

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:

1 Section 1. The state finance law is amended by adding a new section
2 99-rr to read as follows:

3 § 99-rr. New York state worker protection and labor law enforcement
4 fund. 1. There is hereby established in the joint custody of the state
5 comptroller and the commissioner of taxation and finance a special fund
6 to be known as the New York state worker protection and labor law
7 enforcement fund.

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

19 3. The monies in the fund, after appropriation by the legislature,
20 shall be available to the commissioner of labor for the sole purpose of
21 supplementing the department's labor law enforcement duties; provided,
22 however, that such funding shall be appropriated in addition to any
23 other monies appropriated to the department for the state fiscal year in
24 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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1 4. On or before January first of each year, the department of labor
2 shall provide a written report detailing how the monies of the fund were
3 utilized during the preceding fiscal year. Such report shall be provided
4 to the temporary president of the senate, the speaker of the assembly,
5 the chair of the senate finance committee, the chair of the assembly
6 ways and means committee, the chair of the senate committee on labor,
7 the chair of the assembly labor committee, and the state comptroller.
8 Such report shall be posted on the department's website and shall
9 include:

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

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

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

20 (d) a summary financial plan for such monies which shall include esti-
21 mates of all receipts and all disbursements for the next fiscal year.

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