provide
49 information (i) establishing that the criteria of such subdivision (a)
50 or (q) have been met; (ii) establishing a basis for determining the
51 amount of special rebates, including a basis for an allocation of the
52 special rebate among eligible revitalization area energy users purchas-
53 ing or otherwise receiving energy services from an eligible redistribu-
54 tor of energy or a qualified eligible redistributor of energy; and (iii)
55 supporting an allocation of charges for energy services between eligible
56 charges and other charges. Such department shall certify a building or

1 structure as an eligible building or targeted eligible building after
2 receipt and review of such information and upon a determination that
3 such information establishes that the building or structure qualifies as
4 an eligible building or targeted eligible building. Such department
5 shall mail such certification or notice thereof to the applicant upon
6 issuance. Such certification shall remain in effect provided the eligi-
7 ble redistributor of energy or qualified eligible redistributor of ener-
8 gy reports any changes that materially affect the amount of the special
9 rebates to which it is entitled or the amount of reduction required by
10 subdivision (c) of this section in an energy services bill of an eligi-
11 ble revitalization area energy user and otherwise complies with the
12 requirements of this article. Such department shall notify the private
13 utility or public utility service required to make a special rebate to
14 such redistributor of the amount of such special rebate established at
15 the time of certification and any changes in such amount and any suspen-
16 sion or termination by such department of certification under this
17 subdivision. Such department may require some or all of the information
18 required as part of an application or other report be provided by a
19 licensed engineer.

20 § 10. Paragraph 1 of subdivision (i) of section 22-601 of the adminis-
21 trative code of the city of New York, as amended by section 10 of item A
22 of subpart H of part XXX of chapter 58 of the laws of 2020, is amended
23 to read as follows:

24 (1) Non-residential premises that are wholly contained in property
25 that is eligible to obtain benefits under part four or part five of
26 subchapter two of chapter two of title eleven of this code, or would be
27 eligible to receive benefits under such chapter except that such proper-
28 ty is exempt from real property taxation and the requirements of para-
29 graph two of subdivision g of section 11-259 of this code, or the
30 requirements of subparagraph (b) of paragraph two of subdivision e of
31 section 11-270 of this code, whichever is applicable, have not been
32 satisfied, provided that application for such benefits was made after
33 May third, nineteen hundred eighty-five and prior to July first, two
34 thousand [~~twenty-three~~] twenty-six, that construction or renovation of
35 such premises was described in such application, that such premises have
36 been substantially improved by such construction or renovation so
37 described, that the minimum required expenditure as defined in such part
38 four or part five, whichever is applicable, has been made, and that such
39 real property is located in an eligible area; or

40 § 11. Paragraph 3 of subdivision (i) of section 22-601 of the adminis-
41 trative code of the city of New York, as amended by section 11 of item A
42 of subpart H of part XXX of chapter 58 of the laws of 2020, is amended
43 to read as follows:

44 (3) non-residential premises that are wholly contained in real proper-
45 ty that has obtained approval after October thirty-first, two thousand
46 and prior to July first, two thousand [~~twenty-three~~] twenty-six for
47 financing by an industrial development agency established pursuant to
48 article eighteen-A of the general municipal law, provided that such
49 financing has been used in whole or in part to substantially improve
50 such premises (by construction or renovation), and that expenditures
51 have been made for improvements to such real property in excess of ten
52 per centum of the value at which such real property was assessed for tax
53 purposes for the tax year in which such improvements commenced, that
54 such expenditures have been made within thirty-six months after the
55 earlier of (i) the issuance by such agency of bonds for such financing,

1 or (ii) the conveyance of title to such property to such agency, and
2 that such real property is located in an eligible area; or

3 § 12. Paragraph 5 of subdivision (i) of section 22-601 of the adminis-
4 trative code of the city of New York, as amended by section 12 of item A
5 of subpart H of part XXX of chapter 58 of the laws of 2020, is amended
6 to read as follows:

7 (5) non-residential premises that are wholly contained in real proper-
8 ty owned by such city or the New York state urban development corpo-
9 ration, or a subsidiary thereof, a lease for which was approved in
10 accordance with the applicable provisions of the charter of such city or
11 by the board of directors of such corporation, and such approval was
12 obtained after October thirty-first, two thousand and prior to July
13 first, two thousand [~~twenty-three~~ twenty-six], provided, however, that
14 such premises were constructed or renovated subsequent to such approval,
15 that expenditures have been made subsequent to such approval for
16 improvements to such real property (by construction or renovation) in
17 excess of ten per centum of the value at which such real property was
18 assessed for tax purposes for the tax year in which such improvements
19 commenced, that such expenditures have been made within thirty-six
20 months after the effective date of such lease, and that such real prop-
21 erty is located in an eligible area; or

22 § 13. Paragraph 1 of subdivision (c) of section 22-602 of the adminis-
23 trative code of the city of New York, as amended by section 13 of item A
24 of subpart H of part XXX of chapter 58 of the laws of 2020, is amended
25 to read as follows:

26 (1) No eligible energy user, qualified eligible energy user, on-site
27 cogenerator, clean on-site cogenerator or special eligible energy user
28 shall receive a rebate pursuant to this chapter until it has obtained a
29 certification as an eligible energy user, qualified eligible energy
30 user, on-site cogenerator, clean on-site cogenerator or special eligible
31 energy user, respectively, from the commissioner of small business
32 services. No such certification for a qualified eligible energy user
33 shall be issued on or after July first, two thousand three. No such
34 certification of any other eligible energy user, on-site cogenerator or
35 clean on-site cogenerator shall be issued on or after July first, two
36 thousand [~~twenty-three~~ twenty-six]. The commissioner of small business
37 services, after notice and hearing, may revoke a certification issued
38 pursuant to this subdivision where it is found that eligibility criteria
39 have not been met or that compliance with conditions for continued
40 eligibility has not been maintained. The corporation counsel may main-
41 tain a civil action to recover an amount equal to any benefits improper-
42 ly obtained.

43 § 14. Subparagraph (b-2) of paragraph 2 of subdivision i of section
44 11-704 of the administrative code of the city of New York, as amended by
45 section 14 of item A of subpart H of part XXX of chapter 58 of the laws
46 of 2020, is amended to read as follows:

47 (b-2) The amount of the special reduction allowed by this subdivision
48 with respect to a lease other than a sublease commencing between July
49 first, two thousand five and June thirtieth, two thousand [~~twenty-three~~ twenty-six]
50 twenty-six with an initial or renewal lease term of at least five years
51 shall be determined as follows:

52 (i) For the base year the amount of such special reduction shall be
53 equal to the base rent for the base year.

54 (ii) For the first, second, third and fourth twelve-month periods
55 following the base year the amount of such special reduction shall be

1 equal to the lesser of (A) the base rent for each such twelve-month
2 period or (B) the base rent for the base year.

3 § 15. Subdivision 9 of section 499-aa of the real property tax law, as
4 amended by section 15 of item A of subpart H of part XXX of chapter 58
5 of the laws of 2020, is amended to read as follows:

6 9. "Eligibility period." The period commencing April first, nineteen
7 hundred ninety-five and terminating March thirty-first, two thousand
8 one, provided, however, that with respect to eligible premises defined
9 in subparagraph (i) of paragraph (b) of subdivision ten of this section,
10 the period commencing July first, two thousand and terminating June
11 thirtieth, two thousand [~~twenty-four~~] twenty-seven, and provided,
12 further, however, that with respect to eligible premises defined in
13 subparagraph (ii) of paragraph (b) or paragraph (c) of subdivision ten
14 of this section, the period commencing July first, two thousand five and
15 terminating June thirtieth, two thousand [~~twenty-four~~] twenty-seven.

16 § 16. Subparagraph (iii) of paragraph (a) of subdivision 3 of section
17 499-cc of the real property tax law, as amended by section 16 of item A
18 of subpart H of part XXX of chapter 58 of the laws of 2020, is amended
19 to read as follows:

20 (iii) With respect to the eligible premises defined in subparagraph
21 (ii) of paragraph (b) or paragraph (c) of subdivision ten of section
22 four hundred ninety-nine-aa of this title and for purposes of determin-
23 ing whether the amount of expenditures required by subdivision one of
24 this section have been satisfied, expenditures on improvements to the
25 common areas of an eligible building shall be included only if work on
26 such improvements commenced and the expenditures are made on or after
27 July first, two thousand five and on or before December thirty-first,
28 two thousand [~~twenty-four~~] twenty-seven; provided, however, that expend-
29 itures on improvements to the common areas of an eligible building made
30 prior to three years before the lease commencement date shall not be
31 included.

32 § 17. Subdivisions 5 and 9 of section 499-a of the real property tax
33 law, as amended by section 17 of item A of subpart H of part XXX of
34 chapter 58 of the laws of 2020, are amended to read as follows:

35 5. "Benefit period." The period commencing with the first day of the
36 month immediately following the rent commencement date and terminating
37 no later than sixty months thereafter, provided, however, that with
38 respect to a lease commencing on or after April first, nineteen hundred
39 ninety-seven with an initial lease term of less than five years, but not
40 less than three years, the period commencing with the first day of the
41 month immediately following the rent commencement date and terminating
42 no later than thirty-six months thereafter. Notwithstanding the forego-
43 ing sentence, a benefit period shall expire no later than March thirty-
44 first, two thousand [~~thirty~~] thirty-three.

45 9. "Eligibility period." The period commencing April first, nineteen
46 hundred ninety-five and terminating March thirty-first, two thousand
47 [~~twenty-four~~] twenty-seven.

48 § 18. Paragraph (a) of subdivision 3 of section 499-c of the real
49 property tax law, as amended by section 18 of item A of subpart H of
50 part XXX of chapter 58 of the laws of 2020, is amended to read as
51 follows:

52 (a) For purposes of determining whether the amount of expenditures
53 required by subdivision one of this section have been satisfied, expend-
54 itures on improvements to the common areas of an eligible building shall
55 be included only if work on such improvements commenced and the expendi-
56 tures are made on or after April first, nineteen hundred ninety-five and

1 on or before September thirtieth, two thousand [~~twenty-four~~] twenty-sev-
2 en; provided, however, that expenditures on improvements to the common
3 areas of an eligible building made prior to three years before the lease
4 commencement date shall not be included.

5 § 19. Subdivision 8 of section 499-d of the real property tax law, as
6 amended by section 19 of item A of subpart H of part XXX of chapter 58
7 of the laws of 2020, is amended to read as follows:

8 8. Leases commencing on or after April first, nineteen hundred nine-
9 ty-seven shall be subject to the provisions of this title as amended by
10 chapter six hundred twenty-nine of the laws of nineteen hundred ninety-
11 seven, chapter one hundred eighteen of the laws of two thousand one,
12 chapter four hundred forty of the laws of two thousand three, chapter
13 sixty of the laws of two thousand seven, chapter twenty-two of the laws
14 of two thousand ten, chapter fifty-nine of the laws of two thousand
15 fourteen, chapter twenty of the laws of two thousand fifteen, chapter
16 sixty-one of the laws of two thousand seventeen [~~and the~~], chapter
17 fifty-eight of the laws of two thousand twenty, and the chapter of the
18 laws of two thousand twenty-three that amended this phrase. Notwith-
19 standing any other provision of law to the contrary, with respect to
20 leases commencing on or after April first, nineteen hundred ninety-sev-
21 en, an application for a certificate of abatement shall be considered
22 timely filed if filed within one hundred eighty days following the lease
23 commencement date or within sixty days following the date chapter six
24 hundred twenty-nine of the laws of nineteen hundred ninety-seven became
25 a law, whichever is later.

26 § 20. Subparagraph (a) of paragraph 2 of subdivision i of section
27 11-704 of the administrative code of the city of New York, as amended by
28 section 20 of item A of subpart H of part XXX of chapter 58 of the laws
29 of 2020, is amended to read as follows:

30 (a) An eligible tenant of eligible taxable premises shall be allowed a
31 special reduction in determining the taxable base rent for such eligible
32 taxable premises. Such special reduction shall be allowed with respect
33 to the rent for such eligible taxable premises for a period not exceed-
34 ing sixty months or, with respect to a lease commencing on or after
35 April first, nineteen hundred ninety-seven with an initial lease term of
36 less than five years, but not less than three years, for a period not
37 exceeding thirty-six months, commencing on the rent commencement date
38 applicable to such eligible taxable premises, provided, however, that in
39 no event shall any special reduction be allowed for any period beginning
40 after March thirty-first, two thousand [~~thirty~~] thirty-three. For
41 purposes of applying such special reduction, the base rent for the base
42 year shall, where necessary to determine the amount of the special
43 reduction allowable with respect to any number of months falling within
44 a tax period, be prorated by dividing the base rent for the base year by
45 twelve and multiplying the result by such number of months.

46 § 21. This act shall take effect immediately; provided, however, that
47 if this act shall have become a law after June 30, 2023, this act shall
48 be deemed to have been in full force and effect on and after June 30,
49 2023; provided further, however, that the amendments to subparagraph (A)
50 of paragraph 7 of subdivision (ee) of section 1115 of the tax law made
51 by section one of this act shall not affect the repeal of such subdivi-
52 sion and shall be deemed repealed therewith.

53 PART BB

54 Intentionally Omitted

1 PART CC

2 Intentionally Omitted

3 PART DD

4 Section 1. Paragraph (b) of subdivision 5 of section 50 of the civil
5 service law, as amended by section 35 of part PP of chapter 56 of the
6 laws of 2022, is amended to read as follows:

7 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
8 sion, the state civil service department, subject to the approval of the
9 director of the budget, a municipal commission, subject to the approval
10 of the governing board or body of the city or county, as the case may
11 be, or a regional commission or personnel officer, pursuant to govern-
12 mental agreement, may elect to waive application fees, or to abolish
13 fees for specific classes of positions or types of examinations or
14 candidates, or to establish a uniform schedule of reasonable fees
15 different from those prescribed in paragraph (a) of this subdivision,
16 specifying in such schedule the classes of positions or types of exam-
17 inations or candidates to which such fees shall apply; provided, howev-
18 er, that fees shall be waived for candidates who certify to the state
19 civil service department, a municipal commission or a regional commis-
20 sion that they are unemployed and primarily responsible for the support
21 of a household, or are receiving public assistance. Provided further,
22 the state civil service department shall waive the state application fee
23 for examinations for original appointment for all veterans. Provided
24 further, the state civil service department shall, and a municipal
25 commission may, subject to the approval of the governing board or body
26 of the city or county, as the case may be, or a regional commission or
27 personnel officer, pursuant to governmental agreement, waive application
28 fees for all examinations held between July 1, 2023 and December 31,
29 2026. Notwithstanding any other provision of law, for purposes of this
30 section, the term "veteran" shall mean a person who has served in the
31 armed forces of the United States or the reserves thereof, or in the
32 army national guard, air national guard, New York guard, or the New York
33 naval militia, and who (1) has been honorably discharged or released
34 from such service under honorable conditions, or (2) has a qualifying
35 condition, as defined in section one of the veterans' services law, and
36 has received a discharge other than bad conduct or dishonorable from
37 such service, or (3) is a discharged LGBT veteran, as defined in section
38 one of the veterans' services law, and has received a discharge other
39 than bad conduct or dishonorable from such service. The term "armed
40 forces" shall mean the army, navy, air force, marine corps, and coast
41 guard.

42 § 2. On or before December 31, 2025, the Department of Civil Service
43 shall produce a report studying the impact of waiving civil service
44 application fees and shall deliver a copy of such report to the gover-
45 nor, the temporary president of the senate, and speaker of the assembly.
46 Such report shall include, but not be limited to:

47 a. the number of applications for civil service examinations broken
48 down by employer, job title, and examination type;

49 b. the number of new hires in all state agencies and municipalities;
50 and

51 c. demographic information on applicants, including sex, race, age,
52 geography and educational attainment.

§ 3. This act shall take effect April 1, 2023 and shall expire and be deemed repealed on December 31, 2026; provided that if section 35 of part PP of chapter 56 of the laws of 2022 takes effect after such date, then section one of this act shall take effect on the same date and in the same manner as such section of part PP of chapter 56 of the laws of 2022 takes effect, and provided, further, that this act shall be deemed to have been in full force and effect on and after April 1, 2023.

8 PART EE

9 Section 1. Section 13 of chapter 141 of the laws of 1994, amending the
10 legislative law and the state finance law relating to the operation and
11 administration of the legislature, as amended by section 1 of part II of
12 chapter 55 of the laws of 2022, is amended to read as follows:

§ 13. This act shall take effect immediately and shall be deemed to have been in full force and effect as of April 1, 1994, provided that, the provisions of section 5-a of the legislative law as amended by sections two and two-a of this act shall take effect on January 1, 1995, and provided further that, the provisions of article 5-A of the legislative law as added by section eight of this act shall expire June 30, ~~2023~~ 2024 when upon such date the provisions of such article shall be deemed repealed; and provided further that section twelve of this act shall be deemed to have been in full force and effect on and after April 10, 1994.

23 § 2. This act shall not supersede the findings and determinations made
24 by the compensation committee as authorized pursuant to part HHH of
25 chapter 59 of the laws of 2018 unless a court of competent jurisdiction
26 determines that such findings and determinations are invalid or other-
27 wise not applicable or in force.

28 § 3. This act shall take effect immediately, provided, however, if
29 this act shall take effect on or after June 30, 2023, this act shall be
30 deemed to have been in full force and effect on and after June 30, 2023.

§ 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.

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