STATE OF NEW YORK

S. 8305--A A. 8805--A

SENATE - ASSEMBLY

January 17, 2024

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- 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

AN ACT to amend the penal law, in relation to assault in the second degree of a retail worker (Part A); to amend the penal law, in relation to establishing the crime of fostering the sale of stolen goods (Part B); to amend the penal law, in relation to specified offenses that constitute a hate crime (Part C); relating to the closure of correctional facilities; and providing for the repeal of such provisions upon the expiration thereof (Part D); to amend the tax law, in relation to suspending the transfer of monies into the emergency services revolving loan fund from the public safety communications account (Part E); to amend the judiciary law, the penal law and the election law, in relation to increasing the safety and security of court officials and their immediate families (Part F); to amend the cannabis law, in relation to providing additional enforcement powers to the office of cannabis management and to authorize localities to create business registries for the purpose of combating illicit cannabis (Part G); to amend the alcoholic beverage control law, in relation to notifying municipalities of the filing of certain applications, changes of ownership of certain licensed businesses, and providing for certain temporary permits; and to repeal certain provisions of such law related thereto (Part H); to amend the alcoholic beverage control law, in relation to establishing a temporary wholesale permit and allowing multiple wholesale licenses owned by the same person or entity to be located at the same premises (Part I); to amend chapter 118 of the laws of 2012 amending the alcoholic beverage control law relating to the powers of the chairman and members of the authority, in relation to the effectiveness of certain provisions thereof (Part J); to amend chapter 396 of the laws of 2010 amending

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

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the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part K); to amend the alcoholic beverage control law, in relation to permitting the use of contiguous and non-contiguous municipal public space by certain licensees; and to repeal chapter 238 of the laws of 2021 (Part L); to amend the workers' compensation law, in relation to providing benefits for prenatal care (Part M); to amend the workers' compensation law and the insurance law, in relation to increasing short-term disability benefits (Part N); to amend the general business law, in relation to enacting the Stop Addictive Feeds Exploitation (SAFE) for Kids act prohibiting the provision of an addictive feed to a minor (Part O); to amend the general business law, in relation to establishing the New York child data protection act (Part P); to amend the state finance law, in relation to eliminating the alternate procedure for the payment of salaries for certain employees and the withholding of five days of salary for certain employees (Part Q); to amend the civil practice law and rules and the state finance law, in relation to the rate of interest to be paid on judgment and accrued claims (Part R); to amend the civil service law, in relation to reimbursement for medicare premium charges (Part S); to amend the civil service law, in relation to the ability to charge interest on past due balances for the New York state health insurance program, and to authorize the director of the budget to withhold certain state aid to participating employers with past due balances (Part T); to amend the general municipal law, in relation to county-wide shared services panels (Part U); to amend the public authorities law, in relation to bonds issued by the New York city transitional finance authority (Part V); to amend the state finance law, in relation to reforming the local government efficiency grant program (Part W); to provide for the administration of certain funds and accounts related to the 2023-2024 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts, and in relation to the effectiveness thereof; to amend part D of chapter 389 of the laws of 1997 relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds or notes; to amend the private housing finance law, in relation to housing program bonds and notes; to amend the public authorities law, in relation to the issuance of bonds and notes by the dedicated highway and bridge trust fund, to amend the public authorities law, in relation to the issuance of bonds and notes for city university facilities; to amend the public authorities law, in relation to the issuance of bonds for library construction projects; to amend the public authorities law, in relation to the issuance of bonds for state university educational facilities; to amend the public authorities law, in relation to the issuance of bonds and notes for locally sponsored community colleges; to amend chapter 392 of the laws of 1973, constituting the medical care facilities finance agency act, in relation to the issuance of mental health services facilities improvement bonds and notes; to amend part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to the issuance of bonds and notes to finance capital costs related to homeland security; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds and notes for purposes of funding office of information technol-

ogy services project costs; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of funds to the thruway authority; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds and notes to fund costs for statewide equipment; to amend the public authorities law, in relation to the issuance of bonds for purposes of financing environmental infrastructure projects; to amend part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of bonds and notes for the youth facilities improvement fund; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing peace bridge projects and capital costs of state and local highways; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds for economic development initiatives; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of bonds and notes for the purpose of financing capital projects for the division of military and naval affairs; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds for special education and other educational facilities; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing the construction of the New York state agriculture and markets food laboratory; to amend chapter 392 of the laws of 1973, constituting the medical care facilities finance agency act, in relation to including comprehensive psychiatric emergency programs and housing for mentally ill persons in the definition of mental health services facility; to amend the state finance law, in relation to the private sale of certain revenue bonds, and in relation to including assets that provide a long-term interest in land in the definition of fixed assets; to amend the public authorities law, in relation to bond issuance charges; to amend the state finance law, in relation to the redemption price of certain revenue bonds; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of personal income tax revenue anticipation notes; to amend the public authorities law, in relation to the issuance of bonds or notes for the purpose of assisting the metropolitan transportation authority in the financing of transportation facilities; and providing for the repeal of certain provisions upon expiration thereof (Part X); and to amend section 2 of part P of chapter 55 of the laws of 2022, amending the alcoholic beverage control law relating to authorizing retail licensees for on-premises consumption to sell and/or deliver alcoholic beverages for off-premises consumption, in relation to the effectiveness thereof (Part Y)

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

Section 1. This act enacts into law major components of legislation necessary to implement the state public protection and general government budget for the 2024-2025 state fiscal year. Each component is whol-

ly contained within a Part identified as Parts A through Y. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Section 1. Subdivision 3 of section 120.05 of the penal law, as amended by chapter 267 of the laws of 2016, is amended to read as follows:

3. With intent to prevent a peace officer, a police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, a firefighter, including a firefighter acting as a paramedic or emergency medical technician administering first aid in the course of performance of duty as such firefighter, an emergency medical service paramedic or emergency medical service technician, or medical or related personnel in a hospital emergency department, a city marshal, a school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, a traffic enforcement officer, traffic enforcement agent [~~or~~], employee of any entity governed by the public service law in the course of performing an essential service, **or retail worker,** from performing a lawful duty, by means including releasing or failing to control an animal under circumstances evincing the actor's intent that the animal obstruct the lawful activity of such peace officer, police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, firefighter, paramedic, technician, city marshal, school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, traffic enforcement officer, traffic enforcement agent [~~or~~], employee of an entity governed by the public service law, **or retail worker,** he or she causes physical injury to such peace officer, police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, firefighter, paramedic, technician or medical or related personnel in a hospital emergency department, city marshal, school crossing guard, traffic enforcement officer, traffic enforcement agent [~~or~~], employee of an entity governed by the public service law**, or retail worker**; or

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

PART B

Section 1. The penal law is amended by adding a new section 165.66 to read as follows:

§ 165.66 Fostering the sale of stolen goods.

A person is guilty of fostering the sale of stolen goods when such person:

1. Hosts, advertises, or otherwise assists in the sale of stolen goods, including on an internet website; and

2. Knew or should have known that such goods were stolen.

Fostering the sale of stolen goods is a class A misdemeanor.

§ 2. This act shall take effect on the first of November next succeeding the date upon which it shall have become a law.

PART C

Section 1. Subdivision 3 of section 485.05 of the penal law, as amended by section 3 of part R of chapter 55 of the laws of 2020, is amended to read as follows:

3. A "specified offense" is an offense defined by any of the following provisions of this chapter: section 120.00 (assault in the third degree); section 120.05 (assault in the second degree); section 120.06 (gang assault in the second degree); section 120.07 (gang assault in the first degree); section 120.10 (assault in the first degree); section 120.12 (aggravated assault upon a person less than eleven years old); section 120.13 (menacing in the first degree); section 120.14 (menacing in the second degree); section 120.15 (menacing in the third degree); section 120.20 (reckless endangerment in the second degree); section 120.25 (reckless endangerment in the first degree); section 121.11 (criminal obstruction of breathing or blood circulation); section 121.12 (strangulation in the second degree); section 121.13 (strangulation in the first degree); subdivision one of section 125.15 (manslaughter in the second degree); subdivision one, two or four of section 125.20 (manslaughter in the first degree); section 125.25 (murder in the second degree); section 125.26 (aggravated murder); section 125.27 (murder in the first degree); section 120.45 (stalking in the fourth degree); section 120.50 (stalking in the third degree); section 120.55 (stalking in the second degree); section 120.60 (stalking in the first degree); [~~subdivision one of~~] section 130.20 (sexual misconduct); section 130.25 (rape in the third degree); section 130.30 (rape in the second degree); section 130.35 (rape in the first degree); [~~subdivision one of~~] section 130.40 (criminal sexual act in the third degree); section 130.45 (criminal sexual act in the second degree); section 130.50 (criminal sexual act in the first degree); [~~subdivision one of~~] section 130.52 (forcible touching); section 130.53 (persistent sexual abuse); section 130.55 (sexual abuse in the third degree); section 130.60 (sexual abuse in the second degree); section 130.65 (sexual abuse in the first degree); [~~paragraph (a) of subdivision one of~~] section 130.65-a (aggravated sexual abuse in the fourth degree); section 130.66 (aggravated sexual abuse in the third degree); section 130.67 (aggravated sexual abuse in the second degree); [~~paragraph (a) of subdivision one of~~] section 130.70 (aggravated sexual abuse in the first degree); section 135.05 (unlawful imprisonment in the second degree); section 135.10 (unlawful imprisonment in the first degree); section 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in the first degree); section 135.35 (labor trafficking); section 135.37 (aggravated labor trafficking); section 135.60 (coercion in the third degree); section 135.61 (coercion in the second degree); section 135.65 (coercion in the first degree); section 140.10 (criminal trespass in the third degree); section 140.15 (criminal trespass in the second degree); section 140.17 (criminal trespass in the first degree); section 140.20 (burglary in the third

degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal mischief in the fourth degree); section 145.05 (criminal mischief in the third degree); section 145.10 (criminal mischief in the second degree); section 145.12 (criminal mischief in the first degree); **section 145.60 (making graffiti); section 150.01 (arson in the fifth degree);** section 150.05 (arson in the fourth degree); section 150.10 (arson in the third degree); section 150.15 (arson in the second degree); section 150.20 (arson in the first degree); section 155.25 (petit larceny); section 155.30 (grand larceny in the fourth degree); section 155.35 (grand larceny in the third degree); section 155.40 (grand larceny in the second degree); section 155.42 (grand larceny in the first degree); section 160.05 (robbery in the third degree); section 160.10 (robbery in the second degree); section 160.15 (robbery in the first degree); **section 165.25 (jostling); section 230.34 (sex trafficking); section 230.34-a (sex trafficking of a child);** section 240.25 (harassment in the first degree); subdivision one, two or four of section 240.30 (aggravated harassment in the second degree); **section 240.50 (falsely reporting an incident in the third degree); section 240.55 (falsely reporting an incident in the second degree); section 240.60 (falsely reporting an incident in the first degree); section 260.10 (endangering the welfare of a child); subdivision two of section 265.01 (criminal possession of a weapon in the fourth degree); subdivision one of section 265.02 (criminal possession of a weapon in the third degree); subdivision one of section 265.03 (criminal possession of a weapon in the second degree); subdivision one of section 265.04 (criminal possession of a weapon in the first degree);** section 490.10 (soliciting or providing support for an act of terrorism in the second degree); section 490.15 (soliciting or providing support for an act of terrorism in the first degree); section 490.20 (making a terroristic threat); section 490.25 (crime of terrorism); section 490.30 (hindering prosecution of terrorism in the second degree); section 490.35 (hindering prosecution of terrorism in the first degree); section 490.37 (criminal possession of a chemical weapon or biological weapon in the third degree); section 490.40 (criminal possession of a chemical weapon or biological weapon in the second degree); section 490.45 (criminal possession of a chemical weapon or biological weapon in the first degree); section 490.47 (criminal use of a chemical weapon or biological weapon in the third degree); section 490.50 (criminal use of a chemical weapon or biological weapon in the second degree); section 490.55 (criminal use of a chemical weapon or biological weapon in the first degree); or any attempt or conspiracy to commit any of the foregoing offenses.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

PART D

Section 1. Notwithstanding the provisions of sections 79-a and 79-b of the correction law, the governor is authorized to close up to five correctional facilities of the department of corrections and community supervision, in the state fiscal year 2024-2025, as the governor determines to be necessary for the cost-effective and efficient operation of the correctional system, provided that the governor provides at least 90 days notice prior to any such closures to the temporary president of the senate and the speaker of the assembly. Such notice shall include the list of facilities the governor plans to close, the number of incarcer-

ated individuals in said facilities, and the number of staff working in said facilities. The commissioner of corrections and community supervision shall also report in detail to the temporary president of the senate and the speaker of the assembly on the results of staff relocation efforts within 60 days after such closure.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2024 and shall expire and be deemed repealed March 31, 2025.

PART E

Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax law, as amended by section 1 of part G of chapter 55 of the laws of 2022, is amended to read as follows:

(b) The sum of one million five hundred thousand dollars must be deposited into the New York state emergency services revolving loan fund annually; provided, however, that such sums shall not be deposited for state fiscal years two thousand eleven--two thousand twelve, two thousand twelve--two thousand thirteen, two thousand fourteen--two thousand fifteen, two thousand fifteen--two thousand sixteen, two thousand sixteen--two thousand seventeen, two thousand seventeen--two thousand eighteen, two thousand eighteen--two thousand nineteen, two thousand nineteen--two thousand twenty, two thousand twenty--two thousand twenty-one, two thousand twenty-one--two thousand twenty-two, two thousand twenty-two--two thousand twenty-three, [~~and~~] two thousand twenty-three--two thousand twenty-four**, two thousand twenty-four--two thousand twenty-five, and two thousand twenty-five--two thousand twenty-six**;

§ 2. This act shall take effect April 1, 2024.

PART F

Section 1. Legislative purpose. The objective of this act, which shall be referred to as the "New York State Judicial Security Act", is to improve the safety and security of judges of the courts of the unified court system and of the federal courts sitting in New York state, of certain other persons working in or with these courts, and of the immediate families of all of the foregoing. Greater confidence in their personal safety and security, and in that of their family members, will enable members of the judiciary to perform their duties fairly without fear of personal reprisal by litigants and others affected by the decisions of, judges and others who work in and with the courts.

This objective will be accomplished by providing a means by which (i) private information concerning active and former judges, and nonjudicial court personnel, and their immediate families can be kept from public display; and (ii) persons, businesses, associations, and public and private agencies having such information can be forbidden from posting it, or sharing or trading it with others.

This act shall be broadly construed to favor protections of the private information of those persons designated hereunder as "eligible individuals".

§ 2. The judiciary law is amended by adding a new article 22-C to read as follows:

ARTICLE 22-C

NEW YORK STATE JUDICIAL SECURITY ACT

Section 859. New York state judicial security act.

§ 859. New York state judicial security act. 1. Definitions. As used in this article:

(a) "Eligible individual" shall mean:

(i) an actively employed or former:

(A) judge or justice of the unified court system or judge of the housing part of the civil court of the city of New York;

(B) clerk of a court of the unified court system or of a federal court sitting in New York;

(C) employee of the United States Marshal Service serving in New York or employee of the unified court system or a political subdivision of the state whose official duties include the provision of court security services; or

(D) employee of the unified court system or of a federal court established in New York, not otherwise included in this paragraph, who has been so designated by the chief administrator or the appropriate administrative authority for the federal courts, respectively, where, in their opinion, there is either evidence of a particularized threat or threats towards such employee or the employee's duties warrant such designation in order to provide for the safety and security of such employee; or

(ii) a federal judge or a senior, recalled, or retired federal judge sitting or maintaining chambers in New York, where such federal judge means:

(A) a justice of the United States or a judge of the United States, as those terms are defined in section 451 of title 28, United States Code;

(B) a bankruptcy judge appointed under section 152 of title 28, United States Code;

(C) a United States magistrate judge appointed under section 631 of title 28, United States Code;

(D) a judge confirmed by the United States Senate and empowered by statute in any commonwealth, territory, or possession to perform the duties of a Federal judge;

(E) a judge of the United States Court of Federal Claims appointed under section 171 of title 28, United States Code;

(F) a judge of the United States Court of Appeals for Veterans Claims appointed under section 7253 of title 38, United States Code;

(G) a judge of the United States Court of Appeals for the Armed Forces appointed under section 942 of title 10, United States Code;

(H) a judge of the United States Tax Court appointed under section 7443 of the Internal Revenue Code of 1986; or

(I) a special trial judge of the United States Tax Court appointed under section 7443A of the Internal Revenue Code of 1986.

(b) "Immediate family" shall mean, for each eligible individual, the spouse, former spouse, parent, child, sibling, and any other person who regularly resides or has regularly resided in the eligible individual's household.

(c) "Personal information" shall include the following for an eligible individual and, if such individual so indicates as provided in subparagraph (ii) of paragraph (a) of subdivision two of this section, for the members of their immediate family: (i) home address, including primary residence and secondary residences; (ii) unlisted telephone number; (iii) personal cell phone number; (iv) personal email address; (v) social security number; (vi) driver license number; (vii) license plate number; (viii) marital status and identity of any present and former spouse; (ix) identity of children under the age of twenty-six; (x) name and address of a school or day care facility attended by an immediate

family member; (xi) bank account number; (xii) credit or debit card number; (xiii) personal identification number (PIN); (xiv) automated or electronic signature; (xv) unique biometric data; and (xvi) account passwords.

(d) "Making public the personal information" of an identified person shall mean any effort or action by a person, business, association, or public or private agency to post on the internet or otherwise display or publish in any medium accessible to the public such identified person's personal information, to share or trade such information with others, or to otherwise transfer such information to others.

(e) "Written request" means an application in writing and signed by an eligible individual, or their representative, requesting that the chief administrator of the courts or the eligible individual's employer, as appropriate, notify one or more persons, businesses, associations, or public or private agencies, other than an excluded entity, that they must refrain from making public the personal information of that eligible individual.

(f) "Excluded entity" means a commercial entity engaged in the following activity:

(i) reporting, news-gathering, speaking, or other activity intended to inform the public on matters of public interest or public concern;

(ii) using personal information internally, providing access to businesses under common ownership or affiliated by corporate control, or selling or providing data for transaction or service requested by or concerning the individual whose personal information is being transferred;

(iii) providing publicly available information via real-time or near real-time alert services for health or safety purposes;

(iv) any activity where the commercial entity is a consumer reporting agency subject to the Fair Credit Reporting Act (15 U.S.C. 1681, et seq.);

(v) any activity where the commercial entity is a financial institution subject to the Gramm-Leach-Bliley Act (Public Law 106-102) and regulations implementing that Act; and

(vi) the collection and sale or licensing of personal information incidental to conducting the activities described in this paragraph.

(g) "Public agency" shall mean an agency of the state of New York and any of its political subdivisions.

2. Written request; notification by chief administrator of the courts or employer. (a) This subdivision shall apply to every eligible individual. An eligible individual or their representative may submit a written request to the chief administrator of the courts, if the eligible individual is an active or former judge, justice, judge of the housing part of the civil court of the city of New York, or nonjudicial employee of the unified court system, or, if not, to the eligible individual's employer or, if the eligible individual is no longer in service, to the person or office who would be their employer were such individual still in service. For purposes of this subdivision, the employer of a federal judge shall be the appropriate administrative authority for the court in which such federal judge serves. The written request shall specify:

(i) those items of personal information that the eligible individual wishes to be kept from being made public;

(ii) the identity of members of the eligible individual's immediate family and whether, for purposes of the written request, their personal information should be deemed to include that of such immediate family members; and

(iii) each person, business, association, and public or private agency that the eligible individual wishes to bar from making public the personal information of such eligible individual.

(b) The chief administrator and each employer to which a written request may be submitted under this subdivision shall develop procedures to review and process such requests.

(c) (i) If a written request has been properly submitted and is complete, the chief administrator or employer, as appropriate, shall, within five business days of receipt of such written request from an eligible individual, notify each person, business, association, and public or private agency identified in the written request that (A) beginning within seventy-two hours of receipt of such notification, they must cease making public the personal information of the eligible individual identified in such request, and (B) within twenty business days of such receipt, must delete or otherwise remove any existing posting on the internet and any display or publication in any medium accessible to the public containing such personal information as is specified in the written request of the eligible individual on whose behalf the notification is made. For purposes of this subparagraph, notification shall be by certified mail, return receipt requested, either at the recipient's last known residence (if recipient is a person) or at the recipient's principal office (which shall be the location at which the office of the chief executive officer of the recipient is generally located).

(ii) Notwithstanding any provision of this paragraph to the contrary, subparagraph (i) of this paragraph shall not apply to:

(A) display on the internet of the personal information of an eligible individual if such information is relevant to and displayed as part of a news story, commentary, editorial, or other speech on a matter of public concern;

(B) personal information that the eligible individual voluntarily publishes on the internet after the effective date of this section;

(C) personal information received from a public agency or from an agency of the federal government; and

(D) permissible uses of personal information pursuant to the Driver's Privacy Protection Act (18 U.S.C. § 2721 et seq.), except that no eligible individual making a written request under this article shall be deemed to have given express consent to share personal information for the purposes of 18 U.S.C. § 2721(b), unless the written request contains an express declaration to the contrary.

3. Duration of notification. A notification issued by or on behalf of an eligible individual pursuant to subdivision two of this section expires on their death; provided, however, where a notification hereunder bars making public the personal information of a member of an eligible individual's immediate family, that bar shall remain in effect until the death of such immediate family member unless that person or the eligible individual sooner rescinds it. If an eligible individual wishes to rescind such a notification, they or the chief administrator of the courts or the eligible individual's employer, as appropriate, upon request from the covered individual, may provide a person, business, association, or public or private agency with written permission to make public their personal information.

4. Recipient of notification not to make an eligible individual's personal information public; judicial relief available upon non-compliance. (a) After a person, business, association, or public or private agency has received a notification pursuant to paragraph (c) of subdivision two of this section, they shall have (i) seventy-two hours to cease

making public the personal information of the eligible individual identified in such notification, and (ii) twenty business days within which to delete or otherwise remove any existing postings on the internet and any display or publication in any medium accessible to the public containing such personal information.

(b) An eligible individual may seek an injunction or declaratory relief in a court of competent jurisdiction against a person, business, association, or public or private agency that, after receiving a notification pursuant to paragraph (c) of subdivision two of this section, fails to timely comply with the requirements of such notification. If the court grants such injunctive or declaratory relief, the affected person, business, association, or agency shall be required to pay the eligible individual's costs and reasonable attorney's fees.

(c) Upon a violation of any order granting injunctive or declarative relief obtained pursuant to this subdivision, the court issuing such order may: (i) where the violator is a public agency, impose a fine not exceeding one thousand dollars and require the payment of court costs and reasonable attorney fees; or (ii) where the violator is a person, business, association, or private agency, award damages to the affected eligible individual in an amount up to a maximum of three times the actual damages, but not less than four thousand dollars, and require the payment of court costs and reasonable attorney fees.

5. Notwithstanding any other provision of law, where the department of motor vehicles receives a notification pursuant to paragraph (c) of subdivision two of this section, such department shall comply therewith except that, where the notification requires the department to cease making a person's address public, the department may make their business address public.

§ 3. Section 120.09 of the penal law, as added by chapter 148 of the laws of 2011, is amended to read as follows:

§ 120.09 Assault on a judge.

A person is guilty of assault on a judge when, with intent to [~~cause serious physical injury and~~] prevent a judge from performing official judicial duties, [~~he or she~~] such person causes serious physical injury to such judge. [~~For the purposes of this section, the term judge shall mean a judge of a court of record or a justice court.~~]

Assault on a judge is a class C felony.

§ 4. The penal law is amended by adding a new section 120.09-a to read as follows:

§ 120.09-a Aggravated assault on a judge.

A person is guilty of aggravated assault on a judge when, with intent to cause serious physical injury and prevent a judge from performing official judicial duties, such person causes serious physical injury to such judge.

Aggravated assault on a judge is a class B felony.

§ 5. The penal law is amended by adding a new section 120.41 to read as follows:

§ 120.41 Additional definitions.

For purposes of sections 120.09, 120.09-a, 120.45, 120.50, 120.55 and 120.60 of this article:

1. "Social networking websites" shall mean websites on the internet that permit persons to be registered users for the purpose of establishing relationships with other users, where such persons (i) may create web pages or profiles that provide information about themselves and/or upload photos, video, written posts, and other content where such web pages or profiles are available to the public or to other users, and/or

(ii) may communicate with other users, such as through chat rooms, instant messenger, direct messaging, emailing, and/or message boards.

2. "Personal information" shall include, but is not limited to, the following: (i) home address, (ii) telephone number, (iii) cell phone number, (iv) email address, (v) social security number, (vi) driver license number, (vii) marital status and identity of any present and former spouse, (viii) identity of children under eighteen, (ix) bank account number, (x) credit or debit card number, (xi) personal identification number (PIN), (xii) automated or electronic signature, (xiii) unique biometric data, and (xiv) account passwords.

3. "Judge" shall include an employed or former judge or justice of the unified court system, a judge or former judge of the housing part of the civil court of the city of New York, and an actively employed or former federal judge or magistrate who sits in New York state (or, if a former federal judge or magistrate, who, while active, sat in New York state).

§ 6. Subdivision 2 of section 120.45 of the penal law, as amended by chapter 184 of the laws of 2014, is amended to read as follows:

2. causes material harm to the mental or emotional health of such person, where such conduct consists of either (i) following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct, or (ii) disseminating personal information through or posting personal information on social networking websites about such person, a member of such person's immediate family or a third party with whom such person is acquainted; or

§ 7. The second undesignated paragraph of section 120.45 of the penal law, as added by chapter 184 of the laws of 2014, is amended to read as follows:

For the purposes of this section, it shall constitute presumptive evidence of "having no legitimate purpose" when (i) the victim of the conduct described under this section is an active or former judge, or a member of their immediate family, and (ii) the person charged pursuant to this section, or a member of such person's immediate family, was or is a party to a judicial proceeding pending before that judge. For purposes of subdivision two of this section, "following" shall include the unauthorized tracking of such person's movements or location through the use of a global positioning system or other device, and any posting on social networking websites of personal information shall be considered a "course of conduct" when the defendant has been notified that the individual whose personal information has been posted has requested the dissemination cease and/or the posting be deleted or otherwise removed from online publication and seventy-two hours have elapsed without the defendant requesting or completing such cessation, deletion, or removal.

§ 8. Subdivision 5 of section 120.55 of the penal law, as added by chapter 598 of the laws of 2003, is amended and a new subdivision 6 is added to read as follows:

5. Commits the crime of stalking in the third degree, as defined in subdivision three of section 120.50 of this article, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted[.]; or

6. Commits the crime of stalking in the fourth degree, as defined in section 120.45 of this article, against a judge or a member of a judge's immediate family.

§ 9. Section 120.60 of the penal law, as amended by chapter 434 of the laws of 2000, is amended to read as follows:

§ 120.60 Stalking in the first degree.

A person is guilty of stalking in the first degree when [~~he or she~~] **such person:**

1. commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 or stalking in the second degree as defined in section 120.55 of this article and, in the course and furtherance thereof, [~~he or she~~] **such person**:

[~~1.~~]**(a)** intentionally or recklessly causes physical injury to the victim of such crime; or

[~~2.~~]**(b)** commits a class A misdemeanor defined in article one hundred thirty of this chapter, or a class E felony defined in section 130.25, 130.40 or 130.85 of this chapter, or a class D felony defined in section 130.30 or 130.45 of this chapter**; or**

2. commits the crime of stalking in the second degree, as defined in subdivision six of section 120.55, and has previously been convicted of an offense defined under this section or section 120.45, 120.50, or 120.55 of this article within the prior five years.

Stalking in the first degree is a class D felony.

§ 10. The penal law is amended by adding a new section 240.33 to read as follows:

§ 240.33 Aggravated harassment of a judge.

A person is guilty of aggravated harassment of a judge when:

1. With intent to harass another person, the actor either:

(a) communicates, anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, a person the actor knows or reasonably should know is a judge, or a member of such judge's immediate family, and the actor knows or reasonably should know that such communication will cause such judge to reasonably fear harm to such judge's physical safety or property, or to the physical safety or property of a member of such judge's immediate family; or

(b) causes a communication to be initiated anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, a person the actor knows or reasonably should know is a judge, or a member of such judge's immediate family, and the actor knows or reasonably should know that such communication will cause such judge to reasonably fear harm to such person's physical safety or property, or to the physical safety or property of a member of such judge's immediate family; or

2. With intent to harass or threaten a person the actor knows or reasonably should know is a judge or a member of such judge's immediate family, the actor makes a telephone call, whether or not a conversation ensues, with no purpose of legitimate communication; or

3. With the intent to harass, annoy, threaten or alarm a person the actor knows or reasonably should know is a judge or a member of such judge's immediate family, the actor strikes, shoves, kicks, or otherwise subjects another person to physical contact, or attempts or threatens to do the same because of a belief or perception regarding such person's race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability or sexual orientation, regardless of whether the belief or perception is correct; or

4. With the intent to harass, annoy, threaten or alarm a person the actor knows or reasonably should know is a judge or a member of such

judge's immediate family, the actor strikes, shoves, kicks or otherwise subjects another person to physical contact thereby causing physical injury to such person or to an immediate family member of such person; or

5. The actor commits the crime of harassment in the first degree against a person the actor knows or reasonably should know is a judge or a member of such judge's immediate family and has previously been convicted of the crime of harassment in the first degree as defined by section 240.25 of this article within the preceding ten years.

For purposes of this section: "judge" shall include an employed or former judge or justice of the unified court system, a judge or former judge of the housing part of the civil court of the city of New York, and an actively employed or former federal judge or magistrate who sits in New York state (or, if a former federal judge or magistrate, who, while active, sat in New York state); and "immediate family" means the spouse, former spouse, parent, child, sibling, or any other person who regularly resides or has regularly resided in the household of a person.

Aggravated harassment of a judge is a class E felony.

§ 11. Section 3-220 of the election law is amended by adding a new subdivision 8 to read as follows:

8. Where a board of elections receives a notification pursuant to paragraph (c) of subdivision two of section eight hundred fifty-nine of the judiciary law, such board of elections shall comply with such notification, except that where the notification requires the board of elections to cease making a person's address public, such board shall not comply therewith from the date of filing of any ballot access or related document containing such address until thirty days after the last day to commence a special proceeding or action with respect to such filing.

§ 12. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, the provisions of sections three, four, five, six, seven, eight, nine and ten of this act shall take effect the first day of November next succeeding the ninetieth day following the date on which this act shall have become a law.

PART G

Section 1. Subdivision 8 of section 10 of the cannabis law, as amended by section 9 of part UU of chapter 56 of the laws of 2023, is amended to read as follows:

8. To conduct regulatory inspections during normal business hours of any place of business, including a vehicle or storage facility used for such business, where medical cannabis, adult-use cannabis, cannabis, cannabis product, cannabinoid hemp, hemp extract products, or any products marketed or labeled as such, are cultivated, processed, stored, distributed or sold by any person holding a registration, license, or permit under this chapter, or by any person who is engaging in activity for which a license would be required under this chapter. For the purposes of this subdivision, "place of business" shall not include a residence or other real property not otherwise held out as open to the public or otherwise being utilized in a business or commercial manner or any private vehicle or storage facility on or about the same such property, unless probable cause exists to believe that such residence, real property, or vehicle are being used in such business or commercial manner for the activity described herein.

§ 2. Subdivisions 3 and 5 of section 11 of the cannabis law, as amended by section 10 of part UU of chapter 56 of the laws of 2023, are amended to read as follows:

3. To conduct regulatory inspections during normal business hours of any place of business, including a vehicle **or storage facility** used for such business, where cannabis, cannabis product, cannabinoid hemp, hemp extract products, or any products marketed or labeled as such, are cultivated, processed, manufactured**, distributed, stored,** or sold, irrespective of whether a registration, license, or permit has been issued under this chapter. For the purposes of this subdivision, "place of business" shall not include a residence or other real property not otherwise held out as open to the public or otherwise being utilized in a business or commercial manner or any private vehicle **or storage facility** on or about the same such property, unless probable cause exists to believe that such residence, real property, or vehicle are being used in such business or commercial manner for the activity described herein.

5. To conduct regulatory inspections during normal business hours of any registered, licensed or permitted place of business, including a vehicle **or storage facility** used for such business, where medical cannabis, adult-use cannabis, cannabinoid hemp, hemp extract products, or any products marketed or labeled as such, are cultivated, processed, stored, distributed or sold. For the purposes of this subdivision, "place of business" shall not include a residence or other real property not otherwise held out as open to the public or otherwise being utilized in a business or commercial manner or any private vehicle **or storage facility** on or about the same such property, unless probable cause exists to believe that such residence, real property, or vehicle are being used in such business or commercial manner for the activity described herein.

§ 3. Section 16 of the cannabis law is amended by adding a new subdivision 7 to read as follows:

7. Any action or proceeding brought pursuant to this section or section sixteen-a of this article or section one hundred thirty-eight-a of this chapter may be filed under temporary seal and the clerk shall provide a sealed index number upon request of the office or the attorney general. If temporary sealing cannot be implemented via the court's electronic filing system, such action or proceeding shall be permitted by the court to be filed through hard copy.

§ 4. Section 16-a of the cannabis law, as added by section 12 of part UU of chapter 56 of the laws of 2023, is amended to read as follows:

§ 16-a. Emergency relief. Following service of [~~a notice of violation and~~] **an** order requiring immediate cessation of unlicensed activity under this chapter, the office of cannabis management, or the attorney general, at the request of and on behalf of the office**, or any county attorney, corporation counsel, or local government authorized pursuant to subdivision eight of this section to bring and maintain a civil proceeding in accordance with the procedures set forth in this section,** may bring and maintain a civil proceeding in the supreme court of the county in which the building or premises is located to permanently enjoin such unlicensed activity when conducted, maintained, or permitted in such building or premises, occupied as a place of business as described in subdivision eight of section ten of this chapter, in violation of subdivision one or one-a of section one hundred twenty-five of this chapter or subdivision eight of section one hundred thirty-two of this chapter, which shall constitute an unlicensed activity that presents a danger to the public health, safety, and welfare, and shall also enjoin the person

or persons conducting or maintaining such unlicensed activity, in accordance with the following procedures:

1. Proceeding for permanent injunction. (a) To the extent known, the owner, lessor, and lessee of a building or premises wherein the unlicensed activity is being conducted, maintained, or permitted shall be made defendants in the proceeding. The venue of such proceeding shall be in the county where the unlicensed activity is being conducted, maintained, or permitted **or in any venue where a respondent is located**. The existence of an adequate remedy at law shall not prevent the granting of temporary or permanent relief pursuant to this section.

(b) The proceeding shall name as defendants the building or premises wherein the unlicensed activity is being conducted, maintained, or permitted, by describing it by tax lot and street address and at least one of the owners of some part of or interest in the property.

(c) In rem jurisdiction shall be complete over the building or premises wherein the unlicensed activity is being conducted, maintained, or permitted by affixing the notice of petition **or order to show cause** to the door of the building or premises and by mailing the notice of petition **or order to show cause** by certified or registered mail, return receipt requested, to one of the owners of some part of or interest in the property. Proof of service shall be filed [~~within two days~~] **promptly** thereafter with the clerk of the court designated in the notice of petition **or order to show cause**. In any county where e-filing is available, proof of service may be mailed to the clerk. Service shall be complete upon such filing or mailing.

(d) Defendants, other than the building or premises wherein the unlicensed activity is being conducted, maintained, or permitted, shall be served with the notice of petition **or order to show cause** as provided in the civil practice law and rules or pursuant to court order. No more than thirty days prior to such service, the office shall mail a copy, by certified mail, of any [~~prior notice of violation or letter or~~] order to cease and desist relating to the unlicensed activity at the building or premises to the person in whose name the real estate affected by the proceeding is recorded in the office of the city register or the county clerk, as the case may be, who shall be presumed to be the owner thereof. Such mailing shall constitute notice to the owner and shall be deemed to be complete upon such mailing by the office as provided above. No more than fifteen days prior to such service, the office, [~~or~~] the attorney general, at the request of and on behalf of the office of cannabis management, **or any local government authorized pursuant to subdivision eight of this section** shall verify the ongoing occupancy of any natural person who is a tenant of record and alleged to have caused or permitted the unlicensed activity in the building or premises wherein the unlicensed activity is alleged to have been conducted, maintained, or permitted. [~~If at any time such defendants vacate such building or premises, any action or proceeding filed in accordance with these procedures relating to such building or premises shall be withdrawn.~~]

(e) With respect to any proceeding commenced or to be commenced pursuant to this section by the office of cannabis management or the attorney general, at the request of and on behalf of the office, may file a notice of pendency pursuant to the provisions of article sixty-five of the civil practice law and rules.

(f) The person in whose name the real estate affected by the proceeding is recorded in the office of the city register or the county clerk, as the case may be, shall be presumed to be the owner thereof. Upon being served in a proceeding under this section, such owner shall, to

the extent known, provide to the office of cannabis management, within three days, the names of any other owners, lessors and lessees of the building or premises that is the subject of the proceeding. Thereafter, such owners, lessors and lessees may be made parties to the proceeding.

(g) Whenever there is evidence that a person was the manager, operator, supervisor or, in any other way, in charge of the premises, at the time the unlicensed activity was being conducted, maintained, or permitted, such evidence shall be presumptive that [~~he or she was~~] they were an agent or employee of the owner or lessee of the building or premises.

(h) A defendant shall furnish to any other party, within five days after a demand, a verified statement identifying:

(i) If the responding party is a natural person, such party's: (1) full legal name; (2) date of birth; (3) current home or business street address; and (4) a unique identifying number from: (A) an unexpired passport; (B) an unexpired state driver's license; or (C) an unexpired identification card or document issued by a state or local government agency or tribal authority for the purpose of identification of that individual;

(ii) If the responding party is a partnership, limited liability partnership, limited liability company, or other unincorporated association, including a for profit or not-for-profit membership organization or club, the information required pursuant to subparagraph (i) of this paragraph for each of its partners or members, as well as the state or other jurisdiction of its formation;

(iii) If the responding party is a corporation, its state or other jurisdiction of incorporation, principal place of business, and any state or other jurisdiction of which that party is a citizen;

(iv) If the responding party is not an individual, in addition to any information provided pursuant to subparagraphs (ii) and (iii) of this paragraph, and to the extent not previously provided, each beneficial owner of the responding party by: (1) full legal name; (2) date of birth; (3) current home or business street address; and (4) a unique identifying number from: (A) an unexpired passport; (B) an unexpired state driver's license; or (C) an unexpired identification card or document issued by a state or local government agency or tribal authority for the purpose of identification of that individual. As used in this subparagraph, the term "beneficial owner" shall have the same meaning as defined in 31 U.S.C. § 5336(a)(3), as amended, and any regulations promulgated thereunder.

(i) If a finding is made that the defendant has conducted, maintained, or permitted the unlicensed activity a penalty, to be included in the judgment, may be awarded in an amount not to exceed ten thousand dollars for each day it is found that the defendant intentionally conducted, maintained or permitted the unlicensed activity. With regard to any defendant conducting the referenced unlicensed activity, any such penalties may be awarded in addition to any penalties that may be imposed pursuant to section one hundred thirty-two of this chapter. Upon recovery, such penalty shall be paid to the office of cannabis management, or to the county attorney, corporation counsel, or local government that has been authorized pursuant to subdivision eight of this section to bring and maintain a civil proceeding in accordance with the procedures set forth in this section.

2. Preliminary injunction. (a) Pending a proceeding for a permanent injunction pursuant to this section the court may grant a preliminary injunction enjoining the unlicensed activity and the person or persons conducting, maintaining, or permitting the unlicensed activity from

further conducting, maintaining, or permitting the unlicensed activity, where the public health, safety or welfare immediately requires the granting of such injunction. A temporary closing order may be granted pending a hearing for a preliminary injunction where it appears by clear and convincing evidence that unlicensed activity within the scope of this section is being conducted, maintained, or permitted and that the public health, safety or welfare immediately requires the granting of a temporary closing order. A temporary restraining order may be granted pending a hearing for a preliminary injunction.

(b) A preliminary injunction shall be enforced by the office or, at the request of the office, the attorney general. At the request of the office, a police officer or peace officer with jurisdiction may also enforce the preliminary injunction.

(c) The office or the attorney general shall show, by affidavit and such other evidence as may be submitted, that there is a cause of action for a permanent injunction abating unlicensed activity.

3. Temporary closing order. (a) If, on a motion for a preliminary injunction alleging unlicensed activity as described in this section in a building or premises used for commercial purposes only, the office or the attorney general demonstrates by clear and convincing evidence that such unlicensed activity is being conducted, maintained, or permitted and that the public health, safety, or welfare immediately requires a temporary closing order, a temporary order closing such part of the building or premises wherein such unlicensed activity is being conducted, maintained, or permitted may be granted without notice, pending order of the court granting or refusing the preliminary injunction and until further order of the court. Upon granting a temporary closing order, the court shall direct the holding of a hearing for the preliminary injunction at the earliest possible time but no later than [~~three~~] **ten** business days from the granting of such order; a decision on the motion for a preliminary injunction shall be rendered by the court within [~~three business~~] **thirty calendar** days after the conclusion of the hearing.

(b) Unless the court orders otherwise, a temporary closing order together with the papers upon which it was based and a notice of hearing for the preliminary injunction shall be personally served, in the same manner as a summons as provided in the civil practice law and rules.

(c) [~~A temporary closing order shall only be issued prior to a hearing on a preliminary injunction if the building or premises is used for commercial purposes only.~~

~~(d)~~] No temporary closing order shall be issued against any building or premises where, in addition to the unlicensed activity which is alleged, activity that is licensed or otherwise lawful remains in place **and the unlicensed activity is merely a de minimis part of the business. In assessing whether unlicensed activity within a building or premises is more than de minimis, the court shall consider such factors as: (i) the presence of signs or symbols, indoors or out, advertising unlicensed activity or otherwise indicating that cannabis is sold on the premises; (ii) information shared in any advertisements or other marketing content, including but not limited to social media, in connection with the unlicensed activity; (iii) the layout of the business with regard to lawful and unlicensed activities occurring on the premises; and (iv) an assessment of the volume of cannabis, cannabis products, cannabinoid hemp, hemp extract product, or any product marketed or labeled as such at such place of business**. In addition, no temporary closing order shall be issued against any building or premises which is used in part as

residence and pursuant to local law or ordinance is zoned and lawfully occupied as a residence.

4. Temporary restraining order. (a) If, on a motion for a preliminary injunction alleging unlicensed activity as described in this section in a building or premises used for commercial purposes, the office or the attorney general demonstrates by clear and convincing evidence that such unlicensed activity is being conducted, maintained, or permitted and that the public health, safety, or welfare immediately requires a temporary restraining order, a temporary restraining order may be granted without notice restraining the defendants and all persons from removing or in any manner interfering with the furniture, fixtures and movable property used in conducting, maintaining or permitting such unlicensed activity, including [~~adult-use~~] cannabis, **cannabis product, cannabinoid hemp or hemp extract product, or any product marketed or labeled as such** and from further conducting, maintaining or permitting such unlicensed activity, pending order of the court granting or refusing the preliminary injunction and until further order of the court. Upon granting a temporary restraining order, the court shall direct the holding of a hearing for the preliminary injunction at the earliest possible time but no later than three business days from the granting of such order; a decision on the motion for a preliminary injunction shall be rendered by the court within [~~three business~~] **thirty calendar** days after the conclusion of the hearing.

(b) Unless the court orders otherwise, a temporary restraining order and the papers upon which it was based and a notice of hearing for the preliminary injunction shall be personally served, in the same manner as a summons as provided in the civil practice law and rules**, upon any agent, employee, or other representative of the defendant business present at the time the temporary restraining order is effectuated**.

5. Temporary closing order; temporary restraining order; additional enforcement procedures. (a) If on a motion for a preliminary injunction, the office of cannabis management or the attorney general submits evidence warranting both a temporary closing order and a temporary restraining order, the court shall grant both orders.

(b) Upon the request of the office, any police officer or peace officer with jurisdiction may assist in the enforcement of a temporary closing order and temporary restraining order. **Any reference to police officer or peace officer in this subdivision and subdivisions six and seven of this section shall also include any investigator employed by the office of the attorney general.**

(c) The police officer or peace officer serving a temporary closing order or a temporary restraining order shall forthwith make and return to the court an inventory of personal property situated in and used in conducting, maintaining, or permitting the unlicensed activity within the scope of this chapter and shall enter upon the building or premises for such purpose. Such inventory shall be taken in any manner which is deemed likely to evidence a true and accurate representation of the personal property subject to such inventory including, but not limited to photographing such personal property**, except that any cash found on the premises during such inventory shall be inventoried, seized, and secured off premises pending further order of the court. Any police officer or peace officer, or any representative of the office, shall be permitted to review and copy records, including electronic records stored on cloud platforms**.

(d) The police officer or peace officer serving a temporary closing order shall, upon service of the order, command all persons present in

the building or premises to vacate the premises forthwith. Upon the building or premises being vacated, the premises shall be securely locked and all keys delivered to the officer serving the order who thereafter [~~shall~~] may deliver the keys to the fee owner, lessor, or lessee of the building or premises involved. If the fee owner, lessor, or lessee is not at the building or premises when the order is being executed, the officer shall securely padlock the premises and retain the keys until the fee owner, lessor, or lessee of the building is ascertained, in which event, the officer [~~shall~~] may deliver the keys to such owner, lessor, or lessee **or retain them pending further order of the court**.

(e) Upon service of a temporary closing order or a temporary restraining order, the police officer or peace officer shall post a copy thereof in a conspicuous place or upon one or more of the principal doors at entrances of such premises where the unlicensed activity is being conducted, maintained, or permitted. In addition, where a temporary closing order has been granted, the officer shall affix, in a conspicuous place or upon one or more of the principal doors at entrances of such premises, a printed notice that the premises have been closed by court order, which notice shall contain the legend "closed by court order" in block lettering of sufficient size to be observed by anyone intending or likely to enter the premises, the date of the order, the court from which issued, and the name of the officer or agency posting the notice. In addition, where a temporary restraining order has been granted, the police officer or peace officer shall affix, in the same manner, a notice similar to the notice provided for in relation to a temporary closing order except that the notice shall state that certain described activity is prohibited by court order and that removal of property is prohibited by court order. Mutilation or removal of such a posted order or such a posted notice while it remains in force, in addition to any other punishment prescribed by law, shall be punishable, on conviction, by a fine of not more than five thousand dollars or by imprisonment not exceeding ninety days, or by both, provided such order or notice contains therein a notice of such penalty. Any police officer or peace officer with jurisdiction may, upon the request of the office, assist in the enforcement of this section.

6. Temporary closing order; temporary restraining order; defendant's remedies. (a) A temporary closing order or a temporary restraining order [~~shall~~] may be vacated, upon notice to the office **and to any county attorney, corporation counsel, or local government that may have been authorized pursuant to subdivision eight of this section to bring and maintain the proceeding in accordance with the procedures set forth in this section**, if [~~the~~] **a** defendant **who is the fee owner, lessor, or lessee of the building or premises** shows by affidavit and such other proof as may be submitted that the unlicensed activity within the scope of this chapter has been abated **and that they are also not affiliated with the person who is conducting the unlicensed activity**. An order vacating a temporary closing order or a temporary restraining order shall include a provision authorizing the office**, or any county attorney, corporation counsel, or local government, as applicable,** to inspect the building or premises which is the subject of a proceeding pursuant to this subdivision, periodically without notice, during the pendency of the proceeding for the purpose of ascertaining whether or not the unlicensed activity has been resumed. Any police officer or peace officer with jurisdiction may, upon the request of the office, assist in the

enforcement of an inspection provision of an order vacating a temporary closing order or temporary restraining order.

(b) A temporary closing order or a temporary restraining order may be vacated by the court, upon notice to the office, **or any county attorney, corporation counsel, or local government, as applicable,** when [~~the~~] **a** defendant **entitled to request vacatur pursuant to paragraph (a) of this subdivision** gives an undertaking and the court is satisfied that the public health, safety, or welfare will be protected adequately during the pendency of the proceeding. The undertaking shall be in an amount equal to the assessed valuation of the building or premises where the unlicensed activity is being conducted, maintained, or permitted or in such other amount as may be fixed by the court. The defendant shall pay to the office and the attorney general, in the event a judgment of permanent injunction is obtained, their actual costs, expenses and disbursements in bringing and maintaining the proceeding. In addition, the defendant shall pay to the local government or law enforcement agency that provided assistance in enforcing any order of the court issued pursuant to a proceeding brought under this section, its actual costs, expenses and disbursements in assisting with the enforcement of the proceeding.

7. Permanent injunction. (a) A judgment awarding a permanent injunction pursuant to this chapter shall direct that any illicit cannabis**, cannabis product, cannabinoid hemp or hemp extract product, or any product marketed or labeled as such** seized shall be turned over to the office of cannabis management or their authorized representative. The judgment may further direct any police officer or peace officer with jurisdiction to seize and remove from the building or premises all material, equipment, and instrumentalities used in the creation and maintenance of the unlicensed activity and shall direct the sale by the sheriff of any such property in the manner provided for the sale of personal property under execution pursuant to the provisions of the civil practice law and rules**, if the estimated value of the property exceeds the estimated lawful expenses of such sale, or the disposal of the property if the estimated value of the property does not exceed the estimated lawful expenses of such sale**. The net proceeds of any such sale, after deduction of the lawful expenses involved, shall be paid to the general fund of the state.

(b) A judgment awarding a permanent injunction pursuant to this chapter may direct the closing of the building or premises by any police officer or peace officer with jurisdiction to the extent necessary to abate the unlicensed activity and shall direct any police officer or peace officer with jurisdiction to post a copy of the judgment and a printed notice of such closing conforming to the requirements of this chapter. The closing directed by the judgment shall be for such period as the court may direct but in no event shall the closing be for a period of more than one year from the posting of the judgment provided for in this section. If the owner shall file a bond in the value of the property ordered to be closed and submits proof to the court that the unlicensed activity has been abated and will not be created, maintained, or permitted for such period of time as the building or premises has been directed to be closed in the judgment, **and also submits proof that they are also not affiliated with the person who is conducting the unlicensed activity,** the court may vacate the provisions of the judgment that direct the closing of the building or premises. A closing by a police officer or peace officer with jurisdiction pursuant to the provisions of this section shall not constitute an act of possession,

ownership, or control by such police officer or peace officer of the closed premises.

(c) Upon the request of the office of cannabis management or its authorized representative, **or any county attorney, corporation counsel, or local government authorized pursuant to subdivision eight of this section to bring and maintain a civil proceeding in accordance with the procedures set forth in this section,** any police officer or peace officer with jurisdiction may assist in the enforcement of a judgment awarding a permanent injunction entered in a proceeding brought pursuant to this chapter.

(d) A judgment rendered awarding a permanent injunction pursuant to this chapter shall be and become a lien upon the building or premises named in the petition in such proceeding, such lien to date from the time of filing a notice of lis pendens in the office of the clerk of the county wherein the building or premises is located. Every such lien shall have priority before any mortgage or other lien that exists prior to such filing except tax and assessment liens.

(e) A judgment awarding a permanent injunction pursuant to this chapter shall provide, in addition to the costs and disbursements allowed by the civil practice law and rules, upon satisfactory proof by affidavit or such other evidence as may be submitted, the actual costs, expenses and disbursements of the office and the attorney general**, or of any county attorney, corporation counsel, or local government authorized pursuant to subdivision eight of this section to bring and maintain a civil proceeding in accordance with the procedures set forth in this section,** in bringing and maintaining the proceeding.

8. Civil proceedings. In addition to the authority granted in this section to the office of cannabis management and the attorney general, **any** county attorney, corporation counsel, or local government in which such building or premises is located may, after the office of cannabis management grants permission in writing, bring and maintain a civil proceeding in the supreme court of the county in which the building or premises is located to permanently enjoin the unlicensed activity described in this section and the person or persons conducting or maintaining such unlicensed activity, in accordance with the procedures set forth in this section. The office shall be permitted to intervene as of right in any such proceeding. Any such governmental entity which obtains a permanent injunction pursuant to this chapter shall be awarded, in addition to the costs and disbursements allowed by the civil practice law and rules, upon satisfactory proof by affidavit or such other evidence as may be submitted, **any penalties awarded pursuant to paragraph (h) of subdivision one or paragraph (e) of subdivision five of this section and** the actual costs, expenses and disbursements in bringing and maintaining the proceeding. The authority provided by this subdivision shall be in addition to, and shall not be deemed to diminish or reduce, any rights of the parties described in this section under existing law for any violation pursuant to this chapter or any other law.

§ 5. Subdivision 3 of section 17 of the cannabis law, as amended by section 13 of part UU of chapter 56 of the laws of 2023, is amended to read as follows:

3. Notice and right of hearing as provided in the state administrative procedure act shall be served at least fifteen days prior to the date of the hearing, provided that, whenever because of danger to the public health, safety or welfare it appears prejudicial to the interests of the people of the state to delay action for fifteen days or with respect to

a violation of subdivision one or one-a of section one hundred twenty-five of this chapter, the board may serve the respondent with an order requiring certain action [~~or~~], the cessation of certain activities, or the sealing of a premises immediately or within a specified period of less than fifteen days. Whenever a notice of violation or order has been served, the respondent shall be provided an opportunity to request a hearing pursuant to the procedures established by the office and in accordance with the state administrative procedure act and the provisions of this chapter.

§ 6. Subdivisions 5, 6, 7 and 8 of section 17 of the cannabis law are renumbered subdivisions 7, 8, 9, and 10 and two new subdivisions 5 and 6 are added to read as follows:

5. Prior to a hearing, a party, other than the board or office, shall furnish to any other party, within five days after a demand, or sooner if the hearing is scheduled less than five days from the date of demand, a verified statement setting forth:

(a) If the responding party is a natural person, such party's: (i) full legal name; (ii) date of birth; (iii) current home or business street address; and (iv) a unique identifying number from: (1) an unexpired passport; (2) an unexpired state driver's license; or (3) an unexpired identification card or document issued by a state or local government agency or tribal authority for the purpose of identification of that individual;

(b) If the responding party is a partnership, limited liability partnership, limited liability company, or other unincorporated association, including a for profit or not-for-profit membership organization or club, the information required pursuant to paragraph (a) of this subdivision for all of its partners or members, as well as the state or other jurisdiction of its formation;

(c) If the responding party is a corporation, its state or other jurisdiction of incorporation, principal place of business, and any state or other jurisdiction of which that party is a citizen;

(d) If the responding party is not an individual, in addition to any information provided pursuant to paragraphs (b) and (c) of this subdivision, and to the extent not previously provided, each beneficial owner of the responding party by: (i) full legal name; (ii) date of birth; (iii) current home or business street address; and (iv) a unique identifying number from: (1) an unexpired passport; (2) an unexpired state driver's license; or (3) an unexpired identification card or document issued by a state or local government agency or tribal authority for the purpose of identification of that individual. As used in this section, the term "beneficial owner" shall have the same meaning as defined in 31 U.S.C. § 5336(a)(3), as amended, and any regulations promulgated thereunder.

6. Prior to a hearing, the office may, at its discretion, request a stay of any proceeding and the board or those designated by them shall grant such request. The initiation of any action, by or on behalf of the office, in state or federal court on matters directly or indirectly related to the subject of any pending administrative proceeding shall, upon a request by the office, provide sufficient basis for an immediate stay of such administrative proceeding.

§ 7. Subdivision 8 of section 17 of the cannabis law, as amended by section 13 of part UU of chapter 56 of the laws of 2023 and as renumbered by section six of this act, is amended to read as follows:

8. Following a hearing, the board may make appropriate determinations and issue a final order in accordance therewith. Any such order may

include financial penalties as well as injunctive relief, including an order to seal a premises in accordance with section one hundred thirty-eight-b of this chapter. The respondent and the office shall have thirty days to submit a written appeal to the board. If [~~the respondent does not~~] any party fails to submit a written appeal within thirty days of the determination of the board the order shall be final.

§ 8. Subdivision 1 of section 125 of the cannabis law is amended and a new subdivision 1-b is added to read as follows:

1. No person shall cultivate, process, distribute for sale or sell at wholesale or retail or deliver to consumers any cannabis, cannabis product, medical cannabis or cannabinoid hemp or hemp extract product, or any product marketed or labeled as such, within the state without obtaining the appropriate registration, license, or permit therefor required by this chapter unless otherwise authorized by law.

1-b. Any activity conducted in violation of subdivision one or one-a of this section creates a significant risk of imminent physical harm to natural persons, presents a danger to public health, safety, or welfare, and constitutes a public nuisance.

§ 9. Section 131 of the cannabis law is amended by adding a new subdivision 3 to read as follows:

3. Any county, town, city or village governing bodies may adopt local laws or ordinances pertaining to unlicensed persons selling cannabis, cannabis products, or any product marketed or labeled as such in a place of business without obtaining the appropriate registration, license, or permit therefor, or engaging in an indirect retail sale in a place of business, provided that no two such local laws or ordinances shall relate to the same geographic region. Any such laws or ordinances shall:

(a) establish a local registry, which shall mirror a list maintained by the office for this purpose, as updated, and shall reflect the current name and address of all registered organizations, licensees, or permittees with licensed or permitted premises within the geographical boundaries of the county, town, city, or village;

(b) establish civil penalties for any persons engaging in selling cannabis, cannabis products, or any product marketed or labeled as such in a place of business without appearing on the local registry adopted pursuant to local law or ordinance, or any indirect retail sales, which may include fees, fines or other financial penalties or other remedies, including closures of the premises or building where such retail sales or indirect retail sales are taking place, and a process for adjudicating any hearings required in connection with the issuance of such penalties;

(c) establish a process by which the county, town, city, or village shall execute any closure orders, and a process by which the enforcing entity shall be required to seize all cannabis, cannabis products, and any products marketed or labeled as such, and to destroy such products;

(d) designate a local official who shall serve as the liaison to the office and who shall be required to receive local registry updates from the office, immediately adopt such updates, coordinate with the office on such local enforcement efforts, and send monthly reports to the office in a manner and format prescribed by the office detailing recent enforcement efforts and, when executing closure orders, the amount and nature of the cannabis products seized; and

(e) require that a copy of such local law or ordinance be filed with the office a minimum of ten days before the effective date of such law or ordinance.

§ 10. Subdivisions 1 and 1-a of section 132 of the cannabis law, subdivision 1 as amended and subdivision 1-a as added by section 17 of part UU of chapter 56 of the laws of 2023, are amended to read as follows:

1.(a) Any person who cultivates for sale**, offers to sell,** or sells cannabis, cannabis products, medical cannabis, or any product marketed or labeled as such, without having an appropriate registration, license or permit therefor, including a person whose registration, license, or permit has been revoked, surrendered or cancelled, where such person is engaging in activity for which a license would be required under this chapter, may be subject to a civil penalty of not more than ten thousand dollars for each day during which such violation continues and an additional civil penalty in an amount of no more than five times the revenue from such prohibited sales or, in an amount of no more than three times the projected revenue for any such product found in the possession of such person based on the retail list price of such products; provided, however, that any such person who engages in such activity from a residence or other real property not otherwise held out as open to the public or otherwise being utilized in a business or commercial manner or any private vehicle on or about same such property, and the quantity of such product on such premises or vehicle does not exceed the limits of personal use under article two hundred twenty-two of the penal law, may be subject to a civil penalty of no more than five thousand dollars.

Provided, further, that where such person has been ordered to cease such conduct pursuant to subdivision one of section one hundred thirty-eight-a of this [~~chapter~~] **article**, such person may be assessed a civil penalty of no more than twenty thousand dollars per day for each day during which such violation continues after receiving such order in addition to the additional civil penalties set forth above; provided, however, that any such person who engages in such activity from a residence or other real property not otherwise held out as open to the public or otherwise being utilized in a business or commercial manner or any private vehicle on or about same such property, and the quantity of such product on such premises or vehicle does not exceed the limits of personal use under article two hundred twenty-two of the penal law, may be subject to a civil penalty of no more than ten thousand dollars.

(b) If a person engaging in the conduct described in paragraph (a) of this subdivision[~~,~~] or subdivision one-a of this section refuses to permit the office or the board from performing a regulatory inspection, such person may be assessed a civil penalty of up to [~~four~~] **twenty** thousand dollars for a first refusal and up to [~~eight~~] **forty** thousand dollars for a second or subsequent refusal within three years of a prior refusal. If the office or board is not permitted access for a regulatory inspection pursuant to section ten or section eleven of this chapter, as applicable, by such person, the attorney general, upon the request of the office or the board, shall be authorized to apply, without notice to such person, to the supreme court in the county in which the place of business is located for an order granting the office or board access to such place of business. The court may grant such an order if it determines, based on evidence presented by the attorney general, that there is reasonable cause to believe that such place of business is a place of business which does not possess a valid registration, license, or permit issued by the office or board.

(c) In assessing the civil penalties under this subdivision **or subdivision one-a of this section**, the board or office shall take into consideration the nature of such violation and shall assess a penalty

that is proportionate to the violation; provided, however, that an affidavit from a representative of the office, the office of the attorney general, or a local government, or a local police officer confirming the presence of conduct described in this subdivision or subdivision one-a following an inspection by the office after the office has ordered such conduct to cease shall be sufficient to establish a prima facie case that such conduct had been continuing for each business day between the initial inspection and the last observed or otherwise documented conduct, and shall require the imposition of the maximum per day penalty permitted under paragraph (a) of this subdivision, and the documented presence of such conduct upon or at the completion of an administrative inspection or investigation shall require the assessment of the maximum penalty permitted under paragraph (b) of this subdivision.

1-a. Any person [~~found to have~~] who engaged in indirect retail sale in violation of subdivision one-a of section one hundred twenty-five of this [~~chapter~~] article, shall be subject to a civil penalty in an amount equaling the lesser of three times the revenue for such indirect retail sales or up to two thousand five hundred dollars for each such sale, provided, however, that where such conduct also constitutes a violation of subdivision one of this section, such person may only be subject to the civil penalties under one such subdivision, and provided, further, that where such person has been ordered to cease such conduct pursuant to subdivision one of section one hundred thirty-eight-a of this article, such person may be assessed a civil penalty of up to five thousand dollars for each day during which such violation continues in addition to any civil penalties set forth above.

§ 11. Subdivisions 2, 4 and 5 of section 138-a of the cannabis law, subdivision 2 as added and subdivisions 4 and 5 as amended by section 20 of part UU of chapter 56 of the laws of 2023, are amended and eight new subdivisions 6, 7, 8, 9, 10, 11, 12, and 13 are added to read as follows:

2. seize any cannabis, cannabis product, cannabinoid hemp or hemp extract product, or any product marketed or labeled as such, found in the possession of a person engaged in the conduct described in subdivision one of this section and their place of business, including a vehicle or storage facility used for such business;

4. seek injunctive relief against any person engaging in conduct in violation of this section; [~~and~~]

5. request that the attorney general obtain judicial enforcement of an order issued under subdivision one of this section or bring an action or proceeding for any relief otherwise authorized under this chapter for a violation of this chapter, including the recovery of any applicable civil penalties[~~.~~];

6. in connection with any regulatory inspection or investigation or action thereafter, review, seize and copy records, including electronic records stored on cloud platforms, which may establish the duration or extent of any unlawful operation;

7. in connection with any action or proceeding authorized by this chapter, request that the attorney general or any police officer or peace officer seize or remove all material, equipment, and instrumentalities used in the creation and maintenance of the conduct described in subdivision one of this section;

8. in connection with any inspection or subsequent investigation of a person engaged in the conduct described in subdivision one of this section, issue subpoenas to any owners, managers, or employees of such person for information regarding the person and the conduct;

9. with the assistance of law enforcement, seize or impound other property used in furtherance of the conduct described in subdivision one of this section;

10. upon an ex parte order to a court, request the court to issue a restraining order freezing liquid assets to enforce the provisions of this section and section sixteen-a of this chapter and section one hundred thirty-two of this article;

11. in accordance with the procedures outlined in section one hundred thirty-eight-b of this chapter, issue and execute an order to seal a building or premises of any unlicensed businesses in which any person is engaged in conduct in violation of this section or section one hundred twenty-five or one hundred thirty-two of this article;

12. upon receipt of one or more complaints that a person is engaged in conduct described in subdivision one of this section, apply or request that the attorney general apply, without notice to such person, to the supreme court in the county in which the place of business is located for an order granting the office or board access to such place of business. The court may grant such an order it if determines, based on evidence presented by the attorney general, that there is reasonable cause to believe that such place of business is the same place of business for which the office has received such complaints. Upon inspection, such person may be assessed a civil penalty of up to ten thousand dollars unless the person provides books and records to the office indicating that all transactions at the place of business do not constitute activities described in subdivision one of this section; and

13. if any penalty is not paid within six months, enter the amount thereof as a judgment in the office of the clerk of the county of Albany and in any other county in which the person resides, has a place of business, or through which it operates. If such judgment has not been satisfied within thirty days thereafter, no license, registration, or permit shall be issued by the board to such person for three years thereafter.

§ 12. The cannabis law is amended by adding a new section 138-b to read as follows:

§ 138-b. Orders to seal. 1. In addition to any other authority conferred in this chapter, pursuant to the provisions of this section, the board or the office shall have the authority to seal the building or premises, including the storage facility, of any businesses engaged in unlicensed activity, when such activity is conducted, maintained, or permitted in such building or premises, occupied as a place of business as described in subdivision eight of section ten of this chapter, in violation of subdivision one or one-a of section one hundred twenty-five or subdivisions one or eight of section one hundred thirty-two of this article.

2. Upon service of a notice of violation and order requiring immediate cessation of unlicensed activity pursuant to section one hundred thirty-eight-a of this article, the office may issue an order to seal any building or premises involved in the unlicensed activity in accordance with subdivision one of this section. Such order to seal shall be served and posted in accordance with the provisions of this chapter and regulations promulgated by the board, shall be made effective on the fifteenth calendar day after the delivery and posting of such order, and shall contain notice of the right to request a hearing within fourteen days of delivery and posting of such order to seal. If a hearing is requested within such fourteen-day period, the order shall be effective as set forth in the determination of the board or their designee. If no

hearing is requested within such fourteen-day period, the order shall be effective as noticed on the order.

3. Notwithstanding the provisions of subdivision two of this section, the office may issue an order to seal with an immediate effective date if such order is based upon a finding by the office of an imminent threat to the public health or safety. In such cases a hearing shall be held within three business days of a request for such hearing, unless otherwise adjourned by agreement of the parties, and a determination shall be rendered within four business days of the conclusion of such hearing.

4. The finding of whether an imminent threat to the public health or safety exists shall be based on factors that include but are not limited to:

(a) documented sales to minors;

(b) unlicensed processing of cannabis products at the building or premises;

(c) sales of products grown, processed, or packaged in another state, or labeled as such;

(d) orders issued following issuance of an order by a court to inspect the building or premises;

(e) orders issued following an inspection wherein the person engaged in the unlicensed activity engaged in violent, tumultuous, or other behaviors indicating expressed intent to not comply with the office's order to cease the unlicensed activity;

(f) documented presence of unlawful firearms at the building or premises;

(g) proximity of the building or premises to locations such as schools, houses of worship, or public youth facilities; or

(h) other factors that the board may establish by rule or regulation pursuant to the state administrative procedure act.

Such orders to seal shall be served in the same manner as the notice of violation and order to cease unlicensed activity.

5. Notwithstanding the factors listed in subdivision four of this section, the office may issue an order to seal with an immediate effective date upon a second, third, or fourth inspection in which unlicensed activity is confirmed to be continuing more than ten calendar days after a notice of violation and order to cease unlicensed activity was previously issued by the office.

6. An order to seal may be issued by the office or the board pursuant to subdivision three of this section only if: (a) no part of the building or premises to be sealed is used in part as a residence and pursuant to local law or ordinance is zoned and lawfully occupied as a residence; and (b) the unlicensed activity as described in this section is more than a de minimis part of the business activity on the premises or in the building to be sealed pursuant to the order.

7. In assessing whether unlicensed activity within a building or premises is more than de minimis, the office or board, as relevant, shall consider such factors as:

(a) the presence of signs or symbols, indoors or out, advertising the sale of cannabis or otherwise indicating that cannabis is sold on the premises;

(b) information shared in any advertisements or other marketing content in connection with the unlicensed business and any direct or indirect sales of cannabis or other conduct in violation of this chapter; and

(c) an assessment of the volume of illicit cannabis products on site.

8. Upon a request by the office, any police officer or peace officer with jurisdiction may assist in the enforcement of an order to seal issued by the office or the board, in accordance with the following procedures:

(a) The police officer or peace officer serving and executing the order to seal shall forthwith make and return to the office an inventory of personal property situated in and used in conducting, maintaining, or permitting the unlicensed activity within the scope of this chapter and shall enter upon the building or premises for such purpose. Such inventory shall be taken in any manner which is deemed likely to evidence a true and accurate representation of the personal property subject to such inventory including, but not limited to photographing such personal property.

(b) The police officer or peace officer serving and executing the order to seal shall enter the building or premises and, upon service of the order, command all persons present in the building or premises to vacate the premises forthwith. Upon the building or premises being vacated, the premises shall be securely locked and all keys delivered to the officer serving the order who thereafter shall deliver the keys to the fee owner, lessor, or lessee of the building or premises involved. If the fee owner, lessor, or lessee is not at the building or premises when the order is being executed, the officer shall securely padlock the premises and retain the keys until the fee owner, lessor, or lessee of the building is ascertained, in which event, the officer shall deliver the keys to such fee owner, lessor, or lessee.

(c) Upon service and execution of the order to seal, the police officer or peace officer shall post a copy thereof in a conspicuous place or upon one or more of the principal doors at entrances of such premises where the unlicensed activity is being conducted, maintained, or permitted. In addition, the officer shall affix, in a conspicuous place or upon one or more of the principal doors at entrances of such premises, a printed notice that the premises have been closed by order of the cannabis control board, and the name of the officer or agency posting the notice.

(d) Mutilation or removal of such a posted order or such a posted notice while it remains in force, in addition to any other punishment prescribed by law, shall be punishable, on conviction, by a fine of not more than five thousand dollars or by imprisonment not exceeding ninety days, or by both, provided such order or notice contains therein a notice of such penalty. Such penalty shall be enforced by the board or, upon a request by the office, the office of the attorney general or by a court of competent jurisdiction.

(e) Mutilation or removal of the secure padlock while the order to seal remains in place shall be punishable, upon conviction, by a fine of not more than twenty thousand dollars or by a class E felony, or both.

The office shall also adhere to these procedures when executing an order to seal issued in accordance with this section.

9. Any order to seal issued by the office or the board shall be effective for one year from the posting of the judgment provided for in this section. An order to seal may be vacated by the office or the board, upon notice to the office, if the respondent shows by affidavit and such other proof as may be submitted by the respondent that the unlicensed activity has been abated. An order vacating a previously issued order to seal shall include a provision authorizing the office, or any police officer or peace officer who assisted with the execution of the order to seal, to inspect the building or premises periodically without notice

for the purpose of ascertaining whether or not the unlicensed activity has been resumed. Any police officer or peace officer with jurisdiction may, upon the request of the office, assist in the enforcement of an inspection provision of an order vacating an order to seal.

10. The office shall mail a copy, by certified mail, of any order to seal issued by the office or board within five days following issuance of such order to the person in whose name the real estate affected by the order is recorded in the office of the city register or the county clerk, as the case may be, who shall be presumed to be the owner thereof. Such mailing shall constitute notice to the owner and shall be deemed to be complete upon such mailing by the office as provided above.

11. If at any time a respondent vacates the building or premises subject to an order to seal issued by the office or board, or if the building owner provides sufficient proof thereof, any action or proceeding filed in accordance with these procedures relating to such building or premises may be withdrawn by the office or the board without prejudice, and any order to seal may be vacated.

12. The remedies provided for in this section are not exclusive and the office or board may also request and recover penalties in accordance with other provisions in this chapter.

§ 13. This act shall take effect immediately and shall apply to offenses committed on or after the date this act shall have become a law; provided, however that the amendments to section 16-a of the cannabis law made by section four of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART H

Section 1. The opening paragraph of subdivision 1 of section 110-b of the alcoholic beverage control law, as amended by chapter 222 of the laws of 2019, is amended to read as follows:

Not [~~less than thirty nor~~] more than two hundred [~~and~~] seventy days before filing any of the following applications, an applicant shall notify the municipality in which the premises is located of such applicant's intent to file such an application:

§ 2. The opening paragraph of subdivision 2 of section 99-d of the alcoholic beverage control law, as amended by chapter 560 of the laws of 2011, is amended to read as follows:

Before any change in the members of a limited liability company or the transfer or assignment of a membership interest in a limited liability company or any corporate change in stockholders, stockholdings, alcoholic beverage officers, officers or directors, except officers and directors of a premises licensed as a club or a luncheon club under this chapter can be effectuated for the purposes of this chapter, there shall be filed with the liquor authority an application for permission to make such change and there shall be paid to the liquor authority in advance upon filing of the application a fee of one hundred twenty-eight dollars. Such application shall be deemed approved and in effect if not disapproved by the authority prior to the expiration of ninety days after receipt by the authority.

§ 3. Subdivision 1 of section 98 of the alcoholic beverage control law, as amended by chapter 703 of the laws of 2022, is amended to read as follows:

1. The liquor authority is hereby authorized to issue to a retail licensee for on-premises consumption or a licensed off-premises caterer furnishing provisions and service for use at a particular function,

occasion or event in a hotel, restaurant, club, ballroom or other premises a temporary [~~indoor~~] permit effective for a period not to exceed twenty-four consecutive hours, which shall authorize the service of alcoholic beverages at such function, occasion or event within the hours, fixed by or pursuant to subdivision five of section one hundred six of this chapter, during which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages at retail for on-premises consumption in the community in which is located the premises in which such function, occasion or event is held. The fee therefor shall be thirty-eight dollars. Such a permit and the exercise of the privilege granted thereby may be subjected to such rules by the liquor authority as it deems necessary and such rules as are in conformity with the provisions of subdivision two of this section. Such a permit may also be issued for functions, occasions or events at premises for which a summer license has been previously issued pursuant to this chapter.

§ 4. Subdivision 1 of section 97 of the alcoholic beverage control law, as amended by section 19 of part Z of chapter 85 of the laws of 2002, is amended to read as follows:

1. The liquor authority is hereby authorized to issue temporary permits effective for a period not to exceed twenty-four consecutive hours to authorize the sale of beer [~~and~~]~~,~~ wine [~~manufactured in New York state~~]**, cider, mead and/or braggot, and liquor** at outdoor or indoor gatherings, functions, occasions or events, within the hours fixed by or pursuant to subdivision five of section one hundred six of this chapter, during which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages at retail for on-premises consumption in the community in which is located the premises in which such gathering, function, occasion or event is held. The fee for such permit shall be twenty-six dollars. Such permit and the exercise of the privilege granted thereby shall be subject to such rules of the liquor authority as it deems necessary.

§ 5. Subdivision 2 of section 105 of the alcoholic beverage control law is REPEALED.

§ 6. This act shall take effect immediately, and shall apply to all applications received by the state liquor authority on and after such date. Effective immediately, the addition, amendment and/or repeal of any rule or regulation by the state liquor authority 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 I

Section 1. The alcoholic beverage control law is amended by adding a new section 97-d to read as follows:

§ 97-d. Temporary wholesale permit. 1. Any person may apply to the liquor authority for a temporary permit to operate any alcoholic beverage wholesale facility as may be licensed under this chapter. Such application shall be in writing and verified and shall contain information as the liquor authority shall require. Such application shall be accompanied by a check or draft in the amount of one hundred twenty-five dollars for such permit.

2. Upon application, the liquor authority may issue such temporary permit when:

(a) the applicant has a wholesale license application at the same premises pending before the liquor authority, together with all required filing and license fees;

(b) the applicant has obtained and provided evidence of all permits, licenses and other documents necessary for the operation of such a business; and

(c) any current license in effect at the premises has been surrendered or placed in safekeeping, or has been deemed abandoned by the authority.

3. The liquor authority in granting such permit shall ensure that:

(a) issuance of the permit will not inordinately hinder the operation or effective administration of this chapter;

(b) the applicant would in all likelihood be able to ultimately obtain the wholesale license being applied for; and

(c) the applicant has substantially complied with the requirements necessary to obtain such license.

4. The application for a permit shall be approved or denied by the liquor authority within forty-five days after the receipt of such application.

5. A temporary permit shall authorize the permittee to operate a wholesale facility for the purchase, warehousing, and sale of alcoholic beverages according to the laws applicable to the type of wholesale license being applied for.

6. Such temporary permit shall remain in effect for six months or until the wholesale license being applied for is approved and the license granted, whichever is shorter. Such permit may be extended at the discretion of the liquor authority for additional three-month periods of time upon payment of an additional fee of fifty dollars for each such extension.

7. Notwithstanding any provision of law to the contrary, a temporary wholesale permit may be summarily cancelled or suspended at any time if the liquor authority determines that good cause for cancellation or suspension exists. The liquor authority shall promptly notify the permittee in writing of such cancellation or suspension and shall set forth the reasons for such action.

8. The liquor authority in reviewing such application shall review the entire record and grant the temporary permit unless good cause is otherwise shown. A decision on an application shall be based on substantial evidence in the record and supported by a preponderance of the evidence in favor of the applicant.

§ 2. Section 104 of the alcoholic beverage control law is amended by adding a new subdivision 4 to read as follows:

4. Notwithstanding any other provision of this chapter to the contrary, the authority may issue a cider producer or wholesaler's license, beer wholesaler's license, wine wholesaler's license, or liquor wholesaler's license to the holder of any wholesaler's license issued pursuant to this chapter for use at such licensee's existing licensed premises. The liquor authority is hereby authorized to adopt such rules as it may deem necessary to carry out the purposes of this subdivision.

§ 3. This act shall take effect immediately and shall apply to all applications filed after the date it shall have become a law.

PART J

Section 1. Section 4 of chapter 118 of the laws of 2012 amending the alcoholic beverage control law relating to the powers of the chairman

and members of the authority, as amended by chapter 124 of the laws of 2021, is amended to read as follows:

§ 4. This act shall take effect immediately [~~and shall expire and be deemed repealed twelve years after such date~~].

§ 2. This act shall take effect immediately.

PART K

Section 1. Section 5 of chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, as amended by section 1 of part O of chapter 55 of the laws of 2023, is amended to read as follows:

§ 5. This act shall take effect on the sixtieth day after it shall have become a law, provided that paragraph (b) of subdivision 1 of section 97-a of the alcoholic beverage control law as added by section two of this act shall expire and be deemed repealed October 12, [~~2024~~] **2025**.

§ 2. This act shall take effect immediately.

PART L

Section 1. Chapter 238 of the laws of 2021 is REPEALED.

§ 2. The alcoholic beverage control law is amended by adding a new section 111-a to read as follows:

§ 111-a. Use of contiguous and non-contiguous municipal public space for on-premises alcoholic beverage sales by certain licensees. 1. The holder of a retail on-premises license issued pursuant to sections fifty-five, sixty-four, sixty-four-a, sixty-four-c, sixty-four-d, eighty-one, or eighty-one-a of this chapter or a manufacturing license that includes a privilege to sell and/or serve alcoholic beverages at retail for on-premises consumption on the licensed premises issued pursuant to section thirty, thirty-one, fifty-one, fifty-one-a, fifty-eight, fifty-eight-c, subdivision two-c of section sixty-one, section seventy-six, seventy-six-a, seventy-six-c, or seventy-six-d of this chapter may file an alteration application with the authority pursuant to subdivision one of section ninety-nine-d of this chapter for permission to add municipal public space that is either contiguous or non-contiguous to the licensed premises. Upon approval of such alteration application, such a licensee may exercise the privilege to sell and/or serve alcoholic beverages at retail for on-premises consumption on contiguous municipal public space or non-contiguous municipal public space provided:

(a) the municipality in which the licensed premises is located issues a permit or the responsible municipal regulatory body or agency issues written authorization to the licensee to sell and/or serve food on such contiguous municipal public space or non-contiguous municipal public space;

(b) the licensee submits to the liquor authority a copy of such municipal permit or other written authorization along with the alteration application;

(c) the licensee submits to the liquor authority a copy of the permit application submitted to the municipality to obtain the municipal permit or other written authorization from the municipality along with the alteration application;

(d) the licensee submits to the liquor authority a diagram depicting both the licensed premises and the contiguous municipal public space or

non-contiguous municipal public space to be used by the licensee with the alteration application;

(e) the licensee submits to the liquor authority proof that it has provided community notification to the municipality, including municipalities outside the city of New York, in a manner consistent with or required by subdivision two of section one hundred ten-b of this article as required for the city of New York; and

(f) use of any such contiguous or non-contiguous municipal public space meets all applicable federal, state or local laws, rules, regulations, guidance, conditions or requirements.

2. For the purposes of this section: (a) "non-contiguous municipal public space" shall mean space that: (i) is located in front of, behind, or to the side of the licensed premises; (ii) is within the property boundaries of the licensed premises as extended out; or within the property boundaries of the nearest adjacent properties on either side; (iii) does not extend further than the midline of any public roadway; (iv) is separated from the licensed premises only by one or more of the following: a pedestrian thoroughfare, a thoroughfare primarily restricted to use by bicycles, or a portion of a thoroughfare with such restrictions; and (v) otherwise complies with all applicable federal, state and local requirements.

(b) "Contiguous municipal public space" shall mean space that: (i) is located in front of, behind, or to the side of the licensed premises; (ii) is within the property boundaries of the licensed premises as extended out; or within the property boundaries of the nearest adjacent properties on either side; (iii) otherwise complies with all applicable federal, state and local requirements.

3. Licensees choosing to utilize non-contiguous municipal public space that includes a thoroughfare primarily restricted to use by bicycles, or a portion of a thoroughfare with such restrictions, shall post a sign or poster in said municipal outdoor space with conspicuous lettering in at least seventy-two point bold face font that states: "CAUTION: BICYCLE LANE" prior to and while utilizing any such municipal space for on-premises alcoholic beverage sales to patrons. Such licensees shall be solely responsible for production of and maintenance of such signage. Compliance by the licensee with the provisions of any local law requiring posting of warning signs regarding bicycle lanes enacted on or before the effective date of this section shall be deemed to be in compliance with the provisions of this section. Nothing contained herein, however, shall be deemed to exempt any licensee not otherwise subject to the provisions of any such local law from complying with the provisions of this section.

4. If at any time the municipality revokes, cancels or suspends or otherwise terminates the licensee's authorization to use such contiguous municipal public space or non-contiguous municipal public space, the licensee shall immediately cease exercising the privilege to sell and/or serve alcoholic beverages at retail for consumption on such municipal public space. The licensee shall then file a new alteration application removing the municipal public space from its licensed premises. The failure to file a new alteration application with the authority within ten business days of the revocation, cancellation, suspension, or other termination by the local municipality of the licensee's authorization to use such contiguous or non-contiguous municipal public space shall be cause for revocation, cancellation, suspension and/or imposition of a civil penalty against the license in accordance with section one hundred eighteen of this article.

5. The authority may promulgate guidance, rules and/or regulations necessary to implement the provisions of this section. Notwithstanding existing provisions of this chapter, the authority is authorized to provide simplified applications and notification procedures for licensees seeking to utilize municipal space for on-premises alcoholic beverage sales whenever possible or appropriate. Nothing in this section shall prohibit the authority from requesting additional information from any applicant seeking to use new municipal space or renewal of existing municipal space.

§ 3. This act shall take effect immediately and shall apply to all applications received by the state liquor authority on and after such effective date. Effective immediately, the authority is authorized to undertake the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act.

PART M

Section 1. Subdivision 15 of section 201 of the workers' compensation law, as added by section 2 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

15. "Family leave" shall mean any leave taken by an employee from work: (a) to participate in providing care, including physical or psychological care, for a family member of the employee made necessary by a serious health condition of the family member; or (b) to bond with the employee's child during the first twelve months after the child's birth, or the first twelve months after the placement of the child for adoption or foster care with the employee; or (c) because of any qualifying exigency as interpreted under the family and medical leave act, 29 U.S.C.S § 2612(a)(1)(e) and 29 C.F.R. S.825.126(a)(1)-(8), arising out of the fact that the spouse, domestic partner, child, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the armed forces of the United States**; or (d) for an employee to receive prenatal care during the employee's pregnancy**.

§ 2. Section 201 of the workers' compensation law is amended by adding a new subdivision 25 to read as follows:

25. "Prenatal care" means the health care received by an employee during pregnancy related to such pregnancy. Prenatal care includes physical exams, monitoring and testing as well as discussions with a health care provider related to the pregnancy.

§ 3. Paragraph (a) of subdivision 2 of section 204 of the workers' compensation law, as added by section 5 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

(a) The weekly benefit for family leave that occurs (i) on or after January first, two thousand eighteen shall not exceed eight weeks during any fifty-two week calendar period and shall be fifty percent of the employee's average weekly wage but shall not exceed fifty percent of the state average weekly wage, (ii) on or after January first, two thousand nineteen shall not exceed ten weeks during any fifty-two week calendar period and shall be fifty-five percent of the employee's average weekly wage but shall not exceed fifty-five percent of the state average weekly wage, (iii) on or after January first, two thousand twenty shall not exceed ten weeks during any fifty-two week calendar period and shall be sixty percent of the employee's average weekly wage but shall not exceed sixty percent of the state average weekly wage, and (iv) on or after January first of each succeeding year, shall not exceed twelve weeks

during any fifty-two week calendar period and shall be sixty-seven percent of the employee's average weekly wage but shall not exceed sixty-seven percent of the New York state average weekly wage in effect. **On or after January first, two thousand twenty-five, the benefit for prenatal care shall not exceed forty hours during any fifty-two week calendar period and such leave for prenatal care may be taken in hourly increments and in addition to any other family leave benefits the employee may be eligible for during the same fifty-two week period.** The superintendent of financial services shall have discretion to delay the increases in the family leave benefit level provided in subparagraphs (ii), (iii), and (iv) of this paragraph by one or more calendar years. In determining whether to delay the increase in the family leave benefit for any year, the superintendent of financial services shall consider: (1) the current cost to employees of the family leave benefit and any expected change in the cost after the benefit increase; (2) the current number of insurers issuing insurance policies with a family leave benefit and any expected change in the number of insurers issuing such policies after the benefit increase; (3) the impact of the benefit increase on employers' business and the overall stability of the program to the extent that information is readily available; (4) the impact of the benefit increase on the financial stability of the disability and family leave insurance market and carriers; and (5) any additional factors that the superintendent of financial services deems relevant. If the superintendent of financial services delays the increase in the family leave benefit level for one or more calendar years, the family leave benefit level that shall take effect immediately following the delay shall be the same benefit level that would have taken effect but for the delay. The weekly benefits for family leave that occurs on or after January first, two thousand eighteen shall not be less than one hundred dollars per week except that if the employee's wages at the time of family leave are less than one hundred dollars per week, the employee shall receive his or her full wages. Benefits may be payable to employees for paid family leave taken intermittently or for less than a full work week in increments of one full day or one fifth of the weekly benefit. **Notwithstanding the foregoing, family leave benefits under paragraph (d) of subdivision fifteen of section two hundred one of this article may be payable to employees in hourly increments.**

§ 4. Section 205 of the workers' compensation law, as amended by section 6 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

§ 205. Disabilities, family leave and periods for which benefits are not payable. 1. No employee shall be entitled to disability benefits under this article:

(a) For more than twenty-six weeks minus any days taken for family leave during any fifty-two consecutive calendar weeks during a period of fifty-two consecutive calendar weeks or during any one period of disability, or for more than twenty-six weeks; **provided, however, that family leave under paragraph (d) of subdivision fifteen of section two hundred one of this article shall not reduce this amount;**

(b) for any period of disability during which an employee is not under the care of a duly licensed physician or with respect to disability resulting from a condition of the foot which may lawfully be treated by a duly registered and licensed podiatrist of the state of New York or with respect to a disability resulting from a condition which may lawfully be treated by a duly registered and licensed chiropractor of the state of New York or with respect to a disability resulting from a

condition which may lawfully be treated by a duly licensed dentist of the state of New York or with respect to a disability resulting from a condition which may lawfully be treated by a duly registered and licensed psychologist of the state of New York or with respect to a disability resulting from a condition which may lawfully be treated by a duly certified nurse midwife, for any period of such disability during which an employee is neither under the care of a physician nor a podiatrist, nor a chiropractor, nor a dentist, nor a psychologist, nor a certified nurse midwife; and for any period of disability during which an employee who adheres to the faith or teachings of any church or denomination and who in accordance with its creed, tenets or principles depends for healing upon prayer through spiritual means alone in the practice of religion, is not under the care of a practitioner duly accredited by the church or denomination, and provided such employee shall submit to all physical examinations as required by this chapter.

2. No employee shall be entitled to family leave benefits under this article:

(a) For more than twelve weeks, or the maximum duration permitted as set forth in paragraph (a) of subdivision two of section two hundred four of this article, during a period of fifty-two consecutive calendar weeks, or for any period in which the family leave combined with the disability benefits previously paid exceeds twenty-six weeks during the same fifty-two consecutive calendar weeks; **provided, however, that family leave under paragraph (d) of subdivision fifteen of section two hundred one of this article shall not reduce this amount;**

(b) For any period of family leave wherein the notice and medical certification as prescribed by the chair has not been filed. At the discretion of the chair or chair's designee pursuant to section two hundred twenty-one of this article, the family member who is the recipient of care may be required to submit to a physical examination by a qualified health care provider. Such examination shall be paid for by the carrier; and

(c) As a condition of an employee's initial receipt of family leave benefits during any fifty-two consecutive calendar weeks in which an employee is eligible for these benefits, an employer may offer an employee who has accrued but unused vacation time or personal leave available at the time of use of available family leave to choose whether to charge all or part of the family leave time to accrued but unused vacation or personal leave, and receive full salary, or to not charge time to accrued but unused vacation or personal leave, and receive the benefit as set forth in section two hundred four of this article. An employer that pays full salary during a period of family leave may request reimbursement in accordance with section two hundred thirty-seven of this article. With the election of either option, the employee shall receive the full protection of the reinstatement provision set forth in section two hundred three-b of this article, and shall concurrently use available family medical leave act and paid family leave credits. In no event can an employee utilize family leave beyond twelve weeks, or the maximum duration permitted as set forth in paragraph (a) of subdivision two of section two hundred four of this article, per any fifty-two week period set forth in this article**; provided, however, that family leave under paragraph (d) of subdivision fifteen of section two hundred one of this article shall not reduce this amount**. This paragraph may not be construed in a manner that relieves an employer of any duty of collective bargaining the employer may have with respect to the subject matter of this paragraph.

3. No employee shall be entitled to disability or family leave benefits under this article:

(a) for any disability occasioned by the wilful intention of the employee to bring about injury to or the sickness of himself or another, or resulting from any injury or sickness sustained in the perpetration by the employee of an illegal act;

(b) for any day of disability or family leave during which the employee performed work for remuneration or profit; **provided, however, that family leave under paragraph (d) of subdivision fifteen of section two hundred one of this article may be taken in hourly increments;**

(c) for any day of disability or family leave for which the employee is entitled to receive from his or her employer, or from a fund to which the employer has contributed, remuneration or maintenance in an amount equal to or greater than that to which he or she would be entitled under this article; but any voluntary contribution or aid which an employer may make to an employee or any supplementary benefit paid to an employee pursuant to the provisions of a collective bargaining agreement or from a trust fund to which contributions are made pursuant to the provisions of a collective bargaining agreement shall not be considered as continued remuneration or maintenance for this purpose;

(d) for any period in respect to which such employee is subject to suspension or disqualification of the accumulation of unemployment insurance benefit rights, or would be subject if he or she were eligible for such benefit rights, except for ineligibility resulting from the employee's disability;

(e) for any disability due to any act of war, declared or undeclared;

(f) for any disability or family leave commencing before the employee becomes eligible to benefits under this section.

4. An employee may not collect benefits concurrently under both subdivisions one and two of this section.

5. In any case in which the necessity for family leave is foreseeable based on an expected birth or placement, the employee shall provide the employer with not less than thirty days notice before the date the leave is to begin, of the employee's intention to take family leave under this article, except that if the date of the birth or placement requires leave to begin in less than thirty days, the employee shall provide such notice as is practicable. In any case in which the necessity for family leave is foreseeable based on planned medical treatment, the employee shall provide the employer with not less than thirty days notice, before the date the leave is to begin, of the employees intention to take family leave under this article, except that if the date of the treatment requires leave to begin in less than thirty days, the employee shall provide such notice as is practicable.

§ 5. Paragraph (d) of subdivision 3 of section 206 of the workers' compensation law, as added by section 7 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

(d) **With the exception of leave for prenatal care which may be taken in hourly increments,** for any day in which claimant works at least part of that day for remuneration or profit for the covered employer or for any other employer while working for remuneration or profit, for him or herself, or another person or entity, during the same or substantially similar working hours as those of the covered employer from which family leave benefits are claimed, except that occasional scheduling adjustments with respect to secondary employments shall not prevent receipt of family leave benefits.

§ 6. Subdivision 1 of section 208 of the workers' compensation law, as amended by section 9 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

1. Benefits provided under this article shall be paid periodically and promptly and, except as to a contested period of disability or family leave, without any decision by the board, or designee of the chair pursuant to section two hundred twenty-one of this article. The first payment of benefits shall be due on the fourteenth day of disability or family leave and benefits for that period shall be paid directly to the employee within four business days thereafter or within four business days after the filing of required proof of claim, whichever is the later. **Family leave benefits for prenatal care may be paid in hourly installments or, upon election of the employer or insurance carrier and upon notice to the employee at the time of the request for such family leave, in an aggregate payment that corresponds to the hours in the employee's regular workday upon submission of proof of leave for prenatal care for such hours and within fourteen days of the last hourly increment and four business days after such submission.** If the employer or carrier rejects an initial claim for family leave benefits, the employer or carrier must notify the employee in a manner prescribed by the chair within eighteen days of filing of the proof of claim. Failure to timely reject shall constitute a waiver of objection to the family leave claim. Thereafter benefits shall be due and payable bi-weekly in like manner. The chair or chair's designee, pursuant to section two hundred twenty-one of this article, may determine that benefits may be paid monthly or semi-monthly if wages were so paid, and may authorize deviation from the foregoing requirements to facilitate prompt payment of benefits. Any inquiry which requires the employee's response in order to continue benefits uninterrupted or unmodified shall provide a reasonable time period in which to respond and include a clear and prominent statement of the deadline for responding and consequences of failing to respond.

§ 7. Subdivision 1 of section 217 of the workers' compensation law, as amended by section 16 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

1. Written notice and proof of disability or proof of need for family leave shall be furnished to the employer by or on behalf of the employee claiming benefits or, in the case of a claimant under section two hundred seven of this article, to the chair, within thirty days after commencement of the period of disability **or family leave, or for family leave for prenatal care within thirty days of the last hour for such leave period as prescribed in subdivision one of section two hundred eight of this article**. Additional proof shall be furnished thereafter from time to time as the employer or carrier or chair may require but not more often than once each week. Such proof shall include a statement of disability by the employee's attending physician or attending podiatrist or attending chiropractor or attending dentist or attending psychologist or attending certified nurse midwife or family leave care recipient's health care provider, or in the case of an employee who adheres to the faith or teachings of any church or denomination, and who in accordance with its creed, tenets or principles depends for healing upon prayer through spiritual means alone in the practice of religion, by an accredited practitioner, containing facts and opinions as to such disability in compliance with regulations of the chair. Failure to furnish notice or proof within the time and in the manner above provided shall not invalidate the claim but no benefits shall be required to be

paid for any period more than two weeks prior to the date on which the required proof is furnished unless it shall be shown to the satisfaction of the chair not to have been reasonably possible to furnish such notice or proof and that such notice or proof was furnished as soon as possible; provided, however, that no benefits shall be paid unless the required proof of disability is furnished within the period of actual disability or family leave that does not exceed the statutory maximum period permitted under section two hundred four of this article. No limitation of time provided in this section shall run as against any disabled employee who is mentally incompetent, or physically incapable of providing such notice as a result of a serious medical condition, or a minor so long as such person has no guardian of the person and/or property.

§ 8. This act shall take effect January 1, 2025.

PART N

Section 1. Section 200 of the workers' compensation law, as amended by section 1 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

§ 200. Short title. This article shall be known and may be cited as the "disability [~~benefits law~~] and [~~the~~] paid family leave benefits law."

§ 2. Subdivisions 14, 15 and 22 of section 201 of the workers' compensation law, subdivision 14 as amended and subdivisions 15 and 22 as added by section 2 of part SS of chapter 54 of the laws of 2016, are amended to read as follows:

14. "A day of disability" means any day on which the employee was prevented from performing work because of disability[~~, including any day which the employee uses for family leave,~~] and for which the employee has not received [~~his or her~~] **their** regular remuneration.

15. "Family leave" shall mean any leave taken by an employee from work: (a) to participate in providing care, including physical or psychological care, for a family member of the employee made necessary by a serious health condition of the family member; or (b) to bond with the employee's child during the first twelve months after the child's birth, or the first twelve months after the placement of the child for adoption or foster care with the employee; or (c) because of any qualifying exigency as interpreted under the family and medical leave act, 29 U.S.C.S § 2612(a)(1)(e) and 29 C.F.R. S.825.126[~~(a)(1)-(8)~~], arising out of the fact that the spouse, domestic partner, child, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the armed forces of the United States.

22. "Health care provider" shall mean for the purpose of [~~family leave~~] **this article**, a person licensed under article one hundred thirty-one, one hundred thirty-one-B, one hundred thirty-two, one hundred thirty-three, one hundred thirty-six, one hundred thirty-nine, one hundred forty-one, one hundred forty-three, one hundred forty-four, one hundred fifty-three, one hundred fifty-four, one hundred fifty-six or one hundred fifty-nine of the education law or a person licensed under the public health law, article one hundred forty of the education law or article one hundred sixty-three of the education law.

§ 3. Section 203-a of the workers' compensation law, as added by section 4 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

§ 203-a. Retaliatory action prohibited for [~~family~~] leave. 1. The provisions of section one hundred twenty of this chapter and section two hundred forty-one of this article shall be applicable to family **and disability** leave.

2. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any collective bargaining agreement or employment contract.

§ 4. Section 203-b of the workers' compensation law, as added by section 4 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

§ 203-b. Reinstatement following [~~family~~] leave. Any eligible employee of a covered employer who takes leave under this article shall be entitled, on return from such leave, to be restored by the employer to the position of employment held by the employee when the leave commenced, or to be restored to a comparable position with comparable employment benefits, pay and other terms and conditions of employment. The taking of family **or disability** leave shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. Nothing in this section shall be construed to entitle any restored employee to the accrual of any seniority or employment benefits during any period of leave, or any right, benefit or position to which the employee would have been entitled had the employee not taken the leave.

§ 5. Section 203-c of the workers' compensation law, as added by section 4 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

§ 203-c**.** Health insurance during [~~family~~] leave. In accordance with the Family and Medical Leave Act (29 U.S.C. §§ 2601-2654), during any period of family **or disability** leave the employer shall maintain any existing health benefits of the employee in force for the duration of such leave as if the employee had continued to work from the date [~~he or she~~] **they** commenced family **or disability** leave until the date [~~he or she returns~~] **they return** to employment.

§ 6. Section 204 of the workers' compensation law, as amended by section 5 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

§ 204. Disability and family leave during employment. 1. Disability benefits shall be payable to an eligible employee for disabilities, beginning with the eighth day of disability and thereafter during the continuance of disability, subject to the limitations as to maximum and minimum amounts and duration and other conditions and limitations in this section and in sections two hundred five and two hundred six of this article. Family leave benefits shall be payable to an eligible employee for the first full day when family leave is required and thereafter during the continuance of the need for family leave, subject to the limitations as to maximum and minimum amounts and duration and other conditions and limitations in this section and in sections two hundred five and two hundred six of this article. Successive periods of disability or family leave caused by the same or related injury or sickness **or qualifying event** shall shall be deemed a single period of disability or family leave only if separated by less than three months.

2. (a) The weekly benefit for family leave that occurs (i) on or after January first, two thousand eighteen shall not exceed eight weeks during any fifty-two week calendar period and shall be fifty percent of the employee's average weekly wage but shall not exceed fifty percent of the state average weekly wage, (ii) on or after January first, two thousand nineteen shall not exceed ten weeks during any fifty-two week calendar

period and shall be fifty-five percent of the employee's average weekly wage but shall not exceed fifty-five percent of the state average weekly wage, (iii) on or after January first, two thousand twenty shall not exceed ten weeks during any fifty-two week calendar period and shall be sixty percent of the employee's average weekly wage but shall not exceed sixty percent of the state average weekly wage, and (iv) on or after January first of each succeeding year, shall not exceed twelve weeks during any fifty-two week calendar period and shall be sixty-seven percent of the employee's average weekly wage but shall not exceed sixty-seven percent of the New York state average weekly wage in effect. The superintendent of financial services shall have discretion to delay the increases in the family leave benefit level provided in subparagraphs (ii), (iii), and (iv) of this paragraph by one or more calendar years. In determining whether to delay the increase in the family leave benefit for any year, the superintendent of financial services shall consider: (1) the current cost to employees of the family leave benefit and any expected change in the cost after the benefit increase; (2) the current number of insurers issuing insurance policies with a family leave benefit and any expected change in the number of insurers issuing such policies after the benefit increase; (3) the impact of the benefit increase on employers' business and the overall stability of the program to the extent that information is readily available; (4) the impact of the benefit increase on the financial stability of the disability and family leave insurance market and carriers; and (5) any additional factors that the superintendent of financial services deems relevant. If the superintendent of financial services delays the increase in the family leave benefit level for one or more calendar years, the family leave benefit level that shall take effect immediately following the delay shall be the same benefit level that would have taken effect but for the delay. The weekly benefits for family leave that occurs on or after January first, two thousand eighteen shall not be less than one hundred dollars per week except that if the employee's wages at the time of family leave are less than one hundred dollars per week, the employee shall receive [~~his or her~~] their full wages. Benefits may be payable to employees for paid family leave taken intermittently or for less than a full work week in increments of one full day or one fifth of the weekly benefit.

(b) **The weekly benefit which the disabled employee is entitled to receive for the first twelve weeks of disability commencing: (i) on or after January first, two thousand twenty-five shall be fifty percent of the employee's average weekly wage but shall not exceed four hundred dollars; (ii) on or after January first, two thousand twenty-six shall be fifty percent of the employee's average weekly wage but shall not exceed six hundred thirty dollars; (iii) on or after January first, two thousand twenty-seven shall be fifty percent of the employee's average weekly wage but shall not exceed fifty percent of the state average weekly wage; (iv) on or after January first, two thousand twenty-eight shall be sixty percent of the employee's weekly average wage but shall not exceed sixty percent of the state average weekly wage; and (v) on or after January first of each succeeding year, shall be sixty-seven percent of the employee's average weekly wage but shall not exceed sixty-seven percent of the state average weekly wage. The superintendent of financial services shall have discretion to delay the increases in the disability benefit level provided in subparagraphs (ii), (iii), (iv) and (v) of this paragraph by one or more calendar years. In determining whether to delay the increase in the disability benefit for any year,**

the superintendent of financial services shall consider: (1) the current cost to employees and employers of the benefit and any expected change in the cost after the benefit increase; (2) the current number of insurers issuing insurance policies with a disability benefit and any expected change in the number of insurers issuing such policies after the benefit increase; (3) the impact of the benefit increase on employers' business and the overall stability of the program to the extent that information is readily available; (4) the impact of the benefit increase on the financial stability of the disability and family leave insurance market and carriers; and (5) any additional factors that the superintendent of financial services deems relevant. If the superintendent of financial services delays the increase in the disability benefit level for one or more calendar years, the disability benefit level that shall take effect immediately following the delay shall be the same benefit level that would have taken effect but for the delay. The weekly benefit which the disabled employee is entitled to receive for the periods of disability after the twelfth week of disability and through the twenty-sixth week of disability (A) on or after January first, two thousand twenty-five shall be fifty percent of the employee's average weekly wage but shall not exceed two hundred eighty dollars per week; (B) on or after January first, two thousand twenty-eight shall be sixty percent of the employee's average weekly wage but shall not exceed two hundred eighty per week; and (C) on or after January first, two thousand twenty-nine and each succeeding year shall be sixty-seven percent of the employee's average weekly wage but shall not exceed two hundred eighty dollars per week. The weekly benefit which the disabled employee is entitled to receive for disability leave that occurs on or after January first, two thousand twenty-five shall not be less than one hundred dollars per week except that if the employee's wages at the time of family leave are less than one hundred dollars per week, the employee shall receive their full wages. The weekly benefit which the disabled employee is entitled to receive for disability commencing on or after May first, nineteen hundred eighty-nine and prior to January first, two thousand twenty-five shall be one-half of the employee's weekly wage, but in no case shall such benefit exceed one hundred seventy dollars; except that if the employee's average weekly wage is less than twenty dollars, the benefit shall be such average weekly wage. The weekly benefit which the disabled employee is entitled to receive for disability commencing on or after July first, nineteen hundred eighty-four shall be one-half of the employee's weekly wage, but in no case shall such benefit exceed one hundred forty-five dollars; except that if the employee's average weekly wage is less than twenty dollars, the benefit shall be such average weekly wage. The weekly benefit which the disabled employee is entitled to receive for disability commencing on or after July first, nineteen hundred eighty-three and prior to July first, nineteen hundred eighty-four shall be one-half of the employee's average weekly wage, but in no case shall such benefit exceed one hundred thirty-five dollars nor be less than twenty dollars; except that if the employee's average weekly wage is less than twenty dollars the benefit shall be such average weekly wage. The weekly benefit which the disabled employee is entitled to receive for disability commencing on or after July first, nineteen hundred seventy-four, and prior to July first, nineteen hundred eighty-three, shall be one-half of the employee's average weekly wage, but in no case shall such benefit exceed ninety-five dollars nor be less than twenty dollars; except that if the employee's average weekly wage is less than twenty dollars, the benefit shall be such average weekly wage.

The weekly benefit which the disabled employee is entitled to receive for disability commencing on or after July first, nineteen hundred seventy and prior to July first, nineteen hundred seventy-four shall be one-half of the employee's average weekly wage, but in no case shall such benefit exceed seventy-five dollars nor be less than twenty dollars; except that if the employee's average weekly wage is less than twenty dollars the benefit shall be such average weekly wage. For any period of disability less than a full week, the benefits payable shall be calculated by dividing the weekly benefit by the number of the employee's normal work days per week and multiplying the quotient by the number of normal work days in such period of disability. The weekly benefit for a disabled employee who is concurrently eligible for benefits in the employment of more than one covered employer shall, within the maximum and minimum herein provided, be one-half of the total of the employee's average weekly wages received from all such covered employers, and shall be allocated in the proportion of their respective average weekly wage payments.

§ 7. Subdivision 2 of section 206 of the workers' compensation law, as amended by section 7 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

2. If an employee who is eligible for disability benefits under section two hundred three or two hundred seven of this article is disabled and has claimed or subsequently claims workers' compensation benefits under this chapter or benefits under the volunteer firefighters' benefit law or the volunteer ambulance workers' benefit law, and such claim is controverted on the ground that the employee's disability was not caused by an accident that arose out of and in the course of [~~his~~] **their** employment or by an occupational disease, or by an injury in line of duty as a volunteer firefighter or volunteer ambulance worker, the employee shall be entitled in the first instance to receive benefits under this article for [~~his or her~~] **their** disability. If benefits have been paid under this article in respect to a disability alleged to have arisen out of and in the course of the employment or by reason of an occupational disease, or in line of duty as a volunteer firefighter or a volunteer ambulance worker, the employer or carrier or the chair making such payment may, at any time before award of workers' compensation benefits, or volunteer firefighters' benefits or volunteer ambulance workers' benefits, is made, file with the board a claim for reimbursement out of the proceeds of such award to the employee for the period for which disability benefits were paid to the employee under this article, and shall have a lien against the **full** award for reimbursement, notwithstanding the provisions of section thirty-three of this chapter or section twenty-three of the volunteer firefighters' benefit law or section twenty-three of the volunteer ambulance workers' benefit law provided the insurance carrier liable for payment of the award receives, before such award is made, a copy of the claim for reimbursement from the employer, carrier or chair who paid disability benefits, or provided the board's decision and award directs such reimbursement therefrom.

§ 8. Paragraph (a) of subdivision 3 of section 209 of the workers' compensation law, as amended by section 10 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

(a) Disability benefits. The contribution of each such employee to the cost of disability benefits provided by this article shall be one-half of one per centum of the employee's wages paid to him or her on and after July first, nineteen hundred fifty, but not in excess of sixty cents per week. **Beginning January first, two thousand twenty-five, the**

maximum employee contribution that a covered employer is authorized to collect from each employee for the cost of disability benefits provided by this article shall be one-half of one per centum of the employee's wages but shall not exceed forty percent of the average of the combination of all employee and employer contributions to disability benefits provided pursuant to paragraph (b) of subdivision two of section two hundred four of this article during the prior calendar year, as determined annually by the superintendent of financial services pursuant to subsection (n) of section four thousand two hundred thirty-five of the insurance law. A self-insurer shall submit reports to the superintendent of financial services for the purpose of determining forty percent of the average of the combination of all employee and employer contributions to disability benefits provided pursuant to paragraph (b) of subdivision two of section two hundred four of this article during the prior calendar year, pursuant to subsection (n) of section four thousand two hundred thirty-five of the insurance law.

§ 9. The opening paragraph and subdivision 1 of section 214 of the workers' compensation law, as amended by section 26 of part GG of chapter 57 of the laws of 2013, are amended to read as follows:

There is hereby created a fund which shall be known as the special fund for disability benefits to provide for the payment of [~~disability~~] benefits under sections two hundred seven, two hundred thirteen and attendance fees under section two hundred thirty-two of this article.

1. As promptly as practicable after April first, in each year, the chairman shall ascertain the condition of the fund, and if as of any such date the net assets of the fund shall be one million dollars or more below the sum of twelve million dollars, the chairman shall assess and collect an amount sufficient to restore the fund to an amount equal to twelve million dollars.[~~,~~] Such assessment shall be included in the assessment rate established pursuant to subdivision two of section one hundred fifty-one of this chapter. Such assessments shall be deposited with the commissioner of taxation and finance and transferred to the benefit of such fund upon payment of debt service, if any, pursuant to section one hundred fifty-one of this chapter.

§ 10. Subdivision 1 of section 217 of the workers' compensation law, as amended by section 16 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

1. Written notice and proof of disability or proof of need for family leave shall be furnished to the employer by or on behalf of the employee claiming benefits or, in the case of a claimant under section two hundred seven of this article, to the chair, within thirty days after commencement of the period of disability. Additional proof shall be furnished thereafter from time to time as the employer or carrier or chair may require but not more often than once each week. Such proof shall include a statement of disability by the employee's [~~attending physician or attending podiatrist or attending chiropractor or attending dentist or attending psychologist or attending certified nurse midwife or family leave care recipient's health care provider, or in the case of an employee who adheres to the faith or teachings of any church or denomination, and who in accordance with its creed, tenets or principles depends for healing upon prayer through spiritual means alone in the practice of religion, by an accredited practitioner,~~] health care provider containing facts and opinions as to such disability in compliance with regulations of the chair. Failure to furnish notice or proof within the time and in the manner above provided shall not invalidate the claim but no benefits shall be required to be paid for any period

more than two weeks prior to the date on which the required proof is furnished unless it shall be shown to the satisfaction of the chair not to have been reasonably possible to furnish such notice or proof and that such notice or proof was furnished as soon as possible; provided, however, that no benefits shall be paid unless the required proof [~~of disability~~] is furnished within the period of actual disability or family leave that does not exceed the statutory maximum period permitted under section two hundred four of this article. No limitation of time provided in this section shall run as against any disabled employee who is mentally incompetent, or physically incapable of providing such notice as a result of a serious medical condition, or a minor so long as such person has no guardian of the person and/or property.

§ 11. Section 218 of the workers' compensation law, as added by chapter 600 of the laws of 1949, subdivision 2 as amended by chapter 809 of the laws of 1985, is amended to read as follows:

§ 218. [~~Disability benefit~~] **Benefit** rights inalienable. 1. Any agreement by an employee to waive [~~his~~] **their** rights under this article shall be void.

2. Disability **or family leave** benefits payable under this article shall not be assigned or released, except as provided in this article, and shall be exempt from all claims of creditors and from levy, execution and attachment or other remedy for recovery or collection of a debt, which exemption may not be waived provided, however, that such benefits shall be subject to an income execution or order for support enforcement pursuant to section fifty-two hundred forty-one or fifty-two hundred forty-two of the civil practice law and rules.

§ 12. Section 221 of the workers' compensation law, as amended by section 19 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

§ 221. Determination of contested claims for disability and family leave benefits. In accordance with regulations adopted by the chair, within twenty-six weeks of written notice of rejection of claim, the employee may file with the chair a notice that [~~his or her~~] **their** claim for disability or family leave benefits has not been paid, and the employee shall submit proof of disability or entitlement to family leave and of [~~his or her~~] **their** employment, wages and other facts reasonably necessary for determination of the employee's right to such benefits. Failure to file such notice within the time provided, may be excused if it can be shown not to have been reasonably possible to furnish such notice and that such notice was furnished as soon as possible. On demand the employer or carrier shall forthwith deliver to the board the original or a true copy of the health care provider's report, wage and employment data and all other documentation in the possession of the employer or carrier with respect to such claim.

The chair or designee, shall have full power and authority to determine all issues in relation to every such claim for disability benefits required or provided under this article, and shall file its decision in the office of the chairman. Upon such filing, the chairman shall send to the parties a copy of the decision. Either party may present evidence and be represented by counsel at any hearing on such claim. The decision of the board shall be final as to all questions of fact and, except as provided in section twenty-three of this chapter, as to all questions of law. Every decision shall be complied with in accordance with its terms within ten days thereafter except as permitted by law upon the filing of a request for review, and any payments due under such decision shall draw simple interest from thirty days after the making thereof at the

rate provided in section five thousand four of the civil practice law and rules. The chair shall adopt rules and regulations to carry out the provisions of this article including but not limited to resolution of contested claims and requests for review thereof, and payment of costs for resolution of disputed claims by carriers. Any designated process shall afford the parties the opportunity to present evidence and to be represented by counsel in any such proceeding. The chair shall have the authority to provide for alternative dispute resolution procedures for claims arising under **disability and** family leave, including but not limited to referral and submission of disputed claims to a neutral arbitrator under the auspices of an alternative dispute resolution association pursuant to article seventy-five of the civil practice law and rules. Neutral arbitrator shall mean an arbitrator who does not have a material interest in the outcome of the arbitration proceeding or an existing and substantial relationship, including but not limited to pecuniary interests, with a party, counsel or representative of a party. Any determination made by alternative dispute resolution shall not be reviewable by the board and the venue for any appeal shall be to a court of competent jurisdiction.

§ 13. Section 228 of the workers' compensation law, as added by section 27 of part GG of chapter 57 of the laws of 2013, is amended to read as follows:

§ 228. Administrative expenses. 1. The estimated annual expenses necessary for the workers' compensation board to administer the provisions of the disability **and paid family leave** benefits law shall be borne by all affected employers and included as part of the assessment rate generated pursuant to subdivision two of section one hundred fifty-one of this chapter.

2. Annually, as soon as practicable after the first day of April, the chair and department of audit and control shall ascertain the total amount of actual expenses.

§ 14. Subsection (n) of section 4235 of the insurance law is amended by adding a new paragraph 4 to read as follows:

(4)(A) The superintendent shall establish by September first of each year the maximum employee contribution that a covered employer, as defined in section two hundred two of the workers' compensation law, is authorized to collect from each employee for the cost of disability benefits provided pursuant to article nine of the workers' compensation law through a group accident and health insurance policy or through a self-funded employer for its employees. Beginning January first, two thousand twenty-five, the maximum employee contribution amount shall be one-half of one percent of the employee's wages but shall not exceed forty percent of the average of the combination of all employee and employer contributions to disability benefits provided pursuant to paragraph (b) of subdivision two of section two hundred four of the workers' compensation law during the prior calendar year, which the superintendent shall determine and publish on the department's website.

(B) A self-funded employer shall submit reports to the superintendent for the purpose of determining forty percent of the average of the combination of all employee and employer contributions to disability benefits provided pursuant to paragraph (b) of subdivision two of section two hundred four of the workers' compensation law. A self-funded employer shall submit a report to the superintendent by July first, two thousand twenty-four that sets forth employee and employer contributions to disability benefits provided pursuant to paragraph (b) of subdivision two of section two hundred four of the workers' compensation

law for the year-ending two thousand twenty-three, in a format determined by the superintendent. Beginning April first, two thousand twenty-five, and annually thereafter, a self-funded employer shall submit a report to the superintendent that sets forth employee and employer contributions to disability benefits provided pursuant to paragraph (b) of subdivision two of section two hundred four of the workers' compensation law for the prior calendar year, in a format determined by the superintendent.

(C) The superintendent may delay the increases in the disability benefit level provided in subparagraphs (ii), (iii), (iv), and (v) of paragraph (b) of subdivision two of section two hundred four of the workers' compensation law by one or more calendar years if the superintendent determines it is in the best interest of the people of this state. In determining whether to delay the increase in the disability benefit for any year, the superintendent shall consider: (i) the current cost to employees and employers of the benefit and any expected change in the cost after the benefit increase; (ii) the current number of insurers issuing insurance policies with a disability benefit and any expected change in the number of insurers issuing such policies after the benefit increase; (iii) the impact of the benefit increase on employers' businesses and the overall stability of the program to the extent that information is readily available; (iv) the impact of the benefit increase on the financial stability of the disability and family leave insurance market and insurers; and (v) any additional factors that the superintendent deems relevant. If the superintendent delays the increase in the disability benefit level for one or more calendar years, the disability benefit level that shall take effect immediately following the delay shall be the same benefit level that would have taken effect but for the delay.

§ 15. Section 2605 of the insurance law is amended to read as follows:

§ 2605. Penalty for violating workers' compensation law. The superintendent may impose a penalty not to exceed twenty-five hundred dollars per violation upon any insurer required to be licensed under the provisions of this chapter, if, after notice to and a hearing of such insurer, [~~he~~] the superintendent finds it has unreasonably failed to comply with the workers' compensation law.

§ 16. This act shall take effect immediately and shall apply to all policies issued, renewed, modified, altered, or amended on or after January 1, 2025.

PART O

Section 1. This act shall be known and may be cited as the "Stop Addictive Feeds Exploitation (SAFE) for Kids act".

§ 2. The general business law is amended by adding a new article 45 to read as follows:

ARTICLE 45

SAFE FOR KIDS ACT

Section 1500. Definitions.

1501. Prohibition of addictive feeds.

1502. Time controls.

1503. Age flags.

1504. Nondiscrimination.

1505. Rulemaking authority.

1506. Scope.

1507. Remedies.

§ 1500. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "Addictive feed" shall mean a website, online service, online application, or mobile application, or a portion thereof, in which multiple pieces of media generated or shared by users of a website, online service, online application, or mobile application, either concurrently or sequentially, are recommended, selected, or prioritized for display to a user based, in whole or in part, on information associated with the user or the user's device, unless any of the following conditions are met, alone or in combination with one another:

(a) the information is not persistently associated with the user or user's device, and does not concern the user's previous interactions with media generated or shared by others;

(b) the information is user-selected privacy or accessibility settings, technical information concerning the user's device, or device communications or signals concerning whether the user is a minor;

(c) the user expressly and unambiguously requested the specific media or media by the author, creator, or poster of the media, provided that the media is not recommended, selected, or prioritized for display based, in whole or in part, on other information associated with the user or the user's device that is not otherwise permissible under this subdivision;

(d) the media are direct, private communications; or

(e) the media recommended, selected, or prioritized for display is exclusively the next media in a pre-existing sequence from the same author, creator, poster, or source.

2. "Addictive social media platform" shall mean a website, online service, online application, or mobile application, that offers or provides users an addictive feed that is not incidental to the provision of such website, online service, online application, or mobile application.

3. "Covered minor" shall mean a user of a website, online service, online application, or mobile application in New York when the operator has actual knowledge the user is a minor.

4. "Covered user" shall mean a user of a website, online service, online application, or mobile application in New York.

5. "Media" shall mean text, an image, or a video.

6. "Minor" shall mean an individual under the age of eighteen.

7. "Operator" shall mean any person who operates or provides a website on the internet, an online service, an online application, or a mobile application.

8. "Parent" shall mean parent or legal guardian.

9. "User" shall mean a person not acting as an agent of an operator.

§ 1501. Prohibition of addictive feeds. 1. It shall be unlawful for the operator of an addictive social media platform to provide an addictive feed to a covered user unless:

(a) the operator has used commercially reasonable methods to determine that the covered user is not a covered minor; or

(b) the operator has obtained verifiable parental consent to provide an addictive feed to the covered user.

2. Information collected for the purpose of determining a covered user's age under paragraph (a) of subdivision one of this section shall not be used for any purpose other than age determination.

3. Nothing in this section shall be construed as requiring the operator of an addictive social media platform to give a parent who grants

verifiable parental consent any additional or special access to or control over the data or accounts of their child.

4. Nothing in this section shall be construed as preventing any action taken in good faith to restrict access to or availability of media that the operator of an addictive social media platform considers to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable, whether or not such material is constitutionally protected.

§ 1502. Time controls. 1. It shall be unlawful for the operator of an addictive social media platform to, between the hours of 12 AM Eastern and 6 AM Eastern, send notifications concerning an addictive social media platform to a covered minor unless the operator has obtained verifiable parental consent to send such nighttime notifications.

2. The operator of an addictive social media platform shall provide a mechanism through which the verified parent of a covered minor may:

(a) prevent their child from accessing the addictive social media platform between the hours of 12 AM Eastern and 6 AM Eastern; and

(b) limit their child's access to the addictive social media platform to a length of time per day specified by the verified parent.

3. Nothing in this section shall be construed as requiring the operator of an addictive social media platform to give a parent any additional or special access to or control over the data or accounts of their child.

§ 1503. Age flags. For the purposes of this article, the operator of an addictive social medial platform shall treat a user as a minor if the user's device communicates or signals that the user is or shall be treated as a minor, including through a browser plug-in or privacy setting, device setting, or other mechanism.

§ 1504. Nondiscrimination. An operator of an addictive social media platform shall not withhold, degrade, lower the quality, or increase the price of any product, service, or feature, other than as required by this article, to a covered user due to the operator not being permitted to provide an addictive feed to such covered user under subdivision one of section fifteen hundred one of this article or not being permitted to provide such covered user access to or send notifications concerning an addictive social media platform between the hours of 12 AM Eastern and 6 AM Eastern under section fifteen hundred two of this article.

§ 1505. Rulemaking authority. The attorney general may promulgate such rules and regulations as are necessary to effectuate and enforce the provisions of this article.

§ 1506. Scope. 1. This article shall apply to conduct that occurs in whole or in part in New York. For purposes of this article, conduct takes place wholly outside of New York if the addictive social media platform is accessed by a user who is physically located outside of New York.

2. Nothing in this article shall be construed to impose liability for commercial activities or actions by operators subject to 15 U.S.C. § 6501 that is inconsistent with the treatment of such activities or actions under 15 U.S.C. § 6502.

§ 1507. Remedies. 1. Whenever it appears to the attorney general, either upon complaint or otherwise, that any person, within or outside the state, has engaged in or is about to engage in any of the acts or practices stated to be unlawful in this article, the attorney general may bring an action or special proceeding in the name and on behalf of the people of the state of New York to enjoin any violation of this article, to obtain restitution of any moneys or property obtained

directly or indirectly by any such violation, to obtain disgorgement of any profits or gains obtained directly or indirectly by any such violation, including but not limited to the destruction of unlawfully obtained data and algorithms trained on such data, to obtain damages caused directly or indirectly by any such violation, to obtain civil penalties of up to five thousand dollars per violation, and to obtain any such other and further relief as the court may deem proper, including preliminary relief.

2. Any covered user, or the parent of a covered minor may bring an action for a violation of section fifteen hundred one or section fifteen hundred two of this article, to obtain:

(a) damages of up to five thousand dollars per covered user per incident or actual damages, whichever is greater;

(b) injunctive or declaratory relief; and/or

(c) any other relief the court deems proper.

3. Actions brought pursuant to this section may be brought on a class-wide basis.

4. The court shall award reasonable attorneys' fees to a prevailing plaintiff.

5. Prior to bringing any action for a violation of section fifteen hundred one or fifteen hundred two of this article, a covered user shall provide the business thirty days' written notice identifying the specific provisions of this article the covered user alleges have been or are being violated. In the event a cure is possible, if within the thirty days the business cures the noticed violation and provides the covered user an express written statement that the violations have been cured and that no further violations shall occur, no action for individual statutory damages or class-wide statutory damages may be initiated against the business. No notice shall be required prior to an individual consumer initiating an action solely for actual pecuniary damages suffered as a result of the alleged violations of this article. If a business continues to violate this article in breach of an express written statement provided to the covered user pursuant to this section, the covered user may initiate an action against the business to enforce the written statement and may pursue statutory damages for each breach of the express written statement, as well as any other violation of the article that postdates the written statement.

§ 3. Severability. 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.

§ 4. This act shall take effect on the one hundred eightieth day after the office of the attorney general shall promulgate rules and regulations necessary to effectuate the provisions of this act; provided that the office of the attorney general shall notify the legislative bill drafting commission upon the occurrence of the enactment of the rules and regulations necessary to effectuate and enforce the provisions of section two of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the

public officers law. 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 P

Section 1. The general business law is amended by adding a new article 39-FF to read as follows:

ARTICLE 39-FF

NEW YORK CHILD DATA PROTECTION ACT

Section 899-ee. Definitions.

899-ff. Privacy protection by default.

899-gg. Third parties.

899-hh. Ongoing safeguards.

899-ii. Respecting user-provided age flags.

899-jj. Protections for third-party operators.

899-kk. Rulemaking authority.

899-ll. Scope.

899-mm. Remedies.

§ 899-ee. Definitions. For purposes of this article, the following terms shall have the following meanings:

1. "Covered user" shall mean a user of a website, online service, online application, mobile application, or connected device, or portion thereof, in the state of New York who is:

(a) actually known by the operator of such website, online service, online application, mobile application, or connected device to be a minor; or

(b) a user of a website, online service, online application, mobile application, or connected device primarily directed to minors.

2. "Minor" shall mean a natural person under the age of eighteen.

3. "Operator" shall mean any person:

(a) who operates or provides a website on the internet, online service, online application, mobile application, or connected device; and

(b) who:

(i) collects or maintains, either directly or through another person, personal data from or about the users of such website, service, application, or connected device;

(ii) integrates with another website, service, application, or connected device and directly collects personal data from the users of such website, service, application, or connected device;

(iii) allows another person to collect personal data directly from users of such website, service, application, or connected device; or

(iv) allows users of such website, service, application, or connected device to publicly disclose personal data.

4. "Personal data" shall mean any data that identifies or could reasonably be linked, directly or indirectly, with a specific natural person or device.

5. "Process" or "processing" shall mean an operation or set of operations performed on personal data, including but not limited to the collection, use, access, sharing, sale, monetization, analysis, retention, creation, generation, derivation, recording, organization, structuring, storage, disclosure, transmission, disposal, licensing, destruction, deletion, modification, or deidentification of personal data.

6. "Primarily directed to minors" shall mean a website, online service, online application, mobile application, or connected device, or a portion thereof, that is targeted to minors. A website, online service, online application, mobile application, or connected device, or portion thereof, shall not be deemed directed primarily to minors solely because such website, online service, online application, mobile application, or connected device, or portion thereof refers or links to any other website, online service, online application, mobile application, or connected device directed to minors by using information location tools, including a directory, index, reference, pointer, or hypertext link. A website, online service, online application, mobile application, or connected device, or portion thereof, shall be deemed directed to minors when it has actual knowledge that it is collecting personal data of users directly from users of another website, online service, online application, mobile application, or connected device primarily directed to minors.

7. "Sell" shall mean to share personal data for monetary or other valuable consideration. "Selling" shall not include the sharing of personal data for monetary or other valuable consideration to another person as an asset that is part of a merger, acquisition, bankruptcy, or other transaction in which that person assumes control of all or part of the operator's assets.

8. "Third party" shall mean any person who is not any of the following:

(a) the operator with whom the user intentionally interacts and who collects personal data from the user as part of the user's current interaction with the operator;

(b) the user whose personal data the operator processes; or

(c) the parent or legal guardian of a user under thirteen years old whose personal data the operator processes.

§ 899-ff. Privacy protection by default. 1. Except as provided for in subdivision six of this section and section eight hundred ninety-nine-jj of this article, an operator shall not process, or allow a third party to process, the personal data of a covered user collected through the use of a website, online service, online application, mobile application, or connected device unless and to the extent:

(a) the covered user is twelve years of age or younger and processing is permitted under 15 U.S.C. § 6502 and its implementing regulations; or

(b) the covered user is thirteen years of age or older and processing is strictly necessary for an activity set forth in subdivision two of this section, or informed consent has been obtained as set forth in subdivision three of this section.

2. For the purposes of paragraph (b) of subdivision one of this section, the processing of personal data of a covered user is permissible where it is strictly necessary for the following activities:

(a) providing or maintaining a specific product or service requested by the covered user;

(b) conducting the operator's internal business operations. For purposes of this paragraph, such internal business operations shall not include any activities related to marketing, advertising, or providing products or services to third parties, or prompting covered users to use the website, online service, online application, mobile application, or connected device when it is not in use;

(c) identifying and repairing technical errors that impair existing or intended functionality;

(d) protecting against malicious, fraudulent, or illegal activity;

(e) investigating, establishing, exercising, preparing for, or defending legal claims;

(f) complying with federal, state, or local laws, rules, or regulations;

(g) complying with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, local, or other governmental authorities;

(h) detecting, responding to, or preventing security incidents or threats; or

(i) protecting the vital interests of a natural person.

3. (a) For the purposes of paragraph (b) of subdivision one of this section, to process personal data of a covered user where such processing is not strictly necessary under subdivision two of this section, informed consent must be obtained from the covered user either through a device communication or signal pursuant to the provisions of subdivision two of section eight hundred ninety-nine-ii of this article or through a request. Requests for such informed consent shall:

(i) be made separately from any other transaction or part of a transaction;

(ii) be made in the absence of any mechanism that has the purpose or substantial effect of obscuring, subverting, or impairing a covered user's decision-making regarding authorization for the processing;

(iii) if requesting informed consent for multiple types of processing, allow the covered user to provide or withhold consent separately for each type of processing;

(iv) clearly and conspicuously state that the processing is optional, and that the covered user may decline without preventing continued use of the website, online service, online application, mobile application, or connected device; and

(v) clearly present an option to refuse to provide consent as the most prominent option.

(b) Such informed consent, once given, shall be freely revocable at any time, and shall be at least as easy to revoke as it was to provide.

(c) If a covered user declines to provide or revokes informed consent for processing, another request may not be made for such processing for the following calendar year.

(d) If a covered user's device communicates or signals that the covered user declines to provide informed consent for processing pursuant to the provisions of subdivision two of section eight hundred ninety-nine-ii of this article, an operator shall not request informed consent for such processing.

4. Except where processing is strictly necessary to provide a product, service, or feature, an operator may not withhold, degrade, lower the quality, or increase the price of any product, service, or feature to a covered user due to the operator not obtaining verifiable parental consent under 15 U.S.C. § 6502 and its implementing regulations or informed consent under subdivision three of this section.

5. Except as provided for in section eight hundred ninety-nine-jj of this article, an operator shall not purchase or sell, or allow a third party to purchase or sell, the personal data of a covered user.

6. Within fourteen days of determining that a user is a covered user, an operator shall:

(a) dispose of, destroy, or delete all personal data of such covered user that it maintains, unless processing such personal data is permitted under 15 U.S.C. § 6502 and its implementing regulations, is strictly necessary for an activity listed in subdivision two of this section, or

informed consent is obtained as set forth in subdivision three of this section; and

(b) notify any third parties to whom it disclosed the personal data, and any third parties it allowed to process the personal data, that the user is a covered user.

§ 899-gg. Third parties. 1. Except as provided for in section eight hundred ninety-nine-jj of this article, no operator shall disclose the personal data of a covered user to a third party, or allow the processing of the personal data of a covered user by a third party, without a written, binding agreement governing such disclosure or processing. Such agreement shall clearly set forth instructions for the nature and purpose of the third-party's processing of the personal data, instructions for using or further disclosing the personal data, and the rights and obligations of both parties.

2. Except as provided for in section eight hundred ninety-nine-jj of this article, prior to disclosing personal data to a third party, the operator shall inform the third party if such data is the personal data of a covered user.

3. An agreement pursuant to subdivision one of this section shall require that the third party:

(a) process the personal data of covered users only when and to the extent strictly necessary for an activity listed pursuant to subdivision two of section eight hundred ninety-nine-ff of this article, or where informed consent was obtained pursuant to subdivision three of section eight hundred ninety-nine-ff of this article;

(b) delete or return to the operator all personal data of covered users at the end of its provision of services, unless retention of the personal data is required by law;

(c) upon reasonable request of the operator, make available to the operator all data in its possession necessary to demonstrate the third-party's compliance with the obligations in this section;

(d) allow, and cooperate with, reasonable assessments by the operator or the operator's designated assessor for purposes of evaluating compliance with the obligations of this article. Alternatively, the third party may arrange for a qualified and independent assessor to conduct an assessment of the third-party's policies and technical and organizational measures in support of the obligations under this article using an appropriate and accepted control standard or framework and assessment procedure for such assessments. The third party shall provide a report of such assessment to the operator upon request; and

(e) notify the operator a reasonable time in advance before disclosing or transferring the personal data of covered users to any further third parties, which may be in the form of a regularly updated list of further third parties that may access personal data of covered users.

§ 899-hh. Ongoing safeguards. Upon learning that a user is no longer a covered user, an operator may not process the personal data of such person in a manner not previously permitted unless and until it receives informed consent pursuant to subdivision three of section eight hundred ninety-nine-ff of this article.

§ 899-ii. Respecting user-provided age flags. 1. For the purposes of this article, an operator shall treat a user as a covered user if the user's device communicates or signals that the user is or shall be treated as a minor, including through a browser plug-in or privacy setting, device setting, or other mechanism.

2. For the purposes of subdivision three of section eight hundred ninety-nine-ff of this article, an operator shall adhere to any clear

and unambiguous communications or signals from a covered user's device, including through a browser plug-in or privacy setting, device setting, or other mechanism, concerning processing that the covered user consents to or declines to consent to. An operator shall not adhere to unclear or ambiguous communications or signals from a covered user's device, and shall instead request informed consent pursuant to the provisions of paragraph a of subdivision three of section eight hundred ninety-nine-ff of this article.

§ 899-jj. Protections for third-party operators. Sections eight hundred ninety-nine-ff and eight hundred ninety-nine-gg of this article shall not apply to an operator processing the personal data of a covered user of another website, online service, online application, mobile application, or connected device, or portion thereof, where the operator received reasonable written representations that the covered user provided informed consent for such processing, or:

1. the operator does not have actual knowledge that the covered user is a minor; and

2. the operator does not have actual knowledge that the other website, online service, online application, mobile application, or connected device, or portion thereof, is primarily directed to minors.

§ 899-kk. Rulemaking authority. The attorney general may promulgate such rules and regulations as are necessary to effectuate and enforce the provisions of this article.

§ 899-ll. Scope. 1. This article shall apply to conduct that occurs in whole or in part in the state of New York. For purposes of this article, commercial conduct takes place wholly outside of the state of New York if the business collected such information while the covered user was outside of the state of New York, no part of the use of the covered user's personal data occurred in the state of New York, and no personal data collected while the covered user was in the state of New York is used.

2. Nothing in this article shall be construed to prohibit an operator from storing a covered user's personal data that was collected pursuant to section eight hundred ninety-nine-ff of this article when such covered user is in the state.

3. Nothing in this article shall be construed to impose liability for commercial activities or actions by operators subject to 15 U.S.C. 6501 that is inconsistent with the treatment of such activities or actions under 15 U.S.C. 6502.

§ 899-mm. Remedies. 1. Whenever it appears to the attorney general, either upon complaint or otherwise, that any person, within or outside the state, has engaged in or is about to engage in any of the acts or practices stated to be unlawful in this article, the attorney general may bring an action or special proceeding in the name and on behalf of the people of the state of New York to enjoin any violation of this article, to obtain restitution of any moneys or property obtained directly or indirectly by any such violation, to obtain disgorgement of any profits or gains obtained directly or indirectly by any such violation, including but not limited to the destruction of unlawfully obtained data and algorithms trained on such data, to obtain damages caused directly or indirectly by any such violation, to obtain civil penalties of up to five thousand dollars per violation, and to obtain any such other and further relief as the court may deem proper, including preliminary relief.

2. Any covered user who has been injured by a violation of section eight hundred ninety-nine-ff of this article, or the parent or legal

guardian of a covered minor who has been injured by a violation of section eight hundred ninety-nine-ff of this article, may bring an action to obtain:

(a) Damages of up to five thousand dollars per covered user per incident or actual damages, whichever is greater;

(b) Injunctive or declaratory relief; and/or

(c) Any other relief the court deems proper.

3. Actions pursuant to this section may be brought on a class-wide basis.

4. The court may award reasonable attorneys' fees to a prevailing plaintiff.

5. Prior to bringing any action for violations of this article pursuant to subdivision two of this section, a covered user shall provide the operator thirty days' written notice identifying the specific provisions of this article the covered user alleges have been or are being violated. In the event a cure is possible, if within the thirty days the operator actually cures the noticed violation and provides the covered user an express written statement that the violations have been cured and that no further violations shall occur, no action for individual statutory damages or class-wide statutory damages may be initiated against the operator. No notice shall be required prior to an individual consumer initiating an action solely for actual pecuniary damages suffered as a result of the alleged violations of this title. If a business continues to violate this article in breach of the express written statement provided to the covered user under this section, the covered user may initiate an action against the business to enforce the written statement and may pursue statutory damages for each breach of the express written statement, as well as any other violation of the article that postdates such written statement.

§ 2. Severability. 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.

§ 3. This act shall take effect one year after it shall have become a law. 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. Subdivision 2 of section 200 of the state finance law, as added by chapter 78 of the laws of 1982, is amended to read as follows:

2. Notwithstanding the provisions of subdivision one of this section, where the state and an employee organization representing state officers and employees who are in positions which are in collective negotiating units established pursuant to article fourteen of the civil service law enter into an agreement providing for an alternative procedure for the payment of salaries to such employees or where the director of employee relations shall authorize an alternative procedure for the payment of salaries to state officers or employees in the executive branch who are

in positions which are not in collective negotiating units, such alternative procedure shall be implemented in lieu of the procedure specified in subdivision one of this section. **Notwithstanding any other provision of law to the contrary, where the state and an employee organization representing officers and employees in the executive branch who are in positions which are in collective negotiating units established pursuant to article fourteen of the civil service law enter into an agreement, or where the director of employee relations shall authorize for officers and employees in the executive branch who are in positions which are not in collective negotiating units, the alternate procedure specified herein shall be terminated for officers and employees hired on or after July first, two thousand twenty-four. The alternate procedure specified herein shall also be terminated for: (i) nonjudicial officers and employees of the unified court system hired on or after July first, two thousand twenty-four, if the chief administrator of the courts so elects; (ii) employees of the senate hired on or after July first, two thousand twenty-four, if the temporary president of the senate so elects; (iii) employees of the assembly hired on or after July first, two thousand twenty-four, if the speaker of the assembly so elects; and (iv) employees of joint legislative employers hired on or after July first, two thousand twenty-four, if the temporary president of the senate and the speaker of the assembly mutually so elect for all such joint legislative employers. Any election made pursuant to paragraph (i), (ii), (iii), or (iv) of this subdivision shall be in writing and filed with the state comptroller not later than thirty days after the enactment of this legislation.**

§ 2. Paragraph (c) of subdivision 2-a of section 200 of the state finance law, as added by chapter 947 of the laws of 1990, is amended to read as follows:

(c) For officers and employees hired after the effective date of this act, the withholding of five days of salary shall be accomplished in the same manner provided in paragraph (a) of this section provided, however, such withholding shall be taken on the first five payment dates in which such new employees would otherwise have received their salary. **Notwithstanding any other provision of law to the contrary, where the state and an employee organization representing officers and employees in the executive branch who are in positions which are in collective negotiating units established pursuant to article fourteen of the civil service law enter into an agreement, or where the director of employee relations shall authorize for officers or employees in the executive branch who are in positions which are not in collective negotiating units, officers and employees hired on or after July first, two thousand twenty-four, shall not be subject to the withholding of five days of salary on their first five payment dates as specified herein. Such withholding shall not be taken for: (i) nonjudicial officers and employees of the unified court system hired on or after July first, two thousand twenty-four, if the chief administrator of the courts so elects; (ii) employees of the senate hired on or after July first, two thousand twenty-four, if the temporary president of the senate so elects; (iii) employees of the assembly hired on or after July first, two thousand twenty-four, if the speaker of the assembly so elects; and (iv) employees of joint legislative employers hired on or after July first, two thousand twenty-four, if the temporary president of the senate and the speaker of the assembly mutually so elect for all such joint legislative employers. Any election made pursuant to subparagraph (i), (ii), (iii), or (iv) of this**

paragraph shall be in writing and filed with the state comptroller not later than thirty days after the enactment of this legislation.

§ 3. Paragraph (a) of subdivision 2-b of section 200 of the state finance law, as amended by chapter 171 of the laws of 1991, is amended to read as follows:

(a) For nonjudicial officers and employees of the unified court system: commencing with the earliest administratively feasible payroll period (and corresponding payment date) subsequent to the date this subdivision becomes a law, payment on the payment date of the five payroll periods commencing thereon shall be for nine-tenths of that amount paid each payroll period until a total of five-tenths of salary for one payroll period that would be paid but for this provision has been withheld. For nonjudicial officers and employees hired after the date this subdivision becomes a law, the withholding of five days of salary shall be accomplished in the same manner described above, provided, however, such withholding shall be made on the first five payment dates in which such new officers or employees would otherwise have received their salary. Notwithstanding any other provision of law to the contrary, such withholding shall not be taken for nonjudicial officers and employees of the unified court system hired on or after July first, two thousand twenty-four, if the chief administrator of the courts so elects. Any election made pursuant to this subdivision shall be in writing and filed with the state comptroller not later than thirty days after the enactment of this legislation.

§ 4. This act shall take effect July 1, 2024.

PART R

Section 1. Subdivision (a) of section 5004 of the civil practice law and rules, as amended by chapter 831 of the laws of 2021, is amended to read as follows:

(a) [~~Interest shall be at the rate of nine per centum per annum, except where otherwise provided by statute; provided~~] Notwithstanding any other provision of law or regulation to the contrary, including any law or regulation that limits the annual rate of interest to be paid on a judgment or accrued claim, the annual rate of interest to be paid on a judgment or accrued claim shall be calculated at the one-year United States treasury bill rate. For purposes of this section, the "one-year United States treasury bill rate" means the weekly average one-year constant maturity treasury yield, as published by the board of governors of the federal reserve system, for the calendar week preceding the date of the entry of the judgment awarding damages; provided however, that this section shall not apply to any provision of the tax law which provides for the annual rate of interest to be paid on a judgment or accrued claim. Provided, however, the annual rate of interest to be paid in an action arising out of a consumer debt where a natural person is a defendant shall be two per centum per annum (i) on a judgment or accrued claim for judgments entered on or after the effective date of [~~the~~] chapter eight hundred thirty-one of the laws of two thousand twenty-one [~~which amended this section~~], and (ii) for interest upon a judgment pursuant to section five thousand three of this article from the date of the entry of judgment on any part of a judgment entered before the effective date of [~~the~~] chapter eight hundred thirty-one of the laws of two thousand twenty-one [~~which amended this section~~] that is unpaid as of such effective date.

§ 2. Section 16 of the state finance law, as amended by chapter 681 of the laws of 1982, is amended to read as follows:

§ 16. Rate of interest on judgments and accrued claims against the state. The rate of interest to be paid by the state upon any judgment or accrued claim against the state shall [~~not exceed nine per centum per annum~~] **be calculated at the one-year United States treasury bill rate. For the purposes of this section, the "one-year United States treasury bill rate" means the weekly average one-year constant maturity treasury yield, as published by the board of governors of the federal reserve system, for the calendar week preceding the date of the entry of the judgment awarding damages. Provided however, that this section shall not apply to any provision of the tax law which provides for the annual rate of interest to be paid on a judgment or accrued claim**.

§ 3. This act shall take effect immediately, and shall be deemed to have been in full force and effect on and after April 1, 2024.

PART S

Section 1. Section 167-a of the civil service law, as amended by section 1 of part I of chapter 55 of the laws of 2012, is amended to read as follows:

§ 167-a. Reimbursement for medicare premium charges. Upon exclusion from the coverage of the health benefit plan of supplementary medical insurance benefits for which an active or retired employee or a dependent covered by the health benefit plan is or would be eligible under the federal old-age, survivors and disability insurance program, an amount equal to the **standard medicare** premium charge for such supplementary medical insurance benefits for such active or retired employee and his or her dependents, if any, shall be paid monthly or at other intervals to such active or retired employee from the health insurance fund. **Furthermore, effective January first, two thousand twenty-five there shall be no payment whatsoever for the income related monthly adjustment amount incurred on or after January first, two thousand twenty-four to any active or retired employee and his or her dependents, if any.** Where appropriate, such **standard medicare premium** amount may be deducted from contributions payable by the employee or retired employee; or where appropriate in the case of a retired employee receiving a retirement allowance, such **standard medicare premium** amount may be included with payments of his or her retirement allowance. All state employer, employee, retired employee and dependent contributions to the health insurance fund, including contributions from public authorities, public benefit corporations or other quasi-public organizations of the state eligible for participation in the health benefit plan as authorized by subdivision two of section one hundred sixty-three of this article, shall be adjusted as necessary to cover the cost of reimbursing federal old-age, survivors and disability insurance program premium charges under this section. This cost shall be included in the calculation of premium or subscription charges for health coverage provided to employees and retired employees of the state, public authorities, public benefit corporations or other quasi-public organizations of the state; provided, however, the state, public authorities, public benefit corporations or other quasi-public organizations of the state shall remain obligated to pay no less than its share of such increased cost consistent with its share of premium or subscription charges provided for by this article. All other employer contributions to the health insurance fund shall be adjusted as necessary to provide for such payments.

§ 2. This act shall take effect immediately and shall apply on January 1, 2024 for the income related monthly adjustment amount incurred on or after January 1, 2024.

PART T

Section 1. Subdivision 2 of section 163 of the civil service law, as amended by section 6 of part S of chapter 57 of the laws of 2023, is amended to read as follows:

2. The contract or contracts shall provide for health benefits for retired employees of the state and of the state colleges of agriculture, home economics, industrial labor relations and veterinary medicine, the state agricultural experiment station at Geneva, and any other institution or agency under the management and control of Cornell university as the representative of the board of trustees of the state university of New York, and the state college of ceramics under the management and control of Alfred university as the representative of the board of trustees of the state university of New York, and their spouses and dependent children as defined by the regulations of the president, on such terms as the president may deem appropriate, and the president may authorize the inclusion in the plan of the employees and retired employees of public authorities, public benefit corporations, school districts, special districts, district corporations, municipal corporations excluding active employees and retired employees of cities having a population of one million or more inhabitants whose compensation is or was before retirement paid out of the city treasury, or other appropriate agencies, subdivisions or quasi-public organizations of the state, including active members of volunteer fire and volunteer ambulance companies serving one or more municipal corporations pursuant to subdivision seven of section ninety-two-a of the general municipal law, and their spouses and dependent children as defined by the regulations of the president. Notwithstanding any law or regulation to the contrary, active members of volunteer ambulance companies serving one or more municipal corporations pursuant to subdivision seven of section ninety-two-a of the general municipal law shall be eligible for health benefits regardless of the amount of funds derived from public sources. Any such corporation, district, agency or organization electing to participate in the plan shall be required to pay**: (a)** its proportionate share of the expenses of administration of the plan in such amounts and at such times as determined and fixed by the president**; and (b) at the president's discretion, if such amount is not paid on the date due, interest for such late payment, as determined and fixed by the president and which in no case shall be greater than the interest incurred by the health insurance plan as a result of such late payment**. **For any amounts past due as of the effective date of this paragraph, interest shall be calculated on such amounts commencing thirty days after the effective date of this paragraph.** All amounts payable for such expenses of administration shall be paid to the commissioner of taxation and finance and shall be applied to the reimbursement of funds previously advanced for such purposes. Neither the state nor any other participant in the plan shall be charged with the particular experience attributable to the employees of the participant, and all dividends or retroactive rate credits shall be distributed pro-rata based upon the number of employees of such participant covered by the plan.

§ 2. Subdivision 5 of section 163 of the civil service law, as amended by section 4 of part T of chapter 56 of the laws of 2010, is amended to read as follows:

5. The chief fiscal officer of any such participating employer shall be authorized to deduct from the wages or salary paid to its employees who are participants in such health benefit plan the sums required to be paid by them under such plan. Each such participating employer is authorized to appropriate such sums as are required to be paid by it as its share in connection with the operation of such plan. **Notwithstanding any other provision of law, to the extent a participating employer fails to pay its share in connection with the operation of such plan, the director of the budget, at their discretion, is authorized to intercept any funds appropriated and paid by the state, and direct such amounts to the health insurance fund.**

§ 3. This act shall take effect immediately.

PART U

Section 1. Section 239-bb of the general municipal law, as added by section 1 of part EE of chapter 55 of the laws of 2018, subdivision 8 as amended by chapter 717 of the laws of 2022, subdivisions 9 and 11 as amended by chapter 294 of the laws of 2021, and subdivision 12 as added by chapter 773 of the laws of 2023, is amended to read as follows:

§ 239-bb. County-wide shared services panels. 1. Definitions. The following terms shall have the following meanings for the purposes of this article:

a. "County" shall mean any county not wholly contained within a city.

b. "County CEO" shall mean the county executive, county manager or other chief executive of the county, or, where none, the chair of the county legislative body.

c. "Panel" shall mean a county-wide shared services panel established pursuant to subdivision two of this section.

d. "Plan" shall mean a county-wide shared services property tax savings plan.

2. County-wide shared services panels. a. There [~~shall~~] **may** be a county-wide shared services panel in each county consisting of the county CEO, and one representative from each city, town and village in the county. The chief executive officer of each town, city and village shall be the representative to a panel and shall be the mayor, if a city or a village, or shall be the supervisor, if a town. The county CEO shall serve as chair. [~~All panels established in each county pursuant to part BBB of chapter fifty-nine of the laws of two thousand seventeen, and prior to the enactment of this article, shall continue in satisfaction of this section in such form as they were established, provided that the county CEO may alter the membership of the panel consistent with paragraph b of this subdivision.~~]

b. The county CEO may invite any school district, board of cooperative educational services, fire district, fire protection district, or special improvement district in the county to join a panel. Upon such invitation, the governing body of such school district, board of cooperative educational services, fire district, fire protection district, or other special district may accept such invitation by selecting a representative of such governing body, by majority vote, to serve as a member of the panel. [~~Such school district, board of cooperative educational services, fire district, fire protection district or other special district shall maintain such representation until the panel either~~

~~approves a plan or transmits a statement to the secretary of state on the reason the panel did not approve a plan, pursuant to paragraph d of subdivision seven of this section. Upon approval of a plan or a transmission of a statement to the secretary of state that a panel did not approve a plan in any calendar year, the county CEO may, but need not, invite any school district, board of cooperative educational services, fire district, fire protection district or special improvement district in the county to join a panel thereafter convened.~~]

3. [~~a.~~] Each county CEO [~~shall, after satisfying the requirements of part BBB of chapter fifty-nine of the laws of two thousand seventeen, annually~~] **may** convene the panel and [~~shall~~] undertake to revise and update a previously approved plan or alternatively develop a new plan [~~through December thirty-first, two thousand twenty-one~~]. Such plans shall contain new, recurring property tax savings resulting from actions such as, but not limited to, the elimination of duplicative services; shared services arrangements including, joint purchasing, shared highway equipment, shared storage facilities, shared plowing services and energy and insurance purchasing cooperatives; reducing back office and administrative overhead; and better coordinating services. The secretary of state may provide advice and/or recommendations on the form and structure of such plans.

[~~b. After having convened at least two meetings in a calendar year, a panel may, by majority vote, determine that it is not in the best interest of the taxpayers to revise and update a previously approved plan or to develop a new plan in such year. The county CEO of such panel shall then comply with the provisions of paragraph (d) of subdivision seven of this section.~~

~~4. While revising or updating a previously approved plan, or while developing a new plan, the county CEO shall regularly consult with, and take recommendations from, the representatives: on the panel; of each collective bargaining unit of the county and the cities, towns, and villages; and of each collective bargaining unit of any participating school district, board of cooperative educational services, fire district, fire protection district, or special improvement district.~~

~~5. The county CEO, the county legislative body and a panel shall accept input from the public, civic, business, labor and community leaders on any proposed plan. The county CEO shall cause to be conducted a minimum of three public hearings prior to submission of a plan to a vote of a panel. All such public hearings shall be conducted within the county, and public notice of all such hearings shall be provided at least one week prior in the manner prescribed in subdivision one of section one hundred four of the public officers law. Civic, business, labor, and community leaders, as well as members of the public, shall be permitted to provide public testimony at any such hearings.~~

~~6. a. The county CEO shall submit each plan, accompanied by a certification as to the accuracy of the savings contained therein, to the county legislative body at least forty-five days prior to a vote by the panel.~~

~~b. The county legislative body shall review and consider each plan submitted in accordance with paragraph a of this subdivision. A majority of the members of such body may issue an advisory report on each plan, making recommendations as deemed necessary. The county CEO may modify a plan based on such recommendations, which shall include an updated certification as to the accuracy of the savings contained therein.~~

~~7. a. A panel shall duly consider any plan properly submitted to the panel by the county CEO and may approve such plan by a majority vote of~~

~~the panel. Each member of a panel may, prior to the panel-wide vote, cause to be removed from a plan any proposed action affecting the unit of government represented by the respective member. Written notice of such removal shall be provided to the county CEO prior to a panel-wide vote on a plan.~~

~~b. Plans approved by a panel shall be transmitted to the secretary of state no later than thirty days from the date of approval by a panel accompanied by a certification as to the accuracy of the savings accompanied therein, and shall be publicly disseminated to residents of the county in a concise, clear, and coherent manner using words with common and everyday meaning.~~

~~c. The county CEO shall conduct a public presentation of any approved plan no later than thirty days from the date of approval by a panel. Public notice of such presentation shall be provided at least one week prior in the manner prescribed in subdivision one of section one hundred four of the public officers law.~~

~~d. Beginning in two thousand twenty, by January fifteenth following any calendar year during which a panel did not approve a plan and transmit such plan to the secretary of state pursuant to paragraph b of this subdivision, the county CEO of such panel shall release to the public and transmit to the secretary of state a statement explaining why the panel did not approve a plan that year, including, for each vote on a plan, the vote taken by each panel member and an explanation by each panel member of their vote.~~

~~8. For each county, new shared services actions in an approved and submitted plan pursuant to this section or part BBB of chapter fifty-nine of the laws of two thousand seventeen, may be eligible for funding to match savings from such action, subject to available appropriation. Savings that are actually and demonstrably realized by the participating local governments are eligible for matching funding. For actions that are part of an approved plan transmitted to the secretary of state in accordance with paragraph b of subdivision seven of this section, savings achieved during either: (i) January first through December thirty-first from new actions implemented on or after January first through December thirty-first of the year immediately following an approved and transmitted plan, or (ii) July first of the year immediately following an approved and transmitted plan through June thirtieth of the subsequent year from new actions implemented July first of the year immediately following an approved plan through June thirtieth of the subsequent year may be eligible for matching funding. Only net savings between local governments for each action would be eligible for matching funding. Savings from internal efficiencies or any other action taken by a local government without the participation of another local government are not eligible for matching funding. Each county and all of the local governments within the county that are part of any action to be implemented as part of an approved plan must collectively apply for the matching funding and agree on the distribution and use of any matching funding in order to qualify for matching funding.~~

~~9. The department of state shall prepare a report to the governor, the temporary president of the senate and the speaker of the assembly on the county-wide shared services plans approved by the county-wide shared services panels created pursuant to part BBB of chapter fifty-nine of the laws of two thousand seventeen and this article and shall post the report on the department's website. Such report shall be provided on or before June thirtieth, two thousand twenty-five and shall include, but not be limited to, the following:~~

~~a. a detailed summary of projects included in county-wide shared services plans by category, such as:~~

~~(1) public health and insurance;~~

~~(2) emergency services;~~

~~(3) sewer, water, and waste management systems;~~

~~(4) energy procurement and efficiency;~~

~~(5) parks and recreation;~~

~~(6) education and workforce training;~~

~~(7) law and courts;~~

~~(8) shared equipment, personnel, and services;~~

~~(9) joint purchasing;~~

~~(10) governmental reorganization;~~

~~(11) transportation and highway departments; and~~

~~(12) records management and administrative functions.~~

~~b. for each of the counties the following information:~~

~~(1) a detailed summary of each of the savings plans, including revisions and updates submitted each year or the statement explaining why the county did not approve a plan in any year;~~

~~(2) the anticipated savings for each plan;~~

~~(3) the number of cities, towns and villages in the county;~~

~~(4) the number of cities, towns and villages that participated in a panel, as reported in a plan;~~

~~(5) the number of school districts, boards of cooperative educational services, fire districts, fire protection districts, or other special districts in the county; and~~

~~(6) the number of school districts, boards of cooperative educational services, fire districts, fire protection districts, or other special districts that participated in a panel, as reported in a plan.~~

~~10. The secretary of state may solicit, and the panels may provide at her or his request, advice and recommendations concerning matters related to the operations of local governments and shared services initiatives, including, but not limited to, making recommendations regarding grant proposals incorporating elements of shared services, government dissolutions, government and service consolidations, or property taxes and such other grants where the secretary deems the input of the panels to be in the best interest of the public. The panel shall advance such advice or recommendations by a vote of the majority of the members present at such meeting.~~

~~11. The authority granted by this article to a county CEO to convene a panel for the purpose of revising or updating a previously approved plan, or developing a new plan, or to provide the secretary of state information pursuant to subdivision ten of this section, shall cease on December thirty-first, two thousand twenty-four.~~

~~12. Notwithstanding any other provision of law to the contrary, monies constituting the funds of the village incorporation commission established pursuant to section 2-259 of the village law shall be deposited with the state comptroller and held for the purposes of the village incorporation commission established in article two of the village law; provided, however, that such monies shall be derived from the appropriation dedicated to the matching funds program pursuant to subdivision eight of this section and provided further, that such funding for such entity shall not be subject to the requirements of subdivision eight of this section related to savings.~~]

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2024.

PART V

Section 1. Subdivision 1 of section 2799-gg of the public authorities law, as amended by chapter 182 of the laws of 2009, is amended to read as follows:

1. The authority shall have the power and is hereby authorized from time to time to issue bonds, in conformity with applicable provisions of the uniform commercial code, in such principal amounts as it may determine to be necessary pursuant to section twenty-seven hundred ninety-nine-ff of this title to pay the cost of any project and to fund reserves to secure such bonds, including incidental expenses in connection therewith.

The aggregate principal amount of such bonds, notes or other obligations outstanding shall not exceed [~~thirteen billion, five hundred million dollars ($13,500,000,000)~~], beginning July first, two thousand twenty-four, nineteen billion five hundred million dollars ($19,500,000,000), and beginning July first, two thousand twenty-five, twenty-five billion five hundred million dollars ($25,500,000,000), excluding bonds, notes or other obligations issued pursuant to sections twenty-seven hundred ninety-nine-ss and twenty-seven hundred ninety-nine-tt of this title; provided, however, that upon any refunding or repayment of bonds (which term shall not, for this purpose, include bond anticipation notes), the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than [~~thirteen billion, five hundred million dollars ($13,500,000,000)~~], beginning July first, two thousand twenty-four, nineteen billion five hundred million dollars ($19,500,000,000), and beginning July first, two thousand twenty-five, twenty-five billion five hundred million dollars ($25,500,000,000), only if the refunding or repayment bonds, notes or other obligations were issued in accordance with the provisions of subparagraph (a) of subdivision two of paragraph b of section 90.10 of the local finance law, as amended from time to time. Notwithstanding the foregoing, bonds, notes or other obligations issued by the authority may be outstanding in an amount greater than the amount permitted by the preceding sentence, provided that such additional amount at issuance, together with the amount of indebtedness contracted by the city of New York, shall not exceed the limit prescribed by section 104.00 of the local finance law. The authority shall have the power from time to time to refund any bonds of the authority by the issuance of new bonds whether the bonds to be refunded have or have not matured, and may issue bonds partly to refund bonds of the authority then outstanding and partly to pay the cost of any project pursuant to section twenty-seven hundred ninety-nine-ff of this title. Bonds issued by the authority shall be payable solely out of particular revenues or other moneys of the authority as may be designated in the proceedings of the authority under which the bonds shall be authorized to be issued, subject to any agreements entered into between the authority and the city, and subject to any agreements with the holders of outstanding bonds pledging any particular revenues or moneys.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2024.

PART W

Section 1. Paragraphs t, u and v of subdivision 10 of section 54 of the state finance law, paragraph v as relettered by section 3 of part K

of chapter 55 of the laws of 2013, are relettered paragraphs u, v and w and a new paragraph t is added to read as follows:

t. Local government efficiency grant program beginning in the state fiscal year commencing April first, two thousand twenty-four. (i) (1) For the purposes of this paragraph, "municipality" shall mean a county, city, town, village, special improvement district, fire district, public library, association library, or public library system as defined by section two hundred seventy-two of the education law; provided, however, that for the purposes of this definition, a public library system shall be considered a municipality only in instances where such public library system advances a joint application on behalf of its member libraries, water authority, sewer authority, regional planning and development board, school district, or board of cooperative educational services; provided, however, that for the purposes of this definition, a board of cooperative educational services shall be considered a municipality only in instances where such board of cooperative educational services advances a joint application on behalf of school districts and other municipalities within the board of cooperative educational services region; provided, however, that any agreements with a board of cooperative educational services: shall not generate additional state aid; shall be deemed not to be a part of the program, capital and administrative budgets of the board of cooperative educational services for the purposes of computing charges upon component school districts pursuant to subdivision one and subparagraph seven of paragraph b of subdivision four of section nineteen hundred fifty, and subdivision one of section nineteen hundred fifty-one of the education law; and shall be deemed to be a cooperative municipal service for purposes of subparagraph two of paragraph d of subdivision four of section nineteen hundred fifty of the education law.

(2) For the purposes of this paragraph, "functional consolidation" shall mean one municipality completely providing a service or function for another municipality, which no longer provides such service or function.

(ii) Within the annual amounts appropriated therefor, the secretary of state may award competitive grants to municipalities to cover costs associated with local government efficiency projects, including, but not limited to, planning for or implementation of a municipal consolidation or dissolution, a functional consolidation, a city or county charter revision that includes functional consolidation, shared or cooperative services, and regionalized delivery of services; provided, however, that such local government efficiency projects must demonstrate new opportunities for financial savings and operational efficiencies; provided, further, that eligible local government efficiency projects shall not include studies and plans for a local government re-organization eligible to receive a local government citizens re-organization empowerment grant pursuant to paragraph q of this subdivision. The secretary of state may focus the grant program in specific functional areas, within distressed communities and areas of historically high local government costs and property taxes, or in areas of unique opportunity, in which case such areas of focus shall be detailed in a request for applications.

(iii) Any approved project shall include an examination of financial savings, return on public investment and management improvements resulting from project implementation.

(iv) Local government efficiency grants may be used to cover costs including, but not limited to, legal and consultant services, capital

improvements, transitional personnel costs and other necessary expenses related to implementing the approved local government efficiency grant work plan. Grants may be used for capital improvements, transitional personnel costs or joint equipment purchases only where such expenses are integral to implementation of the local government efficiency project. No part of the grant shall be used by the applicant for recurring expenses such as salaries, except that the salaries of certain transitional personnel essential for the implementation of the approved local government efficiency grant work plan shall be eligible for a period not to exceed three years. The amounts awarded to a school district pursuant to this subparagraph shall not be included in the approved operating expense of the school district as defined in paragraph t of subdivision one of section thirty-six hundred two of the education law.

(v) The maximum cumulative grant award for a local government efficiency project shall not exceed two hundred fifty thousand dollars per municipality; provided, however, that in no case shall such a project receive a cumulative grant award in excess of one million two hundred fifty thousand dollars. The maximum grant award for a local government efficiency planning project, or the planning component of a project that includes both planning and implementation of a local government efficiency project, shall not exceed twenty thousand dollars per municipality; provided, however, that in no event shall such a planning project receive a grant award in excess of one hundred thousand dollars.

(vi) Local matching funds equal to at least fifty percent of the total cost of activities under the grant work plan approved by the department of state shall be required for planning grants, and local matching funds equal to at least ten percent of the total cost of activities under the grant work plan approved by the department of state shall be required for implementation grants. In the event an applicant is implementing a project that the applicant developed through a successfully completed planning grant funded under the local government efficiency grant program or the shared municipal services incentive grant program, the local matching funds required shall be reduced by the local matching funds required by such successfully completed planning grant up to the amount of local matching funds required for the implementation grant.

(vii) In the selection of grant awards, the secretary of state shall give the highest priority to applications: (1) that would result in the dissolution or consolidation of municipalities; (2) that would implement the complete functional consolidation of a municipal service; or (3) by local governments with historically high costs of local government or sustained increases in property taxes. Priority will also be given to municipalities that have previously completed a planning grant pursuant to this program or the shared municipal services incentive grant program, and to local governments currently involved in regional development projects that have received funds through state community and infrastructure development programs.

(viii) Within one week of the receipt of an application, the department of state shall review the application to ensure the applicant has filed the correct application, and to determine if any required sections of the application contain no information. Within one business day of determining an applicant has filed an incorrect application, or determining an application contains no information in a section required to contain information, the department shall so notify the applicant. Applicants shall be permitted to amend an application found to be missing information, and such application shall be reconsidered for approval

if it is amended by the application deadline. If an applicant has submitted an incorrect application, the applicant may submit the correct application to the appropriate program by the deadline for such program for consideration. Under no circumstances shall this subparagraph be deemed to require the extension of any application deadline established by the department, nor shall it obligate the department to conduct a substantive review of the contents of any application outside of the procedures established by the department for the purposes of maintaining the competitive integrity of the grant program.

(ix) Written notice shall be provided to an applicant of a decision regarding the grant or denial of an award under this paragraph, within thirty days after such decision.

(x) The department of state shall prepare an annual report to the governor and the legislature on the effectiveness of the local government efficiency grant program and the local government citizens re-organization empowerment grant program. Such report shall be provided on or before October first of each year and shall include, but not be limited to, the following: a summary of applications and awards for each grant category, an assessment of progress in implementing initiatives that received grant awards, and estimated financial savings and significant improvements in service realized by municipalities that have received grants.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2024.

PART X

Section 1. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the following funds and/or accounts:

1. DOL-Child performer protection account (20401).
2. Local government records management account (20501).
3. Child health plus program account (20810).
4. EPIC premium account (20818).
5. Education - New (20901).
6. VLT - Sound basic education fund (20904).
7. Sewage treatment program management and administration fund (21000).
8. Hazardous bulk storage account (21061).
9. Utility environmental regulatory account (21064).
10. Federal grants indirect cost recovery account (21065).
11. Low level radioactive waste account (21066).
12. Recreation account (21067).
13. Public safety recovery account (21077).
14. Environmental regulatory account (21081).
15. Natural resource account (21082).
16. Mined land reclamation program account (21084).
17. Great lakes restoration initiative account (21087).
18. Environmental protection and oil spill compensation fund (21200).
19. Public transportation systems account (21401).
20. Metropolitan mass transportation (21402).
21. Operating permit program account (21451).
22. Mobile source account (21452).
23. Statewide planning and research cooperative system account (21902).

24. New York state thruway authority account (21905).
25. Financial control board account (21911).
26. Regulation of racing account (21912).
27. State university dormitory income reimbursable account (21937).
28. Criminal justice improvement account (21945).
29. Environmental laboratory reference fee account (21959).
30. Training, management and evaluation account (21961).
31. Clinical laboratory reference system assessment account (21962).
32. Indirect cost recovery account (21978).
33. Multi-agency training account (21989).
34. Bell jar collection account (22003).
35. Industry and utility service account (22004).
36. Real property disposition account (22006).
37. Parking account (22007).
38. Courts special grants (22008).
39. Asbestos safety training program account (22009).
40. Batavia school for the blind account (22032).
41. Investment services account (22034).
42. Surplus property account (22036).
43. Financial oversight account (22039).
44. Regulation of Indian gaming account (22046).
45. Rome school for the deaf account (22053).
46. Seized assets account (22054).
47. Administrative adjudication account (22055).
48. New York City assessment account (22062).
49. Cultural education account (22063).
50. Local services account (22078).
51. DHCR mortgage servicing account (22085).
52. Housing indirect cost recovery account (22090).
53. Voting Machine Examinations account (22099).
54. DHCR-HCA application fee account (22100).
55. Low income housing monitoring account (22130).
56. Restitution account (22134).
57. Corporation administration account (22135).
58. New York State Home for Veterans in the Lower-Hudson Valley account (22144).
59. Deferred compensation administration account (22151).
60. Rent revenue other New York City account (22156).
61. Rent revenue account (22158).
62. Transportation aviation account (22165).
63. Tax revenue arrearage account (22168).
64. New York State Campaign Finance Fund account (22211).
65. New York state medical indemnity fund account (22240).
66. Behavioral health parity compliance fund (22246).
67. Pharmacy benefit manager regulatory fund (22255).
68. State university general income offset account (22654).
69. Lake George park trust fund account (22751).
70. Highway safety program account (23001).
71. DOH drinking water program account (23102).
72. NYCCC operating offset account (23151).
73. Commercial gaming revenue account (23701).
74. Commercial gaming regulation account (23702).
75. Highway use tax administration account (23801).
76. New York state secure choice administrative account (23806).
77. New York state cannabis revenue fund (24800).
78. Fantasy sports administration account (24951).

79. Mobile sports wagering fund (24955).
80. Highway and bridge capital account (30051).
81. State university residence hall rehabilitation fund (30100).
82. State parks infrastructure account (30351).
83. Clean water/clean air implementation fund (30500).
84. Hazardous waste remedial cleanup account (31506).
85. Youth facilities improvement account (31701).
86. Housing assistance fund (31800).
87. Housing program fund (31850).
88. Highway facility purpose account (31951).
89. New York racing account (32213).
90. Capital miscellaneous gifts account (32214).
91. Information technology capital financing account (32215).
92. New York environmental protection and spill remediation account (32219).
93. Mental hygiene facilities capital improvement fund (32300).
94. Correctional facilities capital improvement fund (32350).
95. New York State Storm Recovery Capital Fund (33000).
96. OGS convention center account (50318).
97. Empire Plaza Gift Shop (50327).
98. Unemployment Insurance Benefit Fund, Interest Assessment Account (50651).
99. Centralized services fund (55000).
100. Archives records management account (55052).
101. Federal single audit account (55053).
102. Civil service administration account (55055).
103. Civil service EHS occupational health program account (55056).
104. Banking services account (55057).
105. Cultural resources survey account (55058).
106. Neighborhood work project account (55059).
107. Automation & printing chargeback account (55060).
108. OFT NYT account (55061).
109. Data center account (55062).
110. Intrusion detection account (55066).
111. Domestic violence grant account (55067).
112. Centralized technology services account (55069).
113. Labor contact center account (55071).
114. Human services contact center account (55072).
115. Tax contact center account (55073).
116. Department of law civil recoveries account (55074).
117. Executive direction internal audit account (55251).
118. CIO Information technology centralized services account (55252).
119. Health insurance internal service account (55300).
120. Civil service employee benefits division administrative account (55301).
121. Correctional industries revolving fund (55350).
122. Employees health insurance account (60201).
123. Medicaid management information system escrow fund (60900).
124. Virtual currency assessments account.
125. Animal shelter regulation account.
126. Department of financial services IT modernization capital account.

§ 2. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to any account within the following federal funds, provided the comptroller has made a determination that

sufficient federal grant award authority is available to reimburse such loans:

1. Federal USDA-food and nutrition services fund (25000).
2. Federal health and human services fund (25100).
3. Federal education fund (25200).
4. Federal block grant fund (25250).
5. Federal miscellaneous operating grants fund (25300).
6. Federal unemployment insurance administration fund (25900).
7. Federal unemployment insurance occupational training fund (25950).
8. Federal emergency employment act fund (26000).
9. Federal capital projects fund (31350).

§ 3. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2025, up to the unencumbered balance or the following amounts:

Economic Development and Public Authorities:

1. $2,175,000 from the miscellaneous special revenue fund, underground facilities safety training account (22172), to the general fund.

2. An amount up to the unencumbered balance from the miscellaneous special revenue fund, business and licensing services account (21977), to the general fund.

3. $19,810,000 from the miscellaneous special revenue fund, code enforcement account (21904), to the general fund.

4. $3,000,000 from the general fund to the miscellaneous special revenue fund, tax revenue arrearage account (22168).

Education:

1. $2,792,000,000 from the general fund to the state lottery fund, education account (20901), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.

2. $1,096,000,000 from the general fund to the state lottery fund, VLT education account (20904), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.

3. $121,600,000 from the general fund to the New York state commercial gaming fund, commercial gaming revenue account (23701), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 97-nnnn of the state finance law that are in excess of the amounts deposited in such fund for purposes pursuant to section 1352 of the racing, pari-mutuel wagering and breeding law.

4. $995,000,000 from the general fund to the mobile sports wagering fund, education account (24955), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1367 of the racing, pari-mutuel wagering and breeding law.

5. $25,000,000 from the interactive fantasy sports fund, fantasy sports education account (24950), to the state lottery fund, education account (20901), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law.

6. An amount up to the unencumbered balance in the fund on March 31, 2025 from the charitable gifts trust fund, elementary and secondary

education account (24901), to the general fund, for payment of general support for public schools pursuant to section 3609-a of the education law.

7. Moneys from the state lottery fund (20900) up to an amount deposited in such fund pursuant to section 1612 of the tax law in excess of the current year appropriation for supplemental aid to education pursuant to section 92-c of the state finance law.

8. $300,000 from the New York state local government records management improvement fund, local government records management account (20501), to the New York state archives partnership trust fund, archives partnership trust maintenance account (20351).

9. $900,000 from the general fund to the miscellaneous special revenue fund, Batavia school for the blind account (22032).

10. $900,000 from the general fund to the miscellaneous special revenue fund, Rome school for the deaf account (22053).

11. $343,400,000 from the state university dormitory income fund (40350) to the miscellaneous special revenue fund, state university dormitory income reimbursable account (21937).

12. $79,100,000 from the state university income fund, state university hospitals income reimbursable account (22656) to the general fund for hospital debt service for the period April 1, 2024 through March 31, 2025.

13. $24,000,000 from any of the state education department's special revenue and internal service funds to the miscellaneous special revenue fund, indirect cost recovery account (21978).

14. $4,200,000 from any of the state education department's special revenue or internal service funds to the capital projects fund (30000).

15. $30,013,000 from the general fund to the miscellaneous special revenue fund, HESC-insurance premium payments account (21960).

Environmental Affairs:

1. $16,000,000 from any of the department of environmental conservation's special revenue federal funds, and/or federal capital funds, to the environmental conservation special revenue fund, federal indirect recovery account (21065).

2. $5,000,000 from any of the department of environmental conservation's special revenue federal funds, and/or federal capital funds, to the conservation fund (21150) or Marine Resources Account (21151) as necessary to avoid diversion of conservation funds.

3. $3,000,000 from any of the office of parks, recreation and historic preservation capital projects federal funds and special revenue federal funds to the miscellaneous special revenue fund, federal grant indirect cost recovery account (22188).

4. $1,000,000 from any of the office of parks, recreation and historic preservation special revenue federal funds to the miscellaneous capital projects fund, I love NY water account (32212).

5. $100,000,000 from the general fund to the environmental protection fund, environmental protection fund transfer account (30451).

6. $6,000,000 from the general fund to the hazardous waste remedial fund, hazardous waste oversight and assistance account (31505).

7. An amount up to or equal to the cash balance within the special revenue-other waste management & cleanup account (21053) to the capital projects fund (30000) for services and capital expenses related to the management and cleanup program as put forth in section 27-1915 of the environmental conservation law.

8. $1,800,000 from the miscellaneous special revenue fund, public service account (22011) to the miscellaneous special revenue fund, utility environmental regulatory account (21064).

9. $7,000,000 from the general fund to the enterprise fund, state fair account (50051).

10. $10,000,000 from the waste management & cleanup account (21053) to the general fund.

11. $3,000,000 from the waste management & cleanup account (21053) to the environmental protection fund transfer account (30451).

12. $10,000,000 from the general fund to the miscellaneous special revenue fund, patron services account (22163).

13. $15,000,000 from the enterprise fund, golf account (50332) to the state park infrastructure fund, state park infrastructure account (30351).

Family Assistance:

1. $7,000,000 from any of the office of children and family services, office of temporary and disability assistance, or department of health special revenue federal funds and the general fund, in accordance with agreements with social services districts, to the miscellaneous special revenue fund, office of human resources development state match account (21967).

2. $4,000,000 from any of the office of children and family services or office of temporary and disability assistance special revenue federal funds to the miscellaneous special revenue fund, family preservation and support services and family violence services account (22082).

3. $18,670,000 from any of the office of children and family services, office of temporary and disability assistance, or department of health special revenue federal funds and any other miscellaneous revenues generated from the operation of office of children and family services programs to the general fund.

4. $205,000,000 from any of the office of temporary and disability assistance or department of health special revenue funds to the general fund.

5. $2,500,000 from any of the office of temporary and disability assistance special revenue funds to the miscellaneous special revenue fund, office of temporary and disability assistance program account (21980).

6. $35,000,000 from any of the office of children and family services, office of temporary and disability assistance, department of labor, and department of health special revenue federal funds to the office of children and family services miscellaneous special revenue fund, multi-agency training contract account (21989).

7. $205,000,000 from the miscellaneous special revenue fund, youth facility per diem account (22186), to the general fund.

8. $621,850 from the general fund to the combined gifts, grants, and bequests fund, WB Hoyt Memorial account (20128).

9. $5,000,000 from the miscellaneous special revenue fund, state central registry (22028), to the general fund.

10. $900,000 from the general fund to the Veterans' Remembrance and Cemetery Maintenance and Operation account (20201).

11. $5,000,000 from the general fund to the housing program fund (31850).

12. $10,000,000 from any of the office of children and family services special revenue federal funds to the office of the court administration special revenue other federal iv-e funds account.

General Government:

1. $9,000,000 from the general fund to the health insurance revolving fund (55300).
2. $292,400,000 from the health insurance reserve receipts fund (60550) to the general fund.
3. $150,000 from the general fund to the not-for-profit revolving loan fund (20650).
4. $150,000 from the not-for-profit revolving loan fund (20650) to the general fund.
5. $3,000,000 from the miscellaneous special revenue fund, surplus property account (22036), to the general fund.
6. $19,000,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the general fund.
7. $3,326,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the miscellaneous special revenue fund, authority budget office account (22138).
8. $1,000,000 from the miscellaneous special revenue fund, parking account (22007), to the general fund, for the purpose of reimbursing the costs of debt service related to state parking facilities.
9. $11,460,000 from the general fund to the agencies internal service fund, central technology services account (55069), for the purpose of enterprise technology projects.
10. $10,000,000 from the general fund to the agencies internal service fund, state data center account (55062).
11. $12,000,000 from the miscellaneous special revenue fund, parking account (22007), to the centralized services, building support services account (55018).
12. $33,000,000 from the general fund to the internal service fund, business services center account (55022).
13. $8,000,000 from the general fund to the internal service fund, building support services account (55018).
14. $1,500,000 from the combined expendable trust fund, plaza special events account (20120), to the general fund.
15. $50,000,000 from the New York State cannabis revenue fund (24800) to the general fund.
16. A transfer from the general fund to the miscellaneous special revenue fund, New York State Campaign Finance Fund Account (22211), up to an amount equal to total reimbursements due to qualified candidates.
17. $6,000,000 from the miscellaneous special revenue fund, standards and purchasing account (22019), to the general fund.
18. $5,600,000 from the banking department special revenue fund (21970) funded by the assessment to defray operating expenses authorized by section 206 of the financial services law to the IT Modernization Capital Fund.
19. $8,400,000 from the insurance department special revenue fund (21994) funded by the assessment to defray operating expenses authorized by section 206 of the financial services law to the IT Modernization Capital Fund.
20. $500,000 from the pharmacy benefits bureau special revenue fund (22255) funded by the assessment to defray operating expenses authorized by section 206 of the financial services law, to the IT Modernization Capital Fund.
21. $500,000 from the virtual currency special revenue fund (22262) funded by the assessment to defray operating expenses authorized by section 206 of the financial services law, to the IT Modernization Capital Fund.

Health:

1. A transfer from the general fund to the combined gifts, grants and bequests fund, breast cancer research and education account (20155), up to an amount equal to the monies collected and deposited into that account in the previous fiscal year.

2. A transfer from the general fund to the combined gifts, grants and bequests fund, prostate cancer research, detection, and education account (20183), up to an amount equal to the moneys collected and deposited into that account in the previous fiscal year.

3. A transfer from the general fund to the combined gifts, grants and bequests fund, Alzheimer's disease research and assistance account (20143), up to an amount equal to the moneys collected and deposited into that account in the previous fiscal year.

4. $3,600,000 from the miscellaneous special revenue fund, certificate of need account (21920), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

5. $4,000,000 from the miscellaneous special revenue fund, vital health records account (22103), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

6. $6,000,000 from the miscellaneous special revenue fund, professional medical conduct account (22088), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

7. $131,000,000 from the HCRA resources fund (20800) to the capital projects fund (30000).

8. $6,550,000 from the general fund to the medical cannabis trust fund, health operation and oversight account (23755).

9. An amount up to the unencumbered balance from the charitable gifts trust fund, health charitable account (24900), to the general fund, for payment of general support for primary, preventive, and inpatient health care, dental and vision care, hunger prevention and nutritional assistance, and other services for New York state residents with the overall goal of ensuring that New York state residents have access to quality health care and other related services.

10. $500,000 from the miscellaneous special revenue fund, New York State cannabis revenue fund (24800), to the miscellaneous special revenue fund, environmental laboratory fee account (21959).

11. An amount up to the unencumbered balance from the public health emergency charitable gifts trust fund (23816), to the general fund, for payment of goods and services necessary to respond to a public health disaster emergency or to assist or aid in responding to such a disaster.

12. $1,000,000,000 from the general fund to the health care transformation fund (24850).

13. $2,590,000 from the miscellaneous special revenue fund, patient safety center account (22140), to the general fund.

14. $1,000,000 from the miscellaneous special revenue fund, nursing home receivership account (21925), to the general fund.

15. $130,000 from the miscellaneous special revenue fund, quality of care account (21915), to the general fund.

16. $2,200,000 from the miscellaneous special revenue fund, adult home quality enhancement account (22091), to the general fund.

17. $22,113,000 from the general fund, to the miscellaneous special revenue fund, helen hayes hospital account (22140).

18. $4,850,000 from the general fund, to the miscellaneous special revenue fund, New York city veterans' home account (22141).

19. $3,675,000 from the general fund, to the miscellaneous special revenue fund, New York state home for veterans' and their dependents at oxford account (22142).

20. $2,055,000 from the general fund, to the miscellaneous special revenue fund, western New York veterans' home account (22143).

21. $6,451,000 from the general fund, to the miscellaneous special revenue fund, New York state for veterans in the lower-hudson valley account (22144).

Labor:

1. $600,000 from the miscellaneous special revenue fund, DOL fee and penalty account (21923), to the child performer's protection fund, child performer protection account (20401).

2. $11,700,000 from the unemployment insurance interest and penalty fund, unemployment insurance special interest and penalty account (23601), to the general fund.

3. $50,000,000 from the DOL fee and penalty account (21923), unemployment insurance special interest and penalty account (23601), and public work enforcement account (21998), to the general fund.

4. $850,000 from the miscellaneous special revenue fund, DOL elevator safety program fund (22252) to the miscellaneous special revenue fund, DOL fee and penalty account (21923).

Mental Hygiene:

1. $3,800,000 from the general fund, to the agencies internal service fund, civil service EHS occupational health program account (55056).

2. $2,000,000 from the general fund, to the mental hygiene facilities capital improvement fund (32300).

3. $20,000,000 from the opioid settlement fund (23817) to the miscellaneous capital projects fund, opioid settlement capital account (32200).

4. $20,000,000 from the miscellaneous capital projects fund, opioid settlement capital account (32200) to the opioid settlement fund (23817).

Public Protection:

1. $1,350,000 from the miscellaneous special revenue fund, emergency management account (21944), to the general fund.

2. $2,587,000 from the general fund to the miscellaneous special revenue fund, recruitment incentive account (22171).

3. $23,773,000 from the general fund to the correctional industries revolving fund, correctional industries internal service account (55350).

4. $2,000,000,000 from any of the division of homeland security and emergency services special revenue federal funds to the general fund.

5. $115,420,000 from the state police motor vehicle law enforcement and motor vehicle theft and insurance fraud prevention fund, state police motor vehicle enforcement account (22802), to the general fund for state operation expenses of the division of state police.

6. $138,272,000 from the general fund to the correctional facilities capital improvement fund (32350).

7. $5,000,000 from the general fund to the dedicated highway and bridge trust fund (30050) for the purpose of work zone safety activities provided by the division of state police for the department of transportation.

8. $10,000,000 from the miscellaneous special revenue fund, statewide public safety communications account (22123), to the capital projects fund (30000).

9. $9,830,000 from the miscellaneous special revenue fund, legal services assistance account (22096), to the general fund.

10. $1,000,000 from the general fund to the agencies internal service fund, neighborhood work project account (55059).

11. $7,980,000 from the miscellaneous special revenue fund, fingerprint identification & technology account (21950), to the general fund.

12. $1,100,000 from the state police motor vehicle law enforcement and motor vehicle theft and insurance fraud prevention fund, motor vehicle theft and insurance fraud account (22801), to the general fund.

13. $38,938,000 from the general fund to the miscellaneous special revenue fund, criminal justice improvement account (21945).

14. $6,000,000 from the general fund to the miscellaneous special revenue fund, hazard mitigation revolving loan account.

15. $234,000,000 from the indigent legal services fund, indigent legal services account (23551) to the general fund.

Transportation:

1. $20,000,000 from the general fund to the mass transportation operating assistance fund, public transportation systems operating assistance account (21401), of which $12,000,000 constitutes the base need for operations.

2. $727,500,000 from the general fund to the dedicated highway and bridge trust fund (30050).

3. $244,250,000 from the general fund to the MTA financial assistance fund, mobility tax trust account (23651).

4. $5,000,000 from the miscellaneous special revenue fund, transportation regulation account (22067) to the dedicated highway and bridge trust fund (30050), for disbursements made from such fund for motor carrier safety that are in excess of the amounts deposited in the dedicated highway and bridge trust fund (30050) for such purpose pursuant to section 94 of the transportation law.

5. $477,000 from the miscellaneous special revenue fund, traffic adjudication account (22055), to the general fund.

6. $5,000,000 from the miscellaneous special revenue fund, transportation regulation account (22067) to the general fund, for disbursements made from such fund for motor carrier safety that are in excess of the amounts deposited in the general fund for such purpose pursuant to section 94 of the transportation law.

Miscellaneous:

1. $500,000,000 from the general fund to any funds or accounts for the purpose of reimbursing certain outstanding accounts receivable balances.

2. $500,000,000 from the general fund to the debt reduction reserve fund (40000).

3. $450,000,000 from the New York state storm recovery capital fund (33000) to the revenue bond tax fund (40152).

4. $15,500,000 from the general fund, community projects account GG (10256), to the general fund, state purposes account (10050).

5. $100,000,000 from any special revenue federal fund to the general fund, state purposes account (10050).

6. $3,650,000,000 from the special revenue federal fund, ARPA-Fiscal Recovery Fund (25546) to the general fund, state purposes account (10050) to cover eligible costs incurred by the state.

7. $1,000,000,000 from the general fund to the hazardous waste oversight and assistance account (31505), State parks infrastructure account (30351), environmental protection fund transfer account (30451), the correctional facilities capital improvement fund (32350), housing program fund (31850), or the Mental hygiene facilities capital improvement fund (32300), up to an amount equal to certain outstanding accounts receivable balances.

§ 4. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, on or before March 31, 2025:

1. Upon request of the commissioner of environmental conservation, up to $12,745,400 from revenues credited to any of the department of environmental conservation special revenue funds, including $4,000,000 from the environmental protection and oil spill compensation fund (21200), and $1,834,600 from the conservation fund (21150), to the environmental conservation special revenue fund, indirect charges account (21060).

2. Upon request of the commissioner of agriculture and markets, up to $3,000,000 from any special revenue fund or enterprise fund within the department of agriculture and markets to the general fund, to pay appropriate administrative expenses.

3. Upon request of the commissioner of the division of housing and community renewal, up to $6,221,000 from revenues credited to any division of housing and community renewal federal or miscellaneous special revenue fund to the miscellaneous special revenue fund, housing indirect cost recovery account (22090).

4. Upon request of the commissioner of the division of housing and community renewal, up to $5,500,000 may be transferred from any miscellaneous special revenue fund account, to any miscellaneous special revenue fund.

5. Upon request of the commissioner of health up to $13,694,000 from revenues credited to any of the department of health's special revenue funds, to the miscellaneous special revenue fund, administration account (21982).

6. Upon the request of the attorney general, up to $4,000,000 from revenues credited to the federal health and human services fund, federal health and human services account (25117) or the miscellaneous special revenue fund, recoveries and revenue account (22041), to the miscellaneous special revenue fund, litigation settlement and civil recovery account (22117).

§ 5. On or before March 31, 2025, the comptroller is hereby authorized and directed to deposit earnings that would otherwise accrue to the general fund that are attributable to the operation of section 98-a of the state finance law, to the agencies internal service fund, banking services account (55057), for the purpose of meeting direct payments from such account.

§ 6. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget and upon consultation with the state university chancellor or his or her designee, on or before March 31, 2025, up to $16,000,000 from the state university income fund general revenue account (22653) to the state general fund for debt service costs related to campus supported capital project costs for the NY-SUNY 2020 challenge grant program at the University at Buffalo.

§ 7. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget and upon consultation with the state university chancellor or his or her designee, on or before March 31, 2025, up to $6,500,000 from the state university income fund general revenue account (22653) to the state general fund for debt service costs related to campus supported capital project costs for the NY-SUNY 2020 challenge grant program at the University at Albany.

§ 8. Notwithstanding any law to the contrary, the state university chancellor or his or her designee is authorized and directed to transfer estimated tuition revenue balances from the state university collection fund (61000) to the state university income fund, state university general revenue offset account (22655) on or before March 31, 2025.

§ 8a. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, a total of up to $100,000,000 from the general fund to the state university income fund, state university general revenue offset account (22655) and/or the state university income fund, state university hospitals income reimbursable account (22656) during the period July 1, 2024 through June 30, 2025 to pay costs attributable to the state university health science center at Brooklyn and/or the state university of New York hospital at Brooklyn, respectively, pursuant to a transformation plan approved by the director of the budget.

§ 9. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to $1,318,326,500 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of July 1, 2024 through June 30, 2025 to support operations at the state university.

§ 10. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to $103,000,000 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of April 1, 2024 through June 30, 2024 to support operations at the state university.

§ 11. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to $49,600,000 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of July 1, 2024 to June 30, 2025 for general fund operating support pursuant to subparagraph (4-b) of paragraph h of subdivision 2 of section three hundred fifty-five of the education law.

§ 12. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to $20,000,000 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of July 1, 2024 to June 30, 2025 to fully fund the tuition credit pursuant to subdivision two of section six hundred sixty-nine-h of the education law.

§ 13. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the state university chancellor or his or her designee, up to $55,000,000 from the state university income fund, state university hospitals income reimbursable account (22656), for services and expenses of hospital operations and capital expenditures at the state university hospitals; and the state university income fund, Long Island veterans' home account (22652) to the state university capital projects fund (32400) on or before June 30, 2025.

§ 14. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller, after consultation with the state university chancellor or his or her designee, is hereby authorized and directed to transfer moneys, in the first instance, from the state university collection fund, Stony Brook hospital collection account (61006), Brooklyn hospital collection account (61007), and Syracuse hospital collection account (61008) to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals. Notwithstanding any law to the contrary, the comptroller is also hereby authorized and directed, after consultation with the state university chancellor or his or her designee, to transfer moneys from the state university income fund to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to pay hospital operating costs or to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals on or before March 31, 2025.

§ 15. Notwithstanding any law to the contrary, upon the direction of the director of the budget and the chancellor of the state university of New York or his or her designee, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer monies from the state university dormitory income fund (40350) to the state university residence hall rehabilitation fund (30100), and from the state university residence hall rehabilitation fund (30100) to the state university dormitory income fund (40350), in an amount not to exceed $100 million from each fund.

§ 16. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $1 billion from the unencumbered balance of any special revenue fund or account, agency fund or account, internal service fund or account, enterprise fund or account, or any combination of such funds and accounts, to the general fund. The amounts transferred pursuant to this authorization shall be in addition to any other transfers expressly authorized in the 2024-25 budget. Transfers from federal funds, debt service funds, capital projects funds, the community projects fund, or funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

§ 17. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $100 million from any non-general fund or account, or combination of funds and accounts, to the miscellaneous special revenue fund, technology financing account (22207), the miscellaneous capital projects fund, the federal capital projects account (31350), information technology capital financing account (32215), or the centralized technology services account (55069), for the purpose of consolidating technology procurement and services. The amounts transferred to the miscellaneous special revenue fund, technology financing account (22207) pursuant to

this authorization shall be equal to or less than the amount of such monies intended to support information technology costs which are attributable, according to a plan, to such account made in pursuance to an appropriation by law. Transfers to the technology financing account shall be completed from amounts collected by non-general funds or accounts pursuant to a fund deposit schedule or permanent statute, and shall be transferred to the technology financing account pursuant to a schedule agreed upon by the affected agency commissioner. Transfers from funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

§ 18. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $400 million from any non-general fund or account, or combination of funds and accounts, to the general fund for the purpose of consolidating technology procurement and services. The amounts transferred pursuant to this authorization shall be equal to or less than the amount of such monies intended to support information technology costs which are attributable, according to a plan, to such account made in pursuance to an appropriation by law. Transfers to the general fund shall be completed from amounts collected by non-general funds or accounts pursuant to a fund deposit schedule. Transfers from funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

§ 19. Notwithstanding any provision of law to the contrary, as deemed feasible and advisable by its trustees, the power authority of the state of New York is authorized and directed to transfer to the state treasury to the credit of the general fund up to $20,000,000 for the state fiscal year commencing April 1, 2024, the proceeds of which will be utilized to support energy-related state activities.

§ 20. Notwithstanding any provision of law to the contrary, as deemed feasible and advisable by its trustees, the power authority of the state of New York is authorized to transfer to the state treasury to the credit of the general fund up to $25,000,000 for the state fiscal year commencing April 1, 2024, the proceeds of which will be utilized to support programs established or implemented by or within the department of labor, including but not limited to the office of just energy transition and programs for workforce training and retraining, to prepare workers for employment for work in the renewable energy field.

§ 21. Notwithstanding any provision of law, rule or regulation to the contrary, the New York state energy research and development authority is authorized and directed to contribute $913,000 to the state treasury to the credit of the general fund on or before March 31, 2025.

§ 22. Notwithstanding any provision of law, rule or regulation to the contrary, the New York state energy research and development authority is authorized and directed to transfer five million dollars to the credit of the Environmental Protection Fund on or before March 31, 2025 from proceeds collected by the authority from the auction or sale of carbon dioxide emission allowances allocated by the department of environmental conservation.

§ 23. Subdivision 5 of section 97-rrr of the state finance law, as amended by section 21 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

5. Notwithstanding the provisions of section one hundred seventy-one-a of the tax law, as separately amended by chapters four hundred eighty-one and four hundred eighty-four of the laws of nineteen hundred eighty-one, and notwithstanding the provisions of chapter ninety-four of the laws of two thousand eleven, or any other provisions of law to the contrary, during the fiscal year beginning April first, two thousand [~~twenty-three~~] twenty-four, the state comptroller is hereby authorized and directed to deposit to the fund created pursuant to this section from amounts collected pursuant to article twenty-two of the tax law and pursuant to a schedule submitted by the director of the budget, up to [~~$1,716,913,000~~] $1,575,393,000 as may be certified in such schedule as necessary to meet the purposes of such fund for the fiscal year beginning April first, two thousand [~~twenty-three~~] twenty-four.

§ 24. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2025, the following amounts from the following special revenue accounts to the capital projects fund (30000), for the purposes of reimbursement to such fund for expenses related to the maintenance and preservation of state assets:

1. $43,000 from the miscellaneous special revenue fund, administrative program account (21982).

2. $1,537,000 from the miscellaneous special revenue fund, helen hayes hospital account (22140).

3. $474,000 from the miscellaneous special revenue fund, New York city veterans' home account (22141).

4. $593,000 from the miscellaneous special revenue fund, New York state home for veterans' and their dependents at oxford account (22142).

5. $177,000 from the miscellaneous special revenue fund, western New York veterans' home account (22143).

6. $336,000 from the miscellaneous special revenue fund, New York state for veterans in the lower-hudson valley account (22144).

7. $2,550,000 from the miscellaneous special revenue fund, patron services account (22163).

8. $9,173,000 from the miscellaneous special revenue fund, state university general income reimbursable account (22653).

9. $150,218,000 from the miscellaneous special revenue fund, state university revenue offset account (22655).

10. $50,197,000 from the state university dormitory income fund, state university dormitory income fund (40350).

11. $1,000,000 from the miscellaneous special revenue fund, litigation settlement and civil recovery account (22117).

§ 25. Subdivision 6 of section 4 of the state finance law, as amended by section 24 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

6. Notwithstanding any law to the contrary, at the beginning of the state fiscal year, the state comptroller is hereby authorized and directed to receive for deposit to the credit of a fund and/or an account such monies as are identified by the director of the budget as having been intended for such deposit to support disbursements from such fund and/or account made in pursuance of an appropriation by law. As soon as practicable upon enactment of the budget, the director of the budget shall, but not less than three days following preliminary submission to the chairs of the senate finance committee and the assem-

bly ways and means committee, file with the state comptroller an identification of specific monies to be so deposited. Any subsequent change regarding the monies to be so deposited shall be filed by the director of the budget, as soon as practicable, but not less than three days following preliminary submission to the chairs of the senate finance committee and the assembly ways and means committee.

All monies identified by the director of the budget to be deposited to the credit of a fund and/or account shall be consistent with the intent of the budget for the then current state fiscal year as enacted by the legislature.

The provisions of this subdivision shall expire on March thirty-first, [~~two thousand twenty-four~~] two thousand twenty-eight.

§ 26. Subdivision 4 of section 40 of the state finance law, as amended by section 25 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

4. Every appropriation made from a fund or account to a department or agency shall be available for the payment of prior years' liabilities in such fund or account for fringe benefits, indirect costs, and telecommunications expenses and expenses for other centralized services fund programs without limit. Every appropriation shall also be available for the payment of prior years' liabilities other than those indicated above, but only to the extent of one-half of one percent of the total amount appropriated to a department or agency in such fund or account.

The provisions of this subdivision shall expire March thirty-first, [~~two thousand twenty-four~~] two thousand twenty-eight.

§ 27. Notwithstanding any other law, rule, or regulation to the contrary, the state comptroller is hereby authorized and directed to use any balance remaining in the mental health services fund debt service appropriation, after payment by the state comptroller of all obligations required pursuant to any lease, sublease, or other financing arrangement between the dormitory authority of the state of New York as successor to the New York state medical care facilities finance agency, and the facilities development corporation pursuant to chapter 83 of the laws of 1995 and the department of mental hygiene for the purpose of making payments to the dormitory authority of the state of New York for the amount of the earnings for the investment of monies deposited in the mental health services fund that such agency determines will or may have to be rebated to the federal government pursuant to the provisions of the internal revenue code of 1986, as amended, in order to enable such agency to maintain the exemption from federal income taxation on the interest paid to the holders of such agency's mental services facilities improvement revenue bonds. Annually on or before each June 30th, such agency shall certify to the state comptroller its determination of the amounts received in the mental health services fund as a result of the investment of monies deposited therein that will or may have to be rebated to the federal government pursuant to the provisions of the internal revenue code of 1986, as amended.

§ 28. Subdivision 1 of section 16 of part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, as amended by section 27 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an

aggregate principal amount not to exceed [~~nine billion eight hundred sixty-five million eight hundred fifty-nine thousand dollars $9,865,859,000~~] **ten billion two hundred ninety-nine million three hundred fifty-nine thousand dollars $10,299,359,000**, and shall include all bonds, notes and other obligations issued pursuant to chapter 56 of the laws of 1983, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the correctional facilities capital improvement fund to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the department of corrections and community supervision from the correctional facilities capital improvement fund for capital projects. The aggregate amount of bonds, notes or other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the department of corrections and community supervision; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than [~~nine billion eight hundred sixty-five million eight hundred fifty-nine thousand dollars $9,865,859,000~~] **ten billion two hundred ninety-nine million three hundred fifty-nine thousand dollars $10,299,359,000**, only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

§ 29. Paragraph (a) of subdivision 2 of section 47-e of the private housing finance law, as amended by section 42 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

(a) Subject to the provisions of chapter fifty-nine of the laws of two thousand, in order to enhance and encourage the promotion of housing programs and thereby achieve the stated purposes and objectives of such housing programs, the agency shall have the power and is hereby authorized from time to time to issue negotiable housing program bonds and notes in such principal amount as shall be necessary to provide sufficient funds for the repayment of amounts disbursed (and not previously reimbursed) pursuant to law or any prior year making capital appropriations or reappropriations for the purposes of the housing program; provided, however, that the agency may issue such bonds and notes in an aggregate principal amount not exceeding [~~thirteen billion six hundred thirty-five million four hundred twenty-five thousand dollars $13,635,425,000~~] **thirteen billion nine hundred twenty-nine million three**

hundred eighty-nine thousand dollars $13,929,389,000, plus a principal amount of bonds issued to fund the debt service reserve fund in accordance with the debt service reserve fund requirement established by the agency and to fund any other reserves that the agency reasonably deems necessary for the security or marketability of such bonds and to provide for the payment of fees and other charges and expenses, including underwriters' discount, trustee and rating agency fees, bond insurance, credit enhancement and liquidity enhancement related to the issuance of such bonds and notes. No reserve fund securing the housing program bonds shall be entitled or eligible to receive state funds apportioned or appropriated to maintain or restore such reserve fund at or to a particular level, except to the extent of any deficiency resulting directly or indirectly from a failure of the state to appropriate or pay the agreed amount under any of the contracts provided for in subdivision four of this section.

§ 30. Paragraph (b) of subdivision 1 of section 385 of the public authorities law, as amended by section 45 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

(b) The authority is hereby authorized, as additional corporate purposes thereof solely upon the request of the director of the budget: (i) to issue special emergency highway and bridge trust fund bonds and notes for a term not to exceed thirty years and to incur obligations secured by the moneys appropriated from the dedicated highway and bridge trust fund established in section eighty-nine-b of the state finance law; (ii) to make available the proceeds in accordance with instructions provided by the director of the budget from the sale of such special emergency highway and bridge trust fund bonds, notes or other obligations, net of all costs to the authority in connection therewith, for the purposes of financing all or a portion of the costs of activities for which moneys in the dedicated highway and bridge trust fund established in section eighty-nine-b of the state finance law are authorized to be utilized or for the financing of disbursements made by the state for the activities authorized pursuant to section eighty-nine-b of the state finance law; and (iii) to enter into agreements with the commissioner of transportation pursuant to section ten-e of the highway law with respect to financing for any activities authorized pursuant to section eighty-nine-b of the state finance law, or agreements with the commissioner of transportation pursuant to sections ten-f and ten-g of the highway law in connection with activities on state highways pursuant to these sections, and (iv) to enter into service contracts, contracts, agreements, deeds and leases with the director of the budget or the commissioner of transportation and project sponsors and others to provide for the financing by the authority of activities authorized pursuant to section eighty-nine-b of the state finance law, and each of the director of the budget and the commissioner of transportation are hereby authorized to enter into service contracts, contracts, agreements, deeds and leases with the authority, project sponsors or others to provide for such financing. The authority shall not issue any bonds or notes in an amount in excess of [~~twenty billion six hundred forty-eight million five hundred seven thousand dollars $20,648,507,000~~] twenty-one billion four hundred fifty-eight million three hundred nine thousand dollars $21,458,309,000, plus a principal amount of bonds or notes: (A) to fund capital reserve funds; (B) to provide capitalized interest; and, (C) to fund other costs of issuance. In computing for the purposes of this subdivision, the aggregate amount of indebtedness evidenced by bonds and notes of the authority issued pursuant to this section, as

amended by a chapter of the laws of nineteen hundred ninety-six, there shall be excluded the amount of bonds or notes issued that would constitute interest under the United States Internal Revenue Code of 1986, as amended, and the amount of indebtedness issued to refund or otherwise repay bonds or notes.

§ 31. Paragraph (c) of subdivision 14 of section 1680 of the public authorities law, as amended by section 32 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, (i) the dormitory authority shall not deliver a series of bonds for city university community college facilities, except to refund or to be substituted for or in lieu of other bonds in relation to city university community college facilities pursuant to a resolution of the dormitory authority adopted before July first, nineteen hundred eighty-five or any resolution supplemental thereto, if the principal amount of bonds so to be issued when added to all principal amounts of bonds previously issued by the dormitory authority for city university community college facilities, except to refund or to be substituted in lieu of other bonds in relation to city university community college facilities will exceed the sum of four hundred twenty-five million dollars and (ii) the dormitory authority shall not deliver a series of bonds issued for city university facilities, including community college facilities, pursuant to a resolution of the dormitory authority adopted on or after July first, nineteen hundred eighty-five, except to refund or to be substituted for or in lieu of other bonds in relation to city university facilities and except for bonds issued pursuant to a resolution supplemental to a resolution of the dormitory authority adopted prior to July first, nineteen hundred eighty-five, if the principal amount of bonds so to be issued when added to the principal amount of bonds previously issued pursuant to any such resolution, except bonds issued to refund or to be substituted for or in lieu of other bonds in relation to city university facilities, will exceed [~~eleven billion three hundred fourteen million three hundred fifty-two thousand dollars $11,314,352,000~~] **eleven billion seven hundred twenty-two million two hundred twenty-two thousand dollars $11,722,222,000**. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the city university, and the fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

§ 32. Subdivision 1 of section 1689-i of the public authorities law, as amended by section 39 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

1. The dormitory authority is authorized to issue bonds, at the request of the commissioner of education, to finance eligible library construction projects pursuant to section two hundred seventy-three-a of the education law, in amounts certified by such commissioner not to exceed a total principal amount of [~~three hundred sixty-seven million dollars $367,000,000~~] **four hundred one million dollars $401,000,000**.

§ 33. Paragraph (c) of subdivision 19 of section 1680 of the public authorities law, as amended by section 31 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, the dormitory authority shall not issue any bonds for state university educational facilities purposes if the principal amount of bonds to be issued when added to the aggregate principal amount of bonds issued by the dormitory authority on and after July first, nineteen

hundred eighty-eight for state university educational facilities will exceed [~~eighteen billion one hundred ten million nine hundred sixty-four thousand dollars $18,110,964,000~~] **eighteen billion seven hundred seventy-three million nine hundred sixty-four thousand dollars $18,773,964,000**; provided, however, that bonds issued or to be issued shall be excluded from such limitation if: (1) such bonds are issued to refund state university construction bonds and state university construction notes previously issued by the housing finance agency; or (2) such bonds are issued to refund bonds of the authority or other obligations issued for state university educational facilities purposes and the present value of the aggregate debt service on the refunding bonds does not exceed the present value of the aggregate debt service on the bonds refunded thereby; provided, further that upon certification by the director of the budget that the issuance of refunding bonds or other obligations issued between April first, nineteen hundred ninety-two and March thirty-first, nineteen hundred ninety-three will generate long term economic benefits to the state, as assessed on a present value basis, such issuance will be deemed to have met the present value test noted above. For purposes of this subdivision, the present value of the aggregate debt service of the refunding bonds and the aggregate debt service of the bonds refunded, shall be calculated by utilizing the true interest cost of the refunding bonds, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding bonds from the payment dates thereof to the date of issue of the refunding bonds to the purchase price of the refunding bonds, including interest accrued thereon prior to the issuance thereof. The maturity of such bonds, other than bonds issued to refund outstanding bonds, shall not exceed the weighted average economic life, as certified by the state university construction fund, of the facilities in connection with which the bonds are issued, and in any case not later than the earlier of thirty years or the expiration of the term of any lease, sublease or other agreement relating thereto; provided that no note, including renewals thereof, shall mature later than five years after the date of issuance of such note. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the state university of New York, and the state university construction fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

§ 34. Subdivision 10-a of section 1680 of the public authorities law, as amended by section 33 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

10-a. Subject to the provisions of chapter fifty-nine of the laws of two thousand, but notwithstanding any other provision of the law to the contrary, the maximum amount of bonds and notes to be issued after March thirty-first, two thousand two, on behalf of the state, in relation to any locally sponsored community college, shall be [~~one billion two hundred twenty-seven million ninety-five thousand dollars $1,227,095,000~~] **one billion three hundred sixty-five million three hundred eight thousand dollars $1,365,308,000**. Such amount shall be exclusive of bonds and notes issued to fund any reserve fund or funds, costs of issuance and to refund any outstanding bonds and notes, issued on behalf of the state, relating to a locally sponsored community college.

§ 35. Paragraph b of subdivision 2 of section 9-a of section 1 of chapter 392 of the laws of 1973, constituting the New York state medical care facilities finance agency act, as amended by section 35 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

b. The agency shall have power and is hereby authorized from time to time to issue negotiable bonds and notes in conformity with applicable provisions of the uniform commercial code in such principal amount as, in the opinion of the agency, shall be necessary, after taking into account other moneys which may be available for the purpose, to provide sufficient funds to the facilities development corporation, or any successor agency, for the financing or refinancing of or for the design, construction, acquisition, reconstruction, rehabilitation or improvement of mental health services facilities pursuant to paragraph a of this subdivision, the payment of interest on mental health services improvement bonds and mental health services improvement notes issued for such purposes, the establishment of reserves to secure such bonds and notes, the cost or premium of bond insurance or the costs of any financial mechanisms which may be used to reduce the debt service that would be payable by the agency on its mental health services facilities improvement bonds and notes and all other expenditures of the agency incident to and necessary or convenient to providing the facilities development corporation, or any successor agency, with funds for the financing or refinancing of or for any such design, construction, acquisition, reconstruction, rehabilitation or improvement and for the refunding of mental hygiene improvement bonds issued pursuant to section 47-b of the private housing finance law; provided, however, that the agency shall not issue mental health services facilities improvement bonds and mental health services facilities improvement notes in an aggregate principal amount exceeding [~~twelve billion four hundred eighteen million three hundred thirty-seven thousand dollars $12,418,337,000~~] **twelve billion nine hundred twenty-one million seven hundred fifty-six thousand dollars $12,921,756,000**, excluding mental health services facilities improvement bonds and mental health services facilities improvement notes issued to refund outstanding mental health services facilities improvement bonds and mental health services facilities improvement notes; provided, however, that upon any such refunding or repayment of mental health services facilities improvement bonds and/or mental health services facilities improvement notes the total aggregate principal amount of outstanding mental health services facilities improvement bonds and mental health facilities improvement notes may be greater than [~~twelve billion four hundred eighteen million three hundred thirty-seven thousand dollars $12,418,337,000~~] **twelve billion nine hundred twenty-one million seven hundred fifty-six thousand dollars $12,921,756,000**, only if, except as hereinafter provided with respect to mental health services facilities bonds and mental health services facilities notes issued to refund mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law, the present value of the aggregate debt service of the refunding or repayment bonds to be issued shall not exceed the present value of the aggregate debt service of the bonds to be refunded or repaid. For purposes hereof, the present values of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the

semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the authority including estimated accrued interest from the sale thereof. Such bonds, other than bonds issued to refund outstanding bonds, shall be scheduled to mature over a term not to exceed the average useful life, as certified by the facilities development corporation, of the projects for which the bonds are issued, and in any case shall not exceed thirty years and the maximum maturity of notes or any renewals thereof shall not exceed five years from the date of the original issue of such notes. Notwithstanding the provisions of this section, the agency shall have the power and is hereby authorized to issue mental health services facilities improvement bonds and/or mental health services facilities improvement notes to refund outstanding mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law and the amount of bonds issued or outstanding for such purposes shall not be included for purposes of determining the amount of bonds issued pursuant to this section. The director of the budget shall allocate the aggregate principal authorized to be issued by the agency among the office of mental health, office for people with developmental disabilities, and the office of addiction services and supports, in consultation with their respective commissioners to finance bondable appropriations previously approved by the legislature.

§ 36. Subdivision (a) of section 48 of part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, as amended by section 30 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000 but notwithstanding the provisions of section 18 of the urban development corporation act, the corporation is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [~~five hundred one million five hundred thousand dollars $501,500,000~~] five hundred twenty-two million five hundred thousand dollars $522,500,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital costs related to homeland security and training facilities for the division of state police, the division of military and naval affairs, and any other state agency, including the reimbursement of any disbursements made from the state capital projects fund, and is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [~~one billion seven hundred thirteen million eighty-six thousand dollars $1,713,086,000~~] one billion eight hundred fifty-five million two hundred eighty-six thousand dollars $1,855,286,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing improvements to State office buildings and other facilities located statewide, including the reimbursement of any disbursements made from the state capital projects fund. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable

thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision (b) of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

§ 37. Subdivision 1 of section 47 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 44 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the office of information technology services, department of law, and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~one billion three hundred fifty-three million eight hundred fifty-two thousand dollars $1,353,852,000~~] one billion seven hundred forty-two million seven hundred twelve thousand dollars $1,742,712,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 38. Subdivision (b) of section 11 of chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, as amended by section 38 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

(b) Any service contract or contracts for projects authorized pursuant to sections 10-c, 10-f, 10-g and 80-b of the highway law and section 14-k of the transportation law, and entered into pursuant to subdivision (a) of this section, shall provide for state commitments to provide annually to the thruway authority a sum or sums, upon such terms and conditions as shall be deemed appropriate by the director of the budget, to fund, or fund the debt service requirements of any bonds or any obligations of the thruway authority issued to fund or to reimburse the state for funding such projects having a cost not in excess of [~~thirteen billion nine hundred forty-nine million two hundred thirty-four thousand dollars $13,949,234,000~~] fourteen billion seven hundred forty-two million five hundred eighty-seven thousand dollars $14,742,587,000 cumulatively by the end of fiscal year [~~2023-24~~] 2024-25. For purposes of this subdivision, such projects shall be deemed to include capital grants to cities, towns and villages for the reimbursement of eligible capital costs of local highway and bridge projects within such municipality, where allocations to cities, towns and villages are based on the total number of New York or United States or interstate signed touring route miles for which such municipality has capital maintenance responsibility, and where such eligible capital costs include the costs of

construction and repair of highways, bridges, highway-railroad crossings, and other transportation facilities for projects with a service life of ten years or more.

§ 39. Section 53 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 37 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

§ 53. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the acquisition of equipment, including but not limited to the creation or modernization of information technology systems and related research and development equipment, health and safety equipment, heavy equipment and machinery, the creation or improvement of security systems, and laboratory equipment and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~four hundred ninety-three million dollars $493,000,000~~] five hundred ninety-three million dollars $593,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the urban development corporation in undertaking the financing for project costs for the acquisition of equipment, including but not limited to the creation or modernization of information technology systems and related research and development equipment, health and safety equipment, heavy equipment and machinery, the creation or improvement of security systems, and laboratory equipment and other state costs associated with such capital projects, the director of the budget is hereby authorized to enter into one or more service contracts with the dormitory authority and the urban development corporation, none of which shall exceed thirty years in duration, upon such terms and conditions as the director of the budget and the dormitory authority and the urban development corporation agree, so as to annually provide to the dormitory authority and the urban development corporation, in the aggregate, a sum not to exceed the principal, interest, and related expenses required for such bonds and notes. Any service contract entered into pursuant to this section shall provide that the obligation of the state to pay the amount therein provided shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of monies available and that no liability shall be incurred by the state beyond the monies available for such purpose, subject to annual appropriation by the legislature. Any such contract or any payments made or to be made thereunder may be assigned and pledged

by the dormitory authority and the urban development corporation as security for its bonds and notes, as authorized by this section.

§ 40. Subdivision 3 of section 1285-p of the public authorities law, as amended by section 29 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

3. The maximum amount of bonds that may be issued for the purpose of financing environmental infrastructure projects authorized by this section shall be [~~nine billion three hundred thirty-five million seven hundred ten thousand dollars $9,335,710,000~~] ten billion five hundred ninety-five million seven hundred ten thousand dollars $10,595,710,000, exclusive of bonds issued to fund any debt service reserve funds, pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay bonds or notes previously issued. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision one of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

§ 41. Subdivision 1 of section 17 of part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, as amended by section 34 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed [~~one billion fourteen million seven hundred thirty-five thousand dollars $1,014,735,000~~] one billion sixty-six million seven hundred fifty-five thousand dollars $1,066,755,000, which authorization increases the aggregate principal amount of bonds, notes and other obligations authorized by section 40 of chapter 309 of the laws of 1996, and shall include all bonds, notes and other obligations issued pursuant to chapter 211 of the laws of 1990, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the youth facilities improvement fund or the capital projects fund, to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the office of children and family services from the youth facilities improvement fund for capital projects. The aggregate amount of bonds, notes and other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the office of children and family services; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than [~~one billion fourteen million seven hundred thirty-five thousand dollars $1,014,735,000~~] one billion sixty-six million seven hundred fifty-five thousand dollars $1,066,755,000, only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be

refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

§ 42. Subdivision 1 of section 386-b of the public authorities law, as amended by section 41 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

1. Notwithstanding any other provision of law to the contrary, the authority, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of financing peace bridge projects and capital costs of state and local highways, parkways, bridges, the New York state thruway, Indian reservation roads, and facilities, and transportation infrastructure projects including aviation projects, non-MTA mass transit projects, and rail service preservation projects, including work appurtenant and ancillary thereto. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~twelve billion three hundred eight million three hundred eleven thousand dollars $12,308,311,000~~] **fifteen billion one hundred seventy-six million six hundred sixty-nine thousand dollars $15,176,669,000**, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the authority, the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the authority, the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 43. Section 44 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 40 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

§ 44. Issuance of certain bonds or notes. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medi-

cine, the olympic regional development authority, projects at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, high tech innovation and economic development infrastructure program, high technology manufacturing projects in Chautauqua and Erie county, an industrial scale research and development facility in Clinton county, upstate revitalization initiative projects, downstate revitalization initiative, market New York projects, fairground buildings, equipment or facilities used to house and promote agriculture, the state fair, the empire state trail, the moynihan station development project, the Kingsbridge armory project, strategic economic development projects, the cultural, arts and public spaces fund, water infrastructure in the city of Auburn and town of Owasco, a life sciences laboratory public health initiative, not-for-profit pounds, shelters and humane societies, arts and cultural facilities improvement program, restore New York's communities initiative, heavy equipment, economic development and infrastructure projects, Roosevelt Island operating corporation capital projects, Lake Ontario regional projects, Pennsylvania station and other transit projects, athletic facilities for professional football in Orchard Park, New York**, Rush - NY, New York AI Consortium, New York Creates UEV Tool,** and other state costs associated with such projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~seventeen billion six hundred fifty-five million six hundred two thousand dollars $17,655,602,000~~] **twenty billion two hundred fifty-four million one hundred ninety-four thousand dollars $20,254,194,000**, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the corporation in undertaking the financing for project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medicine, the olympic regional development authority, projects at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, New York State Capital Assistance Program for Transportation, infrastructure, and economic development, high tech innovation and economic development infrastructure program, high technology manufacturing projects in Chautauqua and Erie county, an industrial scale research and development facility in Clinton county, upstate

revitalization initiative projects, downstate revitalization initiative, market New York projects, fairground buildings, equipment or facilities used to house and promote agriculture, the state fair, the empire state trail, the moynihan station development project, the Kingsbridge armory project, strategic economic development projects, the cultural, arts and public spaces fund, water infrastructure in the city of Auburn and town of Owasco, a life sciences laboratory public health initiative, not-for-profit pounds, shelters and humane societies, arts and cultural facilities improvement program, restore New York's communities initiative, heavy equipment, economic development and infrastructure projects, Roosevelt Island operating corporation capital projects, Lake Ontario regional projects, Pennsylvania station and other transit projects, athletic facilities for professional football in Orchard Park, New York, **Rush - NY, New York AI Consortium, New York Creates UEV Tool,** and other state costs associated with such projects the director of the budget is hereby authorized to enter into one or more service contracts with the dormitory authority and the corporation, none of which shall exceed thirty years in duration, upon such terms and conditions as the director of the budget and the dormitory authority and the corporation agree, so as to annually provide to the dormitory authority and the corporation, in the aggregate, a sum not to exceed the principal, interest, and related expenses required for such bonds and notes. Any service contract entered into pursuant to this section shall provide that the obligation of the state to pay the amount therein provided shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of monies available and that no liability shall be incurred by the state beyond the monies available for such purpose, subject to annual appropriation by the legislature. Any such contract or any payments made or to be made thereunder may be assigned and pledged by the dormitory authority and the corporation as security for its bonds and notes, as authorized by this section.

§ 44. Subdivision (a) of section 28 of part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, as amended by section 36 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding any provisions of law to the contrary, one or more authorized issuers as defined by section 68-a of the state finance law are hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [~~two hundred forty-seven million dollars $247,000,000~~] **two hundred ninety-seven million dollars $297,000,000**, excluding bonds issued to finance one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital projects for public protection facilities in the Division of Military and Naval Affairs, debt service and leases; and to reimburse the state general fund for disbursements made therefor. Such bonds and notes of such authorized issuer shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to such authorized issuer for debt service and related expenses pursuant to any service contract executed pursuant to subdivision (b) of this section and such bonds and notes shall contain on the face thereof a statement to such effect. Except for

purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 45. Subdivision 1 of section 50 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 43 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs undertaken by or on behalf of the state education department, special act school districts, state-supported schools for the blind and deaf, approved private special education schools, non-public schools, community centers, day care facilities, residential camps, day camps, Native American Indian Nation schools, and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~three hundred twenty-one million seven hundred ninety-nine thousand dollars $321,799,000~~] **three hundred forty-one million eight hundred ninety-eight thousand dollars $341,898,000**, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 46. Subdivision 1 of section 1680-k of the public authorities law, as amended by section 47 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

1. Subject to the provisions of chapter fifty-nine of the laws of two thousand, but notwithstanding any provisions of law to the contrary, the dormitory authority is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [~~forty million nine hundred forty-five thousand dollars $40,945,000~~] **forty-one million sixty thousand dollars $41,060,000**, excluding bonds issued to finance one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing the construction of the New York state agriculture and markets food laboratory. Eligible project costs may include, but not be limited to the cost of design, financing, site investigations, site acquisition and preparation, demolition, construction, rehabilitation, acquisition of machinery and equipment, and infrastructure improvements. Such bonds and notes of such authorized issuers shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to such authorized issuers for debt service and related expenses pursuant to any service contract executed pursuant to subdivision two of this section and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any

interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 47. Paragraph a of subdivision 1 of section 9-a of section 1 of chapter 392 of the laws of 1973, constituting the medical care facilities finance agency act, as amended by chapter 479 of the laws of 2022, is amended to read as follows:

a. "Mental health services facility" shall mean a building, a unit within a building, a laboratory, a classroom, a housing unit, a dining hall, an activities center, a library, real property of any kind or description, or any structure on or improvement to real property of any kind or description, including fixtures and equipment which may or may not be an integral part of any such building, unit, structure or improvement, a walkway, a roadway or a parking lot, and improvements and connections for water, sewer, gas, electrical, telephone, heating, air conditioning and other utility services, or a combination of any of the foregoing, whether for patient care and treatment or staff, staff family or service use, located at or related to any psychiatric center, any developmental center, or any state psychiatric or research institute or other facility now or hereafter established under the state department of mental hygiene. A mental health services facility shall also mean and include a residential care center for adults, a "community mental health and developmental disabilities facility", and a state or voluntary operated treatment facility for use in the conduct of an alcoholism or substance abuse treatment program as defined in the mental hygiene law, unless such residential care center for adults, community mental health and developmental disabilities facility or alcoholism or substance abuse facility is expressly excepted or the context clearly requires otherwise. The definition contained in this subdivision shall not be construed to exclude therefrom a facility, whether or not owned or leased by a voluntary agency, to be made available under lease, or sublease, from the facilities development corporation to a voluntary agency at the request of the commissioners of the offices and directors of the divisions of the department of mental hygiene having jurisdiction thereof for use in providing services in a residential care center for adults, community mental health and developmental disabilities services, or for use in the conduct of an alcoholism or substance abuse treatment program. For purposes of this section mental health services facility shall also mean mental hygiene facility as defined in subdivision ten of section three of the facilities development corporation act **and shall also include facilities for: (i) comprehensive psychiatric emergency programs and/or psychiatric inpatient programs or other similar programs under the auspice of municipalities and other public and not-for-profit agencies, dually licensed pursuant to article thirty-one of the mental hygiene law and article twenty-eight of the public health law; and (ii) housing for mentally ill persons under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article forty-one of the mental hygiene law**.

§ 48. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2025 the following amounts from the following special revenue accounts or enterprise funds to the general fund, for the purposes of offsetting principal and interest costs, incurred by the state pursuant to section 386-a of the public authorities law, provided that the annual amount of the transfer shall be no more than the principal and interest that would have otherwise been due

to the power authority of the state of New York, from any state agency, in a given state fiscal year. Amounts pertaining to special revenue accounts assigned to the state university of New York shall be considered interchangeable between the designated special revenue accounts as to meet the requirements of this section and section 386-a of the public authorities law:

1. $15,000,000 from the miscellaneous special revenue fund, state university general income reimbursable account (22653).

2. $5,000,000 from state university dormitory income fund, state university dormitory income fund (40350).

3. $5,000,000 from the enterprise fund, city university senior college operating fund (60851).

§ 49. Paragraph (g) of subdivision 1 of section 68-b of the state finance law, as added by section 2 of part I of chapter 383 of the laws of 2001, is amended to read as follows:

(g) Revenue bonds authorized hereunder shall be sold by authorized issuers, at public or private sale, at such price or prices as the authorized issuers may determine. Revenue bonds of the authorized issuers shall not be sold by the authorized issuers at private sales unless such sale and the terms thereof have been approved by the state comptroller. **The approval of the private sale of such bonds and the terms thereof by the state comptroller shall be limited to a review of (i) the reasonableness of: (1) the bond pricing, taking into account current interest rates; (2) the costs of issuance and underwriters discount for such bonds; (3) if the sale includes refunding bonds, cash flow savings and net present value savings; and (4) if the sale involves an interest rate exchange or similar agreement, the economic terms of such agreement; and (ii) whether the final maturity of the bonds complies with (1) the legal authorization for the project or projects being financed, and (2) the parameters established in the authorized issuer's resolution authorizing the issuance of such bonds, as approved by the public authorities control board pursuant to section fifty-one of the public authorities law.**

§ 50. Paragraph (g) of subdivision 1 of section 69-n of the state finance law, as added by section 58 of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

(g) Revenue bonds authorized hereunder shall be sold by authorized issuers, at public or private sale, at such price or prices as the authorized issuers may determine. Revenue bonds of the authorized issuers shall not be sold by the authorized issuers at private sales unless such sale and the terms thereof have been approved by the state comptroller. **The approval of the private sale of such bonds and the terms thereof by the state comptroller shall be limited to a review of (i) the reasonableness of: (1) the bond pricing, taking into account current interest rates; (2) the costs of issuance and underwriters discount for such bonds; (3) if the sale includes refunding bonds, cash flow savings and net present value savings; and (4) if the sale involves an interest rate exchange or similar agreement, the economic terms of such agreement; and (ii) whether the final maturity of the bonds complies with (1) the legal authorization for the project or projects being financed, and (2) the parameters established in the authorized issuer's resolution authorizing the issuance of such bonds, as approved by the public authorities control board pursuant to section fifty-one of the public authorities law.**

§ 51. Subdivision 6-a of section 2 of the state finance law, as added by chapter 837 of the laws of 1983, is amended to read as follows:

6-a. "Fixed assets". (i) Assets of a long-term, tangible character which are intended to continue to be held or used, such as land, buildings, improvements, machinery, and equipment, and (ii) assets that provide a long-term interest in land, including conservation easements.

§ 52. Subdivision 2 of section 2976 of the public authorities law, as amended by section 1 of part FF of chapter 59 of the laws of 2009, is amended to read as follows:

2. The bond issuance charge shall be computed by multiplying the principal amount of bonds issued by the percentage set forth in the schedule below, provided that: (a) the charge applicable to the principal amount of single family mortgage revenue bonds shall be seven one-hundredths of one percent; (b) the issuance of bonds shall not include the remarketing of bonds; and (c) the issuance of bonds shall not include the [~~current~~] refunding of [~~short term~~] bonds, notes or other obligations [~~for which the bond issuance charge provided by this section has been paid, provided that such current refunding (i) occurs within one year from the issuance of the refunded obligations, or (ii) is part of a program created by a single indenture or bond resolution that provides for the periodic issuance and refunding of short term obligations~~].

SCHEDULE

Principal Amount of Bonds Issued	Percentage Charge
a. [~~$1,000,000~~] $20,000,000 or less	[~~.168%~~] 0%
b. [~~$1,000,001 to $5,000,000~~	~~.336%~~
~~c. $5,000,001 to $10,000,000~~	~~.504%~~
~~d. $10,000,001 to $20,000,000~~	~~.672%~~
~~e.~~] More than $20,000,000	[~~.84%~~] .35%

§ 53. Subdivision 5 of section 68-b of the state finance law, as added by section 2 of part I of chapter 383 of the laws of 2001, is amended to read as follows:

5. The authorized issuers, subject to such agreements with holders of revenue bonds as may then exist, or with the providers of any applicable bond or note or other financial or agreement facility, shall have power out of any funds available therefor to purchase revenue bonds of the authorized issuers, which may or may not thereupon be canceled, at a price not exceeding:

(a) if the revenue bonds are then redeemable, the redemption price then applicable, including any accrued interest; or

(b) if the revenue bonds are not then redeemable, the redemption price and accrued interest applicable on the first date after such purchase upon which the revenue bonds become subject to redemption; or

(c) whether or not the revenue bonds are then redeemable, at a redemption price that provides a demonstrated economic benefit to the state, as certified in writing by a financial advisor to the state.

§ 54. Subdivision 5 of section 69-n of the state finance law, as added by section 58 of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

5. The authorized issuers, subject to such agreements with holders of revenue bonds as may then exist, or with the providers of any applicable bond or note or other financial or agreement facility, shall have power out of any funds available therefor to purchase revenue bonds of the authorized issuers, which may or may not thereupon be canceled, at a price not exceeding:

(a) If the revenue bonds are then redeemable, the redemption price then applicable, including any accrued interest; or

(b) If the revenue bonds are not then redeemable, the redemption price and accrued interest applicable on the first date after such purchase upon which the revenue bonds become subject to redemption**; or**

(c) Whether or not the revenue bonds are then redeemable, at a redemption price that provides a demonstrated economic benefit to the state, as certified in writing by a financial advisor to the state.

§ 55. Paragraph (b) of subdivision 1 of section 54-b of section 1 of chapter 174 of the laws of 1968 constituting the urban development corporation act, as amended by section 49 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

(b) Notwithstanding any other provision of law to the contrary, including, specifically, the provisions of chapter 59 of the laws of 2000 and section sixty-seven-b of the state finance law, the dormitory authority of the state of New York and the corporation are hereby authorized to issue personal income tax revenue anticipation notes with a maturity no later than March 31[~~, 2024~~] **of the state fiscal year in which such notes are issued**, in one or more series in an aggregate principal amount for each fiscal year not to exceed [~~three~~] **four** billion dollars, and to pay costs of issuance of such notes, for the purpose of temporarily financing budgetary needs of the state. Such purpose shall constitute an authorized purpose under subdivision two of section sixty-eight-a of the state finance law for all purposes of article five-C of the state finance law with respect to the notes authorized by this paragraph. Such notes shall not be renewed, extended or refunded. For so long as any notes authorized by this paragraph shall be outstanding, the restrictions, limitations and requirements contained in article five-B of the state finance law shall not apply.

§ 56. Subdivision 1 of section 386-a of the public authorities law, as amended by section 54 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

1. Notwithstanding any other provision of law to the contrary, the authority, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of assisting the metropolitan transportation authority in the financing of transportation facilities as defined in subdivision seventeen of section twelve hundred sixty-one of this chapter or other capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed twelve billion five hundred fifteen million eight hundred fifty-six thousand dollars $12,515,856,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the authority, the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the authority, the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds. Notwithstanding any other provision of law to the contrary, including the limitations contained in subdivision four of section sixty-seven-b of the state finance law, (A) any bonds and notes issued prior to April first, two thousand [~~twenty-four~~] **twenty-five** pursuant to this section may be issued with a maximum maturity of fifty

years, and (B) any bonds issued to refund such bonds and notes may be issued with a maximum maturity of fifty years from the respective date of original issuance of such bonds and notes.

§ 57. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2024; provided, however, that the provisions of sections one, two, three, four, five, six, seven, eight, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, and twenty-four of this act shall expire March 31, 2025; and provided, further, that sections twenty-five and twenty-six of this act shall expire March 31, 2028, when upon such dates the provisions of such sections shall be deemed repealed.

PART Y

Section 1. Section 2 of part P of chapter 55 of the laws of 2022, amending the alcoholic beverage control law relating to authorizing retail licensees for on-premises consumption to sell and/or deliver alcoholic beverages for off-premises consumption, is amended to read as follows:

§ 2. This act shall take effect immediately [~~and shall expire and be deemed repealed three years after such date~~].

§ 2. This act shall take effect immediately.

§ 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.

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