

# STATE OF NEW YORK

---

3005--B

## IN ASSEMBLY

February 1, 2023

---

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

AN ACT to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to the effectiveness thereof; to amend chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend

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

LBD12570-03-3

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

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

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

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

12

PART A

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

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

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

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

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

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

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

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

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

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

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

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

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

1 provided further that the commissioner of correctional services shall  
2 report each January first, and July first, to the chairman of the senate  
3 crime victims, crime and correction committee, the senate codes commit-  
4 tee, the assembly correction committee, and the assembly codes commit-  
5 tee, the number of eligible inmates in each facility under the custody  
6 and control of the commissioner who have applied for participation in  
7 any program offered under the provisions of work release, furlough, or  
8 leave, and the number of such inmates who have been approved for partic-  
9 ipation.

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

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

19 § 8. Subdivision (aa) of section 427 of chapter 55 of the laws of  
20 1992, amending the tax law and other laws relating to taxes, surcharges,  
21 fees and funding, as amended by section 10 of part A of chapter 55 of  
22 the laws of 2021, is amended to read as follows:

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

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

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

35 § 10. Subdivision (p) of section 406 of chapter 166 of the laws of  
36 1991, amending the tax law and other laws relating to taxes, as amended  
37 by section 12 of part A of chapter 55 of the laws of 2021, is amended to  
38 read as follows:

39 (p) The amendments to section 1809 of the vehicle and traffic law made  
40 by sections three hundred thirty-seven and three hundred thirty-eight of  
41 this act shall not apply to any offense committed prior to such effec-  
42 tive date; provided, further, that section three hundred forty-one of  
43 this act shall take effect immediately and shall expire November 1, 1993  
44 at which time it shall be deemed repealed; sections three hundred  
45 forty-five and three hundred forty-six of this act shall take effect  
46 July 1, 1991; sections three hundred fifty-five, three hundred fifty-  
47 six, three hundred fifty-seven and three hundred fifty-nine of this act  
48 shall take effect immediately and shall expire June 30, 1995 and shall  
49 revert to and be read as if this act had not been enacted; section three  
50 hundred fifty-eight of this act shall take effect immediately and shall  
51 expire June 30, 1998 and shall revert to and be read as if this act had  
52 not been enacted; section three hundred sixty-four through three hundred  
53 sixty-seven of this act shall apply to claims filed on or after such  
54 effective date; sections three hundred sixty-nine, three hundred seven-  
55 ty-two, three hundred seventy-three, three hundred seventy-four, three  
56 hundred seventy-five and three hundred seventy-six of this act shall

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

§ 24. This act shall take effect immediately.

PART B

Intentionally Omitted

PART C

Intentionally Omitted

PART D

Intentionally Omitted

PART E

Intentionally Omitted

PART F

Intentionally Omitted

PART G

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

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

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

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

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

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

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

13 § 3. This act shall take effect immediately.

14 PART H

15 Section 1. Intentionally omitted.

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

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

36 § 3. The general municipal law is amended by adding a new section  
37 200-aa to read as follows:

38 § 200-aa. Training stipend for volunteer firefighters. 1. For purposes  
39 of this section:

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

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

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

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

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

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

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

7 § 4. Intentionally omitted.

8 § 5. Intentionally omitted.

9 § 6. Intentionally omitted.

10 § 7. Intentionally omitted.

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

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

31 § 9. Intentionally omitted.

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

34 PART I

35 Intentionally Omitted

36 PART J

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

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

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

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

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

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

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

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

4 8. For the purposes of this section:

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

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

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

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

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

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

38 § 2. This act shall take effect immediately.

39 PART K

40 Intentionally Omitted

41 PART L

42 Intentionally Omitted

43 PART M

44 Intentionally Omitted

45 PART N

1 Intentionally Omitted

2 PART O

3 Intentionally Omitted

4 PART P

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

7 § 722-b. Compensation and reimbursement for representation. 1. All  
8 counsel assigned in accordance with a plan of a bar association conform-  
9 ing to the requirements of section seven hundred twenty-two of this  
10 article whereby the services of private counsel are rotated and coordi-  
11 nated by an administrator shall at the conclusion of the representation  
12 receive[+

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

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

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

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

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

33 3. ~~For representation on an appeal, compensation and reimbursement  
34 shall be fixed by the appellate court. For all other representation,  
35 compensation and reimbursement shall be fixed by the trial court judge.  
36 In extraordinary circumstances a trial or appellate court may provide  
37 for compensation in excess of the foregoing limits and for payment of  
38 compensation and reimbursement for expenses before the completion of the  
39 representation.] In extraordinary circumstances a trial or appellate  
40 court may provide for compensation in excess of the foregoing limits  
41 pursuant to subdivision one of this section and for payment of compen-  
42 sation and reimbursement for expenses before the completion of the  
43 representation.~~

44 [4.] 3. Each claim for compensation and reimbursement shall be  
45 supported by a sworn statement specifying the time expended, services  
46 rendered, expenses incurred and reimbursement or compensation applied  
47 for or received in the same case from any other source. No counsel  
48 assigned hereunder shall seek or accept any fee for representing the  
49 party for whom he or she is assigned without approval of the court as  
50 herein provided.

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

3 § 722-e. Expenses. 1. All expenses for providing counsel and services  
4 other than counsel hereunder shall be a county charge or in the case of  
5 a county wholly located within a city a city charge to be paid out of an  
6 appropriation for such purposes. Provided, however, that any such addi-  
7 tional expenses incurred for the provision of counsel and services as a  
8 result of the implementation of a plan established pursuant to subdivi-  
9 sion four of section eight hundred thirty-two of the executive law,  
10 including any interim steps taken to implement such plan, shall be reim-  
11 bursed by the state to the county or city providing such services. Such  
12 plans shall be submitted by the office of indigent legal services to the  
13 director of the division of budget for review and approval. However,  
14 the director's approval shall be limited solely to the plan's projected  
15 fiscal impact of the required appropriation for the implementation of  
16 such plan, and his or her approval shall not be unreasonably withheld.  
17 The state shall appropriate funds sufficient to provide for the  
18 reimbursement required by this section; provided further that counties  
19 have no authority to withhold payments approved by the appellate court  
20 or trial court judge.

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

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

32 3. No counsel assigned pursuant to this section shall seek or accept  
33 any fee for representing the person for whom he or she is assigned with-  
34 out approval of the court as herein provided. Whenever it appears that  
35 such person is financially able to obtain counsel or make partial  
36 payment for the representation, counsel may report this fact to the  
37 court and the court may terminate the assignment or authorize payment,  
38 as the interests of justice may dictate, to such counsel. Counsel  
39 assigned hereunder shall at the conclusion of the representation receive  
40 compensation at a rate of [~~seventy-five~~] one hundred sixty-four dollars  
41 per hour for time expended in court, and [~~seventy-five~~] one hundred  
42 sixty-four dollars per hour for time reasonably expended out of court,  
43 and shall receive reimbursement for expenses reasonably incurred. [~~For~~  
44 ~~representation upon a hearing, compensation and reimbursement shall be~~  
45 ~~fixed by the court wherein the hearing was held and such compensation~~  
46 ~~shall not exceed four thousand four hundred dollars. For representation~~  
47 ~~in an appellate court, compensation and reimbursement shall be fixed by~~  
48 ~~such court and such compensation shall not exceed four thousand four~~  
49 ~~hundred dollars.] In extraordinary circumstances the court may provide  
50 for compensation in excess of the foregoing limits.~~

51 § 4. Section 35 of the judiciary law is amended by adding a new subdivi-  
52 sion 9 to read as follows:

53 9. All expenses for providing counsel and services pursuant to subdivi-  
54 vision three of this section shall be funded by the state.

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

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

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

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

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

12 § 6. This act shall take effect April 1, 2023. Effective immediately,  
13 the addition, amendment, and/or repeal of any rule or regulation neces-  
14 sary for the implementation of this act on its effective date are  
15 authorized to be made and completed on or before such effective date.

16 PART Q

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

21 § 2. The temporary state commission on the restoration of the capitol  
22 is hereby renamed as the state commission on the restoration of the  
23 capitol (hereinafter to be referred to as the "commission") and is here-  
24 by continued until April 1, [~~2023~~] 2028. The commission shall consist  
25 of eleven members to be appointed as follows: five members shall be  
26 appointed by the governor; two members shall be appointed by the tempo-  
27 rary president of the senate; two members shall be appointed by the  
28 speaker of the assembly; one member shall be appointed by the minority  
29 leader of the senate; one member shall be appointed by the minority  
30 leader of the assembly, together with the commissioner of general  
31 services and the commissioner of parks, recreation and historic preser-  
32 vation. The term for each elected member shall be for three years,  
33 except that of the first five members appointed by the governor, one  
34 shall be for a one year term, and two shall be for a two year term, and  
35 one of the first appointments by the president of the senate and by the  
36 speaker of the assembly shall be for a two year term. Any vacancy that  
37 occurs in the commission shall be filled in the same manner in which the  
38 original appointment was made. The commission shall elect a chairman and  
39 a vice-chairman from among its members. The members of the state  
40 commission on the restoration of the capitol shall be deemed to be  
41 members of the commission until their successors are appointed. The  
42 members of the commission shall receive no compensation for their  
43 services, but shall be reimbursed for their expenses actually and neces-  
44 sarily incurred by them in the performance of their duties hereunder.

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

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

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



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

3 PART R

4 Intentionally Omitted

5 PART S

6 Intentionally Omitted

7 PART T

8 Intentionally Omitted

9 PART U

10 Intentionally Omitted

11 PART V

12 Intentionally Omitted

13 PART W

14 Intentionally Omitted

15 PART X

16 Intentionally Omitted

17 PART Y

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

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

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

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

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

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

24 PART Z

25 Intentionally Omitted

26 PART AA

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

53 PART BB

54 Intentionally Omitted

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52

PART CC

Intentionally Omitted

PART DD

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

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, the state civil service department, subject to the approval of the director of the budget, a municipal commission, subject to the approval of the governing board or body of the city or county, as the case may be, or a regional commission or personnel officer, pursuant to governmental agreement, may elect to waive application fees, or to abolish fees for specific classes of positions or types of examinations or candidates, or to establish a uniform schedule of reasonable fees different from those prescribed in paragraph (a) of this subdivision, specifying in such schedule the classes of positions or types of examinations or candidates to which such fees shall apply; provided, however, that fees shall be waived for candidates who certify to the state civil service department, a municipal commission or a regional commission that they are unemployed and primarily responsible for the support of a household, or are receiving public assistance. Provided further, the state civil service department shall waive the state application fee for examinations for original appointment for all veterans. Provided further, the state civil service department shall, and a municipal commission may, subject to the approval of the governing board or body of the city or county, as the case may be, or a regional commission or personnel officer, pursuant to governmental agreement, waive application fees for all examinations held between July 1, 2023 and December 31, 2026. Notwithstanding any other provision of law, for purposes of this section, the term "veteran" shall mean a person who has served in the armed forces of the United States or the reserves thereof, or in the army national guard, air national guard, New York guard, or the New York naval militia, and who (1) has been honorably discharged or released from such service under honorable conditions, or (2) has a qualifying condition, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service. The term "armed forces" shall mean the army, navy, air force, marine corps, and coast guard.

§ 2. On or before December 31, 2025, the Department of Civil Service shall produce a report studying the impact of waiving civil service application fees and shall deliver a copy of such report to the governor, the temporary president of the senate, and speaker of the assembly. Such report shall include, but not be limited to:

- a. the number of applications for civil service examinations broken down by employer, job title, and examination type;
- b. the number of new hires in all state agencies and municipalities; and
- c. demographic information on applicants, including sex, race, age, geography and educational attainment.

1 § 3. This act shall take effect April 1, 2023 and shall expire and be  
2 deemed repealed on December 31, 2026; provided that if section 35 of  
3 part PP of chapter 56 of the laws of 2022 takes effect after such date,  
4 then section one of this act shall take effect on the same date and in  
5 the same manner as such section of part PP of chapter 56 of the laws of  
6 2022 takes effect, and provided, further, that this act shall be deemed  
7 to have been in full force and effect on and after April 1, 2023.

8

## PART EE

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

13 § 13. This act shall take effect immediately and shall be deemed to  
14 have been in full force and effect as of April 1, 1994, provided that,  
15 the provisions of section 5-a of the legislative law as amended by  
16 sections two and two-a of this act shall take effect on January 1, 1995,  
17 and provided further that, the provisions of article 5-A of the legisla-  
18 tive law as added by section eight of this act shall expire June 30,  
19 [~~2023~~] 2024 when upon such date the provisions of such article shall be  
20 deemed repealed; and provided further that section twelve of this act  
21 shall be deemed to have been in full force and effect on and after April  
22 10, 1994.

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

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

31 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-  
32 sion, section or part of this act shall be adjudged by any court of  
33 competent jurisdiction to be invalid, such judgment shall not affect,  
34 impair, or invalidate the remainder thereof, but shall be confined in  
35 its operation to the clause, sentence, paragraph, subdivision, section  
36 or part thereof directly involved in the controversy in which such judg-  
37 ment shall have been rendered. It is hereby declared to be the intent of  
38 the legislature that this act would have been enacted even if such  
39 invalid provisions had not been included herein.

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