STATE OF NEW YORK

7818

2023-2024 Regular Sessions

IN SENATE

December 18, 2023

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

AN ACT to amend the state finance law, in relation to establishing the New York state worker protection and labor law enforcement fund

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

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

§ 99-rr. New York state worker protection and labor law enforcement fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a special fund to be known as the New York state worker protection and labor law enforcement fund.

2. Such fund shall consist of all monetary damages and penalties recovered by the department of labor for employer violations, unless otherwise designated, of articles two, five, six, eight, nine, nineteen, nineteen-B, twenty-C, twenty-five-A, twenty-five-B, and twenty-five-C of the labor law or with any regulations related thereto and all other moneys appropriated thereto from any other fund or source pursuant to law; provided, however that no monies due and owing to any other party shall be dedicated to the fund. Nothing contained in this section shall prevent the state from receiving grants, gifts or bequests for the purposes of the fund as defined in this section and depositing them into the fund according to law.

3. The monies in the fund, after appropriation by the legislature, shall be available to the commissioner of labor for the sole purpose of supplementing the department's labor law enforcement duties; provided, however, that such funding shall be appropriated in addition to any other monies appropriated to the department for the state fiscal year in effect on the effective date of this section.

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

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4. On or before January first of each year, the department of labor shall provide a written report detailing how the monies of the fund were utilized during the preceding fiscal year. Such report shall be provided to the temporary president of the senate, the speaker of the assembly, the chair of the senate finance committee, the chair of the assembly ways and means committee, the chair of the senate committee on labor, the chair of the assembly labor committee, and the state comptroller. Such report shall be posted on the department's website and shall include:

(a) the number of enforcement proceedings initiated for employer violations of articles two, five, six, eight, nine, nineteen, nineteen-B, twenty-C, twenty-five-A, twenty-five-B, and twenty-five-C of the labor law or any regulations related thereto, the name of the entity against which such proceeding was initiated and the amount collected for each such proceeding, if any;

(b) the amount of money available and dispersed from the fund over the previous twelve months;

(c) a description on how such monies were used, including the number of enforcement personnel hired or supported by such monies; and

(d) a summary financial plan for such monies which shall include estimates of all receipts and all disbursements for the next fiscal year.

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