

STATE OF NEW YORK

S. 4005

A. 3005

SENATE - ASSEMBLY

February 1, 2023

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means

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 expi-

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

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ration of the mandatory surcharge and victim assistance fee; to amend 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); to amend the criminal procedure law, in relation to setting bail (Part B); to amend the public health law, in relation to authorizing body scanner utilization in the department of corrections and community supervision and the office of children and family services facilities (Part C); to amend the correction law, in relation to lowering the minimum age for correction officers (Part D); to amend the executive law, in relation to the reporting of certain criminal offenses to a central repository (Part E); to amend the penal law, in relation to certain crimes relating to the possession of a firearm and the purchase and sale of body armor (Subpart A); and to amend the penal law, in relation to the purchase and sale of semiautomatic rifles (Subpart B) (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, the general municipal law, the labor law, and the civil service law, in relation to permitting the paying of a nominal fee to volunteer firefighters (Part H); to amend the executive law, in relation to a model domestic and gender-based violence policy; and to repeal certain provisions of such law relating to a model domestic violence policy for counties (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); directing the state liquor authority to review the alcoholic beverage control law and recommend legislative changes (Part K); to amend the alcoholic beverage control law, in relation to the issuance of temporary wholesale permits (Part L); to amend the alcoholic beverage control law, in relation to changes of ownership of a licensed business (Part M); to amend the alcoholic beverage control law, in relation to notifying municipalities of the filing of certain applications (Part N); to amend the alcoholic beverage control law, in relation to the issuance of temporary retail permits, and to amend chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part O); to amend the county law and the judiciary 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); to amend the state finance law, in relation to methods of procurement; and repealing certain provisions of such law relating thereto (Part R); to amend the civil service law, in relation to competitive workforce expansion and retention (Part S); to amend the civil service law, in relation to employment and transfer of certain persons with disabilities (Part T); to amend the civil practice law and rules and the state finance law, in relation to the rate of interest to be paid on judgment and accrued claims (Part U); to amend part HH of chapter 56 of the laws of 2022 amending the retirement and social security law relating to waiving approval and income limitations on retirees employed in school districts and board of cooperative educational services, in relation to the effectiveness thereof (Part V); to amend the retirement and social security law, in relation to allowing participating employers of the New York state and local retirement system to withdraw from the contribution stabilization program (Part W); to amend the civil service law, in relation to the ability to charge interest on past due balances for the New York state health insurance program (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); to amend the executive law, in relation to the first class of the commission on ethics and lobbying in government (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); to repeal subdivision 12 of section 239-bb of the general municipal law relating to county-wide shared services panels (Part BB); and to provide for the administration of certain funds and accounts related to the 2023-2024 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts; to amend part FFF of chapter 56 of the laws of 2022 providing for the administration of certain funds and accounts related to the 2022-2023 budget, in relation to the effectiveness of certain provisions thereof; to amend the military law, in relation to the deposit of funds for the use of armories; to amend the state finance law, in relation to the rainy day reserve fund; to amend part D of chapter 389 of the laws of 1997 relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds or notes; to amend chapter 81 of the laws of 2002 relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to the issuance of certain bonds & notes; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the New York state medical care facilities finance agency act, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, in relation to the issuance of certain bonds or notes; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the private housing finance law, in relation to housing program bonds and notes; to amend part D of chapter 63 of the laws of 2005, relating to the composition and responsibilities of the New York state higher education capital matching grant board, in relation to increasing the amount of authorized matching capital grants; to amend the New York state urban development corporation act, in relation to the nonprofit infrastructure capital investment program; to amend the New York state urban development corporation act, in relation to personal income tax notes for 2024, in relation to authorizing the dormitory authority of the state of New York and the urban development corporation to enter into line of credit facilities for 2024, and in relation to state-supported debt issued during the 2024 fiscal year; to amend the state finance law, in relation to payments of bonds; to amend the state finance law, in relation to the mental health services fund; to amend the state finance law, in relation to the issuance of revenue bonds; to amend the New York state urban development corporation act, in relation to permitting the dormitory authority, the New York state urban development corporation, and the thruway authority to issue bonds for the purpose of refunding obli-

gations of the power authority of the state of New York to fund energy efficiency projects at state agencies; to amend the public authorities law, in relation to financing of metropolitan transportation authority (MTA) transportation facilities; and providing for the repeal of certain provisions upon expiration thereof (Part CC)

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 CC. 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
15 amended by section 1 of part A of chapter 55 of the laws of 2021, is
16 amended to read as follows:

17 § 2. This act shall take effect on the one hundred eightieth day after
18 it shall have become a law and shall remain in effect until September 1,
19 [~~2023~~] 2025.

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

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

29 § 3. Section 3 of chapter 886 of the laws of 1972, amending the
30 correction law and the penal law relating to prisoner furloughs in
31 certain cases and the crime of absconding therefrom, as amended by
32 section 3 of part A of chapter 55 of the laws of 2021, is amended to
33 read as follows:

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

36 § 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
37 50, 53 and 54 of the laws of 1987, the correction law, the penal law and
38 other chapters and laws relating to correctional facilities, as amended
39 by section 4 of part A of chapter 55 of the laws of 2021, is amended to
40 read as follows:

41 § 20. This act shall take effect immediately except that section thir-
42 teen of this act shall expire and be of no further force or effect on
43 and after September 1, [~~2023~~] 2025 and shall not apply to persons
44 committed to the custody of the department after such date, and provided

1 further that the commissioner of corrections and community supervision
2 shall report each January first and July first during such time as the
3 earned eligibility program is in effect, to the chairmen of the senate
4 crime victims, crime and correction committee, the senate codes commit-
5 tee, the assembly correction committee, and the assembly codes commit-
6 tee, the standards in effect for earned eligibility during the prior
7 six-month period, the number of inmates subject to the provisions of
8 earned eligibility, the number who actually received certificates of
9 earned eligibility during that period of time, the number of inmates
10 with certificates who are granted parole upon their first consideration
11 for parole, the number with certificates who are denied parole upon
12 their first consideration, and the number of individuals granted and
13 denied parole who did not have earned eligibility certificates.

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

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

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

25 § 10. This act shall take effect 30 days after it shall have become a
26 law and shall remain in effect until September 1, [~~2023~~] 2025, and
27 provided further that the commissioner of correctional services shall
28 report each January first, and July first, to the chairman of the senate
29 crime victims, crime and correction committee, the senate codes commit-
30 tee, the assembly correction committee, and the assembly codes commit-
31 tee, the number of eligible inmates in each facility under the custody
32 and control of the commissioner who have applied for participation in
33 any program offered under the provisions of work release, furlough, or
34 leave, and the number of such inmates who have been approved for partic-
35 ipation.

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

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

45 § 8. Subdivision (aa) of section 427 of chapter 55 of the laws of
46 1992, amending the tax law and other laws relating to taxes, surcharges,
47 fees and funding, as amended by section 10 of part A of chapter 55 of
48 the laws of 2021, is amended to read as follows:

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

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

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

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

(p) The amendments to section 1809 of the vehicle and traffic law made by sections three hundred thirty-seven and three hundred thirty-eight of this act shall not apply to any offense committed prior to such effective date; provided, further, that section three hundred forty-one of this act shall take effect immediately and shall expire November 1, 1993 at which time it shall be deemed repealed; sections three hundred forty-five and three hundred forty-six of this act shall take effect July 1, 1991; sections three hundred fifty-five, three hundred fifty-six, three hundred fifty-seven and three hundred fifty-nine of this act shall take effect immediately and shall expire June 30, 1995 and shall revert to and be read as if this act had not been enacted; section three hundred fifty-eight of this act shall take effect immediately and shall expire June 30, 1998 and shall revert to and be read as if this act had not been enacted; section three hundred sixty-four through three hundred sixty-seven of this act shall apply to claims filed on or after such effective date; sections three hundred sixty-nine, three hundred seventy-two, three hundred seventy-three, three hundred seventy-four, three hundred seventy-five and three hundred seventy-six of this act shall remain in effect until September 1, [~~2023~~] 2025, at which time they shall be deemed repealed; provided, however, that the mandatory surcharge provided in section three hundred seventy-four of this act shall apply to parking violations occurring on or after said effective date; and provided further that the amendments made to section 235 of the vehicle and traffic law by section three hundred seventy-two of this act, the amendments made to section 1809 of the vehicle and traffic law by sections three hundred thirty-seven and three hundred thirty-eight of this act and the amendments made to section 215-a of the labor law by section three hundred seventy-five of this act shall expire on September 1, [~~2023~~] 2025 and upon such date the provisions of such subdivisions and sections shall revert to and be read as if the provisions of this act had not been enacted; the amendments to subdivisions 2 and 3 of section 400.05 of the penal law made by sections three hundred seventy-seven and three hundred seventy-eight of this act shall expire on July 1, 1992 and upon such date the provisions of such subdivisions shall revert and shall be read as if the provisions of this act had not been enacted; the state board of law examiners shall take such action as is necessary to assure that all applicants for examination for admission to practice as an attorney and counsellor at law shall pay the increased examination fee provided for by the amendment made to section 465 of the judiciary law by section three hundred eighty of this act for any examination given on or after the effective date of this act notwithstanding that an applicant for such examination may have prepaid a lesser fee for such examination as required by the provisions of such section 465 as of the date prior to the effective date of this act; the provisions of section 306-a of the civil practice law and rules as added by section three hundred eighty-one of this act shall apply to all actions pending on or commenced on or after September 1, 1991, provided, however, that for the purposes of this section service of such summons made prior to

1 such date shall be deemed to have been completed on September 1, 1991;
2 the provisions of section three hundred eighty-three of this act shall
3 apply to all money deposited in connection with a cash bail or a
4 partially secured bail bond on or after such effective date; and the
5 provisions of sections three hundred eighty-four and three hundred
6 eighty-five of this act shall apply only to jury service commenced
7 during a judicial term beginning on or after the effective date of this
8 act; provided, however, that nothing contained herein shall be deemed to
9 affect the application, qualification, expiration or repeal of any
10 provision of law amended by any section of this act and such provisions
11 shall be applied or qualified or shall expire or be deemed repealed in
12 the same manner, to the same extent and on the same date as the case may
13 be as otherwise provided by law;

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

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

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

24 § 6. This act shall take effect on the first day of April next
25 succeeding the date on which it shall have become a law; provided,
26 however, that effective immediately, the addition, amendment or repeal
27 of any rule or regulation necessary for the implementation of the fore-
28 going sections of this act on their effective date is authorized and
29 directed to be made and completed on or before such effective date and
30 shall remain in full force and effect until the first day of September,
31 [~~2023~~] 2025 when upon such date the provisions of this act shall be
32 deemed repealed.

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

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

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

43 § 4. This act shall take effect 120 days after it shall have become a
44 law and shall remain in full force and effect until September 1, [~~2023~~]
45 2025, when upon such date it shall expire.

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

50 2. Subdivision 4 of section 140.10 of the criminal procedure law as
51 added by section thirty-two of this act shall take effect January 1,
52 1996 and shall expire and be deemed repealed on September 1, [~~2023~~]
53 2025.

54 § 16. Section 5 of chapter 505 of the laws of 1985, amending the crim-
55 inal procedure law relating to the use of closed-circuit television and
56 other protective measures for certain child witnesses, as amended by

1 section 18 of part A of chapter 55 of the laws of 2021, is amended to
2 read as follows:

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

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

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

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

19 § 2. This act shall take effect immediately, except that the
20 provisions of this act shall be deemed to have been in full force and
21 effect since July 1, 1992 and the provisions of this act shall expire
22 September 1, ~~2023~~ 2025 when upon such date the provisions of this act
23 shall be deemed repealed.

24 § 19. Section 3 of chapter 688 of the laws of 2003, amending the exec-
25 utive law relating to enacting the interstate compact for adult offender
26 supervision, as amended by section 21 of part A of chapter 55 of the
27 laws of 2021, is amended to read as follows:

28 § 3. This act shall take effect immediately, except that section one
29 of this act shall take effect on the first of January next succeeding
30 the date on which it shall have become a law, and shall remain in effect
31 until the first of September, ~~2023~~ 2025, upon which date this act
32 shall be deemed repealed and have no further force and effect; provided
33 that section one of this act shall only take effect with respect to any
34 compacting state which has enacted an interstate compact entitled
35 "Interstate compact for adult offender supervision" and having an iden-
36 tical effect to that added by section one of this act and provided
37 further that with respect to any such compacting state, upon the effec-
38 tive date of section one of this act, section 259-m of the executive law
39 is hereby deemed REPEALED and section 259-mm of the executive law, as
40 added by section one of this act, shall take effect; and provided
41 further that with respect to any state which has not enacted an inter-
42 state compact entitled "Interstate compact for adult offender super-
43 vision" and having an identical effect to that added by section one of
44 this act, section 259-m of the executive law shall take effect and the
45 provisions of section one of this act, with respect to any such state,
46 shall have no force or effect until such time as such state shall adopt
47 an interstate compact entitled "Interstate compact for adult offender
48 supervision" and having an identical effect to that added by section one
49 of this act in which case, with respect to such state, effective imme-
50 diately, section 259-m of the executive law is deemed repealed and
51 section 259-mm of the executive law, as added by section one of this
52 act, shall take effect.

53 § 20. Section 8 of part H of chapter 56 of the laws of 2009, amending
54 the correction law relating to limiting the closing of certain correc-
55 tional facilities, providing for the custody by the department of
56 correctional services of inmates serving definite sentences, providing

1 for custody of federal prisoners and requiring the closing of certain
2 correctional facilities, as amended by section 22 of part A of chapter
3 55 of the laws of 2021, is amended to read as follows:

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

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

11 § 3. This act shall take effect immediately; provided however that the
12 amendments made to subdivision 1 of section 221 of the military law by
13 section two of this act shall expire and be deemed repealed September 1,
14 [2023] 2025.

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

20 § 5. This act shall take effect immediately and shall remain in full
21 force and effect until September 1, [2023] 2025, and provided further
22 that the commissioner of correctional services shall report each January
23 first and July first during such time as this legislation is in effect,
24 to the chairmen of the senate crime victims, crime and correction
25 committee, the senate codes committee, the assembly correction commit-
26 tee, and the assembly codes committee, the number of individuals who are
27 released to community treatment facilities during the previous six-month
28 period, including the total number for each date at each facility who
29 are not residing within the facility, but who are required to report to
30 the facility on a daily or less frequent basis.

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

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

38 § 24. This act shall take effect immediately.

39 PART B

40 Section 1. The opening paragraph of subdivision 1 of section 510.10 of
41 the criminal procedure law, as amended by section 1 of subpart C of part
42 UU of chapter 56 of the laws of 2022, is amended and a new subdivision
43 1-a is added to read as follows:

44 When a principal, other than a principal charged with a qualifying
45 offense for which monetary bail is authorized under this article or a
46 principal for whom the court is otherwise authorized to fix bail or
47 commit to the custody of the sheriff, whose future court attendance at a
48 criminal action or proceeding is or may be required, comes under the
49 control of a court, such court shall, in accordance with this title, by
50 a securing order release the principal on the principal's own recogni-
51 zance, or release the principal under non-monetary conditions~~[, or,~~
52 ~~where authorized, fix bail or commit the principal to the custody of the~~
53 ~~sheriff]~~. In all such cases, except where another type of securing order
54 is shown to be required by law, the court shall release the principal

1 pending trial on the principal's own recognizance, unless it is demon-
2 strated and the court makes an individualized determination that the
3 principal poses a risk of flight to avoid prosecution. If such a finding
4 is made, the court must select the least restrictive alternative and
5 condition or conditions that will reasonably assure the principal's
6 return to court. The court shall explain its choice of release[7] ~~or~~
7 release with conditions[~~7, bail or remand~~] on the record or in writing.
8 In making its determination, the court must consider and take into
9 account available information about the principal, including:

10 1-a. When a principal, charged with a qualifying offense for which
11 monetary bail is authorized under this article or a principal for whom
12 the court is otherwise authorized to fix bail or commit to the custody
13 of the sheriff, whose future court attendance at a criminal action or
14 proceeding is or may be required, comes under the control of a court,
15 such court shall, in accordance with this title, by a securing order
16 release the principal on the principal's own recognizance, release the
17 principal under non-monetary conditions, fix bail, or commit the princi-
18 pal to the custody of the sheriff. The court shall explain its choice of
19 release, release with conditions, bail or remand on the record or in
20 writing. In making its determination, the court must consider and take
21 into account available information about the principal, including:

22 (a) The principal's activities and history;

23 (b) If the principal is a defendant, the charges facing the principal;

24 (c) The principal's criminal conviction record if any;

25 (d) The principal's record of previous adjudication as a juvenile
26 delinquent, as retained pursuant to section 354.1 of the family court
27 act, or, of pending cases where fingerprints are retained pursuant to
28 section 306.1 of such act, or a youthful offender, if any;

29 (e) The principal's previous record with respect to flight to avoid
30 criminal prosecution;

31 (f) If monetary bail is authorized, according to the restrictions set
32 forth in this title, the principal's individual financial circumstances,
33 and, in cases where bail is authorized, the principal's ability to post
34 bail without posing undue hardship, as well as his or her ability to
35 obtain a secured, unsecured, or partially secured bond;

36 (g) Any violation by the principal of an order of protection issued by
37 any court;

38 (h) The principal's history of use or possession of a firearm;

39 (i) Whether the charge is alleged to have caused serious harm to an
40 individual or group of individuals; and

41 (j) If the principal is a defendant, in the case of an application for
42 a securing order pending appeal, the merit or lack of merit of the
43 appeal.

44 § 2. The opening paragraph of subdivision 1 of section 510.30 of the
45 criminal procedure law, as amended by section 2 of subpart C of part UU
46 of chapter 56 of the laws of 2022, is amended and a new subparagraph 1-a
47 is added to read as follows:

48 With respect to any principal, other than a principal charged with a
49 qualifying offense for which monetary bail is authorized under this
50 article or a principal for whom the court is otherwise authorized to fix
51 bail or commit to the custody of the sheriff, the court in all cases,
52 unless otherwise provided by law, must impose the least restrictive kind
53 and degree of control or restriction that is necessary to secure the
54 principal's return to court when required. In determining that matter,
55 the court must, on the basis of available information, consider and take

1 into account information about the principal that is relevant to the
2 principal's return to court, including:

3 1-a. When a principal, charged with a qualifying offense for which
4 monetary bail is authorized under this article or a principal for whom
5 the court is otherwise authorized to fix bail or commit to the custody
6 of the sheriff, whose future court attendance at a criminal action or
7 proceeding is or may be required, comes under the control of a court,
8 such court shall, in accordance with this title, by a securing order
9 release the principal on the principal's own recognizance, release the
10 principal under non-monetary conditions, fix bail, or commit the princi-
11 pal to the custody of the sheriff. The court shall explain its choice of
12 release, release with conditions, bail or remand on the record or in
13 writing. In making its determination, the court must consider and take
14 into account available information about the principal, including:

15 (a) The principal's activities and history;

16 (b) If the principal is a defendant, the charges facing the principal;

17 (c) The principal's criminal conviction record if any;

18 (d) The principal's record of previous adjudication as a juvenile
19 delinquent, as retained pursuant to section 354.1 of the family court
20 act, or, of pending cases where fingerprints are retained pursuant to
21 section 306.1 of such act, or a youthful offender, if any;

22 (e) The principal's previous record with respect to flight to avoid
23 criminal prosecution;

24 (f) If monetary bail is authorized, according to the restrictions set
25 forth in this title, the principal's individual financial circumstances,
26 and, in cases where bail is authorized, the principal's ability to post
27 bail without posing undue hardship, as well as his or her ability to
28 obtain a secured, unsecured, or partially secured bond;

29 (g) Any violation by the principal of an order of protection issued by
30 any court;

31 (h) The principal's history of use or possession of a firearm;

32 (i) Whether the charge is alleged to have caused serious harm to an
33 individual or group of individuals; and

34 (j) If the principal is a defendant, in the case of an application for
35 a securing order pending appeal, the merit or lack of merit of the
36 appeal.

37 § 3. The opening paragraph of paragraph (b) of subdivision 1 of
38 section 530.20 of the criminal procedure law, as amended by section 3 of
39 part UU of chapter 56 of the laws of 2020, is amended to read as
40 follows:

41 Where the principal stands charged with a qualifying offense for which
42 monetary bail is authorized or where the court is otherwise authorized
43 to fix bail, the court, unless otherwise prohibited by law, may in its
44 discretion release the principal pending trial on the principal's own
45 recognizance or under non-monetary conditions, fix bail, or, where the
46 defendant is charged with a qualifying offense which is a felony, the
47 court may commit the principal to the custody of the sheriff. The court
48 shall explain its choice of release, release with conditions, bail or
49 remand on the record or in writing. A principal stands charged with a
50 qualifying offense when he or she stands charged with:

51 § 4. The opening paragraph of subdivision 4 of section 530.40 of the
52 criminal procedure law, as amended by section 4 of part UU of chapter 56
53 of the laws of 2020, is amended to read as follows:

54 Where the principal stands charged with a qualifying offense for which
55 monetary bail is authorized or where the court is otherwise authorized
56 to fix bail, the court, unless otherwise prohibited by law, may in its

1 discretion release the principal pending trial on the principal's own
2 recognizance or under non-monetary conditions, fix bail, or, where the
3 defendant is charged with a qualifying offense which is a felony, the
4 court may commit the principal to the custody of the sheriff. The court
5 shall explain its choice of release, release with conditions, bail or
6 remand on the record or in writing. A principal stands charged with a
7 qualifying offense for the purposes of this subdivision when he or she
8 stands charged with:

9 § 5. This act shall take effect on the thirtieth day after it shall
10 have become a law.

11 PART C

12 Section 1. Subparagraphs (i) and (ii) of paragraph (a), paragraph (b),
13 subparagraphs (i), (ii), (iii) and (v) of paragraph (c), paragraph (e)
14 and the opening paragraph and subparagraphs (i) and (ii) of paragraph
15 (f) of subdivision 6 of section 3502 of the public health law, subpara-
16 graph (ii) of paragraph (a), paragraph (b), subparagraphs (i), (iii) and
17 (v) of paragraph (c), paragraph (e) and the opening paragraph of para-
18 graph (f) as added by chapter 313 of the laws of 2018, subparagraph (i)
19 of paragraph (a), subparagraph (ii) of paragraph (c), and subparagraphs
20 (i) and (ii) of paragraph (f) as amended by chapter 486 of the laws of
21 2022, are amended to read as follows:

22 (i) Notwithstanding the provisions of this section or any other
23 provision of law, rule or regulation to the contrary, licensed practi-
24 tioners, persons licensed under this article and unlicensed personnel
25 employed at a state or local correctional facility, secure or special-
26 ized secure detention facility, or facility for youth placed with or
27 committed to the office of children and family services may, in a manner
28 permitted by the regulations promulgated pursuant to this subdivision,
29 utilize body imaging scanning equipment that applies ionizing radiation
30 to humans for purposes of screening [~~incarcerated~~] individuals detained
31 in or committed to such facility and visitors visiting such facility, in
32 connection with the implementation of such facility's security program.

33 (ii) The utilization of such body imaging scanning equipment shall be
34 in accordance with regulations promulgated by the department, or for
35 local correctional facilities in cities having a population of two
36 million or more, such utilization shall be in accordance with regu-
37 lations promulgated by the New York city department of health and mental
38 hygiene. The state commission of correction, in consultation with the
39 department of corrections and community supervision and the office of
40 children and family services, shall promulgate regulations establishing
41 when body imaging scanning equipment will be used to screen visitors in
42 state and local correctional facilities, secure or specialized secure
43 detention facilities, and facilities for youth placed with or committed
44 to the office of children and family services.

45 (b) Prior to establishing, maintaining or operating in a state or
46 local correctional facility, secure or specialized secure detention
47 facility, or facility for youth placed with or committed to the office
48 of children and family services, any body imaging scanning equipment,
49 the chief administrative officer of the facility shall ensure that such
50 facility is in compliance with the regulations promulgated pursuant to
51 this subdivision and otherwise applicable requirements for the installa-
52 tion, registration, maintenance, operation and inspection of body imag-
53 ing scanning equipment.

(i) A requirement that prior to operating body imaging scanning equipment, unlicensed personnel employed at state or local correctional facilities, secure or specialized secure detention facilities, or facilities for youth placed with or committed to the office of children and family services shall have successfully completed a training course approved by the department, or for local correctional facilities in cities of two million or more, approved by the New York city department of health and mental hygiene, and that such personnel receive additional training on an annual basis;

(ii) Limitations on exposure which shall be no more than fifty percent of the annual exposure limits for non-radiation workers as specified by applicable regulations, except that [~~incarcerated~~] individuals under the age of eighteen shall not be subject to more than five percent of such annual exposure limits, and pregnant women shall not be subject to such scanning at any time. Procedures for identifying pregnant women shall be set forth in the regulations;

(iii) Registration with the department of each body imaging scanning machine purchased or installed at a state or local correctional facility, secure or specialized secure detention facility, or facility for youth placed with or committed to the office of children and family services;

(v) A requirement that records be kept regarding each use of body imaging scanning equipment by the state or local correctional facility, secure or specialized secure detention facility, or facility for youth placed with or committed to the office of children and family services.

(e) For the purposes of this subdivision[~~7~~]:

(i) "[~~local~~] Local correctional facility" shall have the same meaning as found in subdivision sixteen of section two of the correction law.

(ii) "State correctional facility" shall mean a "correctional facility" as defined in subdivision four of section two of the correction law.

(iii) "Secure detention facility" shall mean a secure detention facility certified by the office of children and family services pursuant to section five hundred three of the executive law.

(iv) "Specialized secure detention facility" shall mean a facility for adolescent offenders certified by the office of children and family services in consultation with the state commission on correction pursuant to subdivision nine of section five hundred three of the executive law.

(v) "Facility for youth placed with or committed to the office of children and family services" shall mean a facility operated pursuant to section five hundred four of the executive law.

Any local government agency that utilizes body imaging scanning equipment in a state or local correctional facility, secure detention facility, or specialized secure detention facility under its jurisdiction shall submit an annual report to the department, the speaker of the assembly, and the temporary president of the senate. If body imaging scanning equipment is utilized in one or more state correctional facilities or facilities for youth placed with or committed to the office of children and family services, then the department of corrections and community supervision or the office of children and family services, as applicable, shall submit an annual report to the department, the speaker of the assembly, and the temporary president of the senate. Such report by either the local government agency, the department of corrections and community supervision, or the office of children and family services shall be submitted within eighteen months after the initial date of registration of such equipment with the department, and annually there-

1 after, and shall contain the following information as to each such
2 facility:

3 (i) the number of times the equipment was used on [~~incarcerated~~] indi-
4 viduals detrained in, committed to or visiting the facility upon intake,
5 before visits, after visits, and upon the suspicion of contraband, as
6 well as any other event that triggers the use of such equipment;

7 (ii) the average, median, and highest number of times the equipment
8 was used on any [~~incarcerated~~] individual detrained in, committed to or
9 visiting the facility, with corresponding exposure levels;

10 § 2. This act shall take effect on the one hundred twentieth day after
11 it shall have become a law; provided however, that the amendments to
12 subdivision 6 of section 3502 of the public health law made by section
13 one of this act shall not affect the repeal of such subdivision and
14 shall be deemed repealed therewith. Effective immediately, the addition,
15 amendment and/or repeal of any rule or regulation necessary for the
16 implementation of this act on its effective date are authorized to be
17 made and completed on or before such effective date.

18 PART D

19 Section 1. Subdivision 4 of section 7 of the correction law, as
20 amended by section 5 of subpart A of Part C of section 62 of the laws of
21 2011, is amended to read as follows:

22 4. The commissioner shall not appoint any person as a correction offi-
23 cer, unless such person has attained his or her nineteenth birthday, or
24 as a parole officer, unless such person has attained his or her twenty-
25 first birthday.

26 § 2. This act shall take effect immediately.

27 PART E

28 Section 1. The executive law is amended by adding a new section 236 to
29 read as follows:

30 § 236. Criminal offenses involving the discharge of any firearm, shot-
31 gun, or rifle. The division of state police shall maintain a statewide
32 repository of data relating to criminal offenses involving the discharge
33 of any firearm, shotgun, or rifle and shall develop and implement a
34 program to provide for the collection of such data and the reporting
35 thereof by law enforcement agencies. The superintendent of the division
36 of state police shall adopt and promulgate regulations prescribing
37 reporting procedures for such state or local law enforcement agencies,
38 including the form for reporting such information. Data acquired by law
39 enforcement agencies relating to criminal offenses involving the
40 discharge of any firearm, shotgun, or rifle shall be sent to the reposi-
41 tory as soon as practicable, but in no case more than seventy-two hours
42 after the agency has determined that the firearm, rifle, or shotgun
43 discharge occurred in connection with a criminal offense. In addition
44 to any other information which the superintendent of the division of
45 state police may require, the reporting shall include: (a) the location
46 of the incident; (b) the nature of the criminal offense and the circum-
47 stances of the firearm, rifle, or shotgun discharge; (c) the nature and
48 extent of any injuries suffered as a result of the firearm, rifle, or
49 shotgun discharge; (d) the firearm, rifle, or shotgun manufacturer,
50 model, serial number, caliber, and any ammunition microstamping identi-
51 fier; (e) whether the firearm, rifle, or shotgun has been recovered by a
52 law enforcement agency; (f) whether an arrest has been made and, if so,

1 the crimes charged; and (g) any information related to any ammunition
2 cartridge cases recovered at the scene including, but not limited to,
3 the caliber and manufacturer.

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

6 PART F

7 Section 1. This act enacts into law components of legislation relating
8 to firearms and body armor. Each component is wholly contained within a
9 Part identified as Subparts A through B. The effective date for each
10 particular provision contained within such Subpart is set forth in the
11 last section of such Subpart. Any provision in any section contained
12 within a Subpart, including the effective date of the Subpart, which
13 makes a reference to a section "of this act", when used in connection
14 with that particular component, shall be deemed to mean and refer to the
15 corresponding section of the Subpart in which it is found. Section two
16 of this act sets forth the general effective date of this act.

17 SUBPART A

18 Section 1. Section 265.01-e of the penal law, as added by chapter 371
19 of the laws of 2022, is amended to read as follows:

20 § 265.01-e Criminal possession of a firearm, rifle or shotgun in a
21 sensitive location.

22 1. A person is guilty of criminal possession of a firearm, rifle or
23 shotgun in a sensitive location when such person possesses a firearm,
24 rifle or shotgun in or upon a sensitive location, and such person knows
25 or reasonably should know such location is a sensitive location.

26 2. For the purposes of this section, a sensitive location shall mean:

27 (a) any place owned or under the control of federal, state or local
28 government, for the purpose of government administration, including
29 courts;

30 (b) any location providing health, behavioral health, or chemical
31 dependance care or services;

32 (c) any place of worship [~~or religious observation~~], except for those
33 persons responsible for security at such place of worship;

34 (d) libraries, public playgrounds, public parks, and zoos;

35 (e) the location of any program licensed, regulated, certified, fund-
36 ed, or approved by the office of children and family services that
37 provides services to children, youth, or young adults, any legally
38 exempt childcare provider; a childcare program for which a permit to
39 operate such program has been issued by the department of health and
40 mental hygiene pursuant to the health code of the city of New York;

41 (f) nursery schools, preschools, and summer camps;

42 (g) the location of any program licensed, regulated, certified, oper-
43 ated, or funded by the office for people with developmental disabili-
44 ties;

45 (h) the location of any program licensed, regulated, certified, oper-
46 ated, or funded by office of addiction services and supports;

47 (i) the location of any program licensed, regulated, certified, oper-
48 ated, or funded by the office of mental health;

49 (j) the location of any program licensed, regulated, certified, oper-
50 ated, or funded by the office of temporary and disability assistance;

51 (k) homeless shelters, runaway homeless youth shelters, family shel-
52 ters, shelters for adults, domestic violence shelters, and emergency
53 shelters, and residential programs for victims of domestic violence;

(l) residential settings licensed, certified, regulated, funded, or operated by the department of health;

(m) in or upon any building or grounds, owned or leased, of any educational institutions, colleges and universities, licensed private career schools, school districts, public schools, private schools licensed under article one hundred one of the education law, charter schools, non-public schools, board of cooperative educational services, special act schools, preschool special education programs, private residential or non-residential schools for the education of students with disabilities, and any state-operated or state-supported schools;

(n) any place, conveyance, or vehicle used for public transportation or public transit, subway cars, train cars, buses, ferries, railroad, omnibus, marine or aviation transportation; or any facility used for or in connection with service in the transportation of passengers, airports, train stations, subway and rail stations, and bus terminals;

(o) any establishment ~~[issued a]~~ holding an active license for on-premise consumption pursuant to article four, four-A, five, or six of the alcoholic beverage control law where alcohol is consumed and any establishment licensed under article four of the cannabis law for on-premise consumption;

(p) any place used for the performance, art entertainment, gaming, or sporting events such as theaters, stadiums, racetracks, museums, amusement parks, performance venues, concerts, exhibits, conference centers, banquet halls, and gaming facilities and video lottery terminal facilities as licensed by the gaming commission;

(q) any location being used as a polling place;

(r) any public sidewalk or other public area restricted from general public access for a limited time or special event that has been issued a permit for such time or event by a governmental entity, or subject to specific, heightened law enforcement protection, or has otherwise had such access restricted by a governmental entity, provided such location is identified as such by clear and conspicuous signage;

(s) any gathering of individuals to collectively express their constitutional rights to protest or assemble;

(t) the area commonly known as Times Square, as such area is determined and identified by the city of New York; provided such area shall be clearly and conspicuously identified with signage.

3. This section shall not apply to:

(a) ~~[consistent with federal law, law enforcement who qualify to carry under the federal law enforcement officers safety act,]~~ qualified law enforcement officers who are authorized to carry concealed firearms pursuant to 18 U.S.C 926B, or qualified retired law enforcement officers who are authorized to carry concealed firearms pursuant to 18 U.S.C. 926C;

(b) persons who are police officers as defined in subdivision thirty-four of section 1.20 of the criminal procedure law;

(c) persons who are designated peace officers by section 2.10 of the criminal procedure law;

(d) persons who were employed as police officers as defined in subdivision thirty-four of section 1.20 of the criminal procedure law but are retired;

(e) security guards as defined by and registered under article seven-A of the general business law, who have been granted a special armed registration card, while at the location of their employment and during their work hours as such a security guard;

(f) active-duty military personnel;

(g) persons licensed under paragraph (c), (d) or (e) of subdivision two of section 400.00 of this chapter while in the course of his or her official duties;

(h) a government employee under the express written consent of such employee's supervising government entity for the purposes of natural resource protection and management;

(i) persons while lawfully engaged in taking of wildlife or attempts to take wildlife pursuant to a hunting ~~[activity, including hunter education training]~~ license, permit or license issued by the department of environmental conservation, or as otherwise authorized pursuant to the environmental conservation law, and persons while engaged in hunter education training, marksmanship practice, marksmanship competition or training, or training in the safe handling and use of firearms; [ex]

(j) persons operating a program in a sensitive location out of their residence, ~~[as defined by this section,]~~ which is licensed, certified, authorized, or funded by the state or a municipality, so long as such possession is in compliance with any rules or regulations applicable to the operation of such program and use or storage of firearms;

(k) persons, while acting in the scope of their official duties, who are employed in the revenue control and security departments of the metropolitan transportation authority, or the New York city transit authority or an affiliate or subsidiary thereof, who are authorized to carry a firearm as part of their employment;

(l) persons while engaged in historical reenactments or motion picture or theatrical productions;

(m) persons, while acting within the scope of their official duties, responsible for storage or display of antique firearms, rifles or shot-guns at museums and historic sites;

(n) persons while participating in military ceremonies, funerals, and honor guards; or

(o) persons while lawfully engaging in learning, practicing, training for, competing in, or travelling into or within the state to learn, practice, train for, or compete in, the sport of biathlon.

4. For the purposes of this section, a "public park" shall not include those areas designated as an "Adirondack park" pursuant to subdivision one of section 9-0101 of the environmental conservation law, or designated as a "Catskill park" pursuant to subdivision two of section 9-0101 of the environmental conservation law.

Criminal possession of a firearm, rifle or shotgun in a sensitive location is a class E felony.

§ 2. Section 265.01-d of the penal law, as added by a chapter 371 of the laws of 2022, is amended to read as follows:

§ 265.01-d Criminal possession of a weapon in a restricted location.

1. A person is guilty of criminal possession of a weapon in a restricted location when such person possesses a firearm, rifle, or shotgun and enters into or remains on or in private property where such person knows or reasonably should know that the owner or lessee of such property has not permitted such possession by clear and conspicuous signage indicating that the carrying of firearms, rifles, or shotguns on their property is permitted or ~~[has]~~ by otherwise ~~[given]~~ giving express consent.

2. This section shall not apply to:

(a) police officers as defined in section 1.20 of the criminal procedure law;

(b) persons who are designated peace officers as defined in section 2.10 of the criminal procedure law;

(c) ~~[persons who were employed as police officers as defined in section 1.20 of the criminal procedure law, but are]~~ qualified law enforcement officers who are authorized to carry concealed firearms pursuant to 18 U.S.C. 926B, or qualified retired law enforcement officers who are authorized to carry concealed firearms pursuant to 18 U.S.C. 926C;

(d) security guards as defined by and registered under article seven-A of the general business law who has been granted a special armed registration card, while at the location of their employment and during their work hours as such a security guard;

(e) active-duty military personnel;

(f) persons licensed under paragraph (c), (d) or (e) of subdivision two of section 400.00 of this chapter while in the course of his or her official duties; ~~[ex]~~

(g) persons while lawfully engaged in taking of wildlife or attempts to take wildlife pursuant to a hunting ~~[activity]~~ license, permit or license issued by the department of environmental conservation, or as otherwise authorized pursuant to section 11-0707 and 11-0709 of the environmental conservation law, and persons while engaged in hunter education training, marksmanship practice, marksmanship competition or training, or training in the safe handling and use of firearms; or

(h) persons, while acting in the scope of their official duties, who are employed in the revenue control and security departments of the metropolitan transportation authority, or the New York city transit authority or an affiliate or subsidiary thereof, who are authorized to carry a firearm as part of their employment.

Criminal possession of a weapon in a restricted location is a class E felony.

§ 3. Subdivision 2 of section 265.45 of the penal law, as added by chapter 371 of the laws of 2022, is amended to read as follows:

2. No person shall store or otherwise leave a rifle, shotgun, or firearm out of ~~[his or her]~~ such person's immediate possession or control inside a vehicle without first removing the ammunition from and securely locking such rifle, shotgun, or firearm in an appropriate safe storage depository out of sight from outside of the vehicle; provided, however, this subdivision shall not apply to police officers as defined pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law, qualified law enforcement officers who are authorized to carry concealed firearms pursuant to 18 U.S.C. 926B, or persons in the military service of the United States or the state of New York when acting in the course of such person's official military duty or employment.

§ 4. Section 270.21 of the penal law, as amended by chapter 371 of the laws of 2022, is amended to read as follows:

§ 270.21 Unlawful purchase of body armor in the second degree.

A person is guilty of the unlawful purchase of body armor in the second degree when, not being engaged or employed in an eligible profession, they knowingly purchase or take possession of body armor, as such term is defined in subdivision two of section 270.20 of this article. This section shall not apply to individuals or entities engaged or employed in eligible professions, which shall include police officers as defined in section 1.20 of the criminal procedure law, peace officers as defined in section 2.10 of the criminal procedure law, ~~[persons in military service in the state of New York or military or other service for the United States,~~] and such other professions designated by the department of state in accordance with section one hundred forty-four-a of the

executive law. As it relates to knowingly taking possession of body armor, this section shall not apply to persons in the military service for the state of New York or military or other service for the United States who are issued body armor as a requirement of such service. "Eligible professions" shall not include members of the unorganized militia as defined pursuant to subdivision two of section two of the military law.

Unlawful purchase of body armor in the second degree is a class A misdemeanor ~~[for a first offense and a class E felony for any subsequent offense]~~.

§ 5. The penal law is amended by adding a new section 270.21-a to read as follows:

§ 270.21-a Unlawful purchase of body armor in the first degree.

A person is guilty of the unlawful purchase of body armor in the first degree when:

1. not being engaged or employed in an eligible profession, they knowingly purchase or take possession of body armor, as such term is defined in subdivision two of section 270.20 of this article. This section shall not apply to individuals or entities engaged or employed in eligible professions, which shall include police officers as defined in section 1.20 of the criminal procedure law, peace officers as defined in section 2.10 of the criminal procedure law, and such other professions designated by the department of state in accordance with section one hundred forty-four-a of the executive law. As it relates to knowingly taking possession of body armor, this section shall not apply to persons in the military service for the state of New York or military or other service for the United States who are issued body armor as a requirement of such service. "Eligible professions" shall not include members of the unorganized militia as defined pursuant to subdivision two of section two of the military law; and

2. has been convicted of the crime of unlawful purchase of body armor in the second degree within the previous ten years.

Unlawful purchase of body armor in the first degree is a class E felony.

§ 6. Section 270.22 of the penal law, as amended by a chapter 371 of the laws of 2022, is amended to read as follows:

§ 270.22 Unlawful sale of body armor in the second degree.

A person is guilty of the unlawful sale of body armor in the second degree when they sell, exchange, give or dispose of body armor, as such term is defined in subdivision two of section 270.20 of this article, to an individual whom they know or reasonably should have known is not engaged or employed in an eligible profession, as such term is defined in section 270.21 of this article.

Unlawful sale of body armor in the second degree is a class A misdemeanor ~~[for the first offense and a class E felony for any subsequent offense]~~.

§ 7. The penal law is amended by adding a new section 270.22-a to read as follows:

§ 270.22-a Unlawful sale of body armor in the first degree.

A person is guilty of the unlawful sale of body armor in the first degree when:

1. they sell, exchange, give or dispose of body armor, as such term is defined in subdivision two of section 270.20 of this article, to an individual whom they know or reasonably should have known is not engaged or employed in an eligible profession, as such term is defined in section 270.21 of this article; and

2. they have been convicted of the crime of unlawful sale of body armor in the second degree within the previous ten years.
Unlawful sale of body armor in the first degree is a class E felony.
§ 8. This act shall take effect immediately.

SUBPART B

Section 1. Section 265.65 of the penal law, as added by chapter 212 of the laws of 2022, is amended and a new section 265.65-a is added to read as follows:

§ 265.65 Criminal purchase of a semiautomatic rifle in the second degree.

A person is guilty of criminal purchase of a semiautomatic rifle in the second degree when ~~[he or she]~~ such person purchases or takes possession of a semiautomatic rifle and does not possess a license to purchase or take possession of a semiautomatic rifle as provided in subdivision two of section 400.00 of this chapter. ~~[Criminal purchase of a semiautomatic rifle is a class A misdemeanor for the first offense and a class E felony for subsequent offenses]~~ This section shall not apply to police officers, as defined pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law, peace officers as defined pursuant to section 2.10 of the criminal procedure law, except those peace officers who are not authorized under such section to carry or possess a firearm unless the appropriate license therefore has been issued pursuant to section 400.00 of this chapter, persons in the military service of the United States or the state of New York when acting in the course of their official military duties or employment, or dealers in firearms as defined pursuant to subdivision nine of section 265.00 of this article.

Criminal purchase of a semiautomatic rifle in the second degree is a class A misdemeanor.

§ 265.65-a Criminal purchase of a semiautomatic rifle in the first degree.

A person is guilty of criminal purchase of a semiautomatic rifle in the first degree when such person:

1. purchases or takes possession of a semiautomatic rifle and does not possess a license to purchase or take possession of such semiautomatic rifle as provided in subdivision two of section 400.00 of this chapter. This section shall not apply to police officers as defined pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law, peace officers as defined pursuant to section 2.10 of the criminal procedure law, persons in the military service of the United States or the state of New York when acting in the course of their official military duties or employment, or dealers in firearms as defined pursuant to subdivision nine of section 265.00 of this article; and

2. has been convicted of criminal purchase of a semiautomatic rifle in the second degree within the previous ten years.

Criminal purchase of a semiautomatic rifle in the first degree is a class E felony.

§ 2. Section 265.66 of the penal law, as added by chapter 212 of the laws of 2022, is amended to read as follows:

§ 265.66 Criminal sale of a semiautomatic rifle.

A person is guilty of criminal sale of a semiautomatic rifle when, knowing or having reason to know it is a semiautomatic rifle, ~~[he or she]~~ such person sells, exchanges, gives or disposes of a semiautomatic rifle to another person and such other person does not possess a license

1 to purchase or take possession of a semiautomatic rifle as provided in
2 subdivision two of section 400.00 of this chapter. This section shall
3 not apply to a sale, exchange, or other disposition of a semiautomatic
4 rifle to a person who is a police officer as defined pursuant to subdi-
5 vision thirty-four of section 1.20 of the criminal procedure law, a
6 peace officer as defined pursuant to section 2.10 of the criminal proce-
7 sure law, except those peace officers who are not authorized under such
8 section to carry or possess a firearm unless the appropriate license
9 therefore has been issued pursuant to section 400.00 of this chapter, a
10 person in the military service of the United States or the state of New
11 York when acting in the course of their official military duties or
12 employment, or a dealer in firearms as defined pursuant to subdivision
13 nine of section 265.00 of this article.

14 Criminal sale of a semiautomatic rifle is a class E felony.

15 § 3. This act shall take effect on the thirtieth day after it shall
16 have become a law.

17 § 2. This act shall take effect immediately; provided, however, that
18 the applicable effective date of Subparts A through B of this act shall
19 be as specifically set forth in the last section of such Subparts.

20 PART G

21 Section 1. The state finance law is amended by adding a new section
22 99-qq to read as follows:

23 § 99-qq. Hazard mitigation state revolving loan fund. 1. There is
24 hereby established within the custody of the state comptroller a new
25 fund to be known as the "hazard mitigation revolving loan fund".

26 2. The fund shall consist of all moneys appropriated therefore, all
27 moneys received by the state pursuant to a capitalization grant from the
28 federal emergency management agency in accordance with the Safeguarding
29 Tomorrow through Ongoing Risk Mitigation Act of 2020 (STORM Act) (P.L.
30 116-284), payments of principal and interest on loans made from the
31 fund, and interest earned on amounts in the fund.

32 3. Moneys of the account, when allocated, shall be available to the
33 commissioner of the Division of Homeland Security and Emergency Services
34 to make loans pursuant to section seven hundred nineteen of the execu-
35 tive law.

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

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

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

48 § 3. This act shall take effect immediately.

49 PART H

50 Section 1. Section 2 of the volunteer firefighters' benefit law, as
51 amended by chapter 476 of the laws of 2018, is amended to read as
52 follows:

§ 2. Purpose. One of the finest traditions of American community life is the service which people render to others [~~without remuneration~~]. Volunteer firefighters have long been in the forefront of this group. In recognition of the unselfish service by these volunteers, government has undertaken to provide for them and their families some measure of protection against loss from death or injuries in line of duty. Over the years there has developed a dual system of benefits when volunteer firefighters are killed or injured. The dual system has caused uncertainty and confusion. This law establishes a new single system of benefits for volunteer firefighters and provides for the administration of such system by the workers' compensation board and the chairman of such board.

It is hereby declared that this chapter is intended to effectuate the objects and purposes of section eighteen of article one of the state constitution and that the relationship between the political subdivision liable for benefits under this chapter and a volunteer firefighter entitled to such benefits is that of employer and employee within the meaning of such provision of the state constitution.

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

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

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

§ 200-aa. Nominal fee for volunteer firefighters. 1. For purposes of this section:

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

(b) "nominal fee" means payment to a volunteer firefighter of a stipend or a fee for a per call or on call basis. The payment of the nominal fee is not a substitute for compensation and must not be tied to productivity.

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

2. The governing board of a city, town, village or fire district may, by local law, ordinance or resolution, authorize a fire company to provide nominal fees to volunteer firefighters for: (a) response to a fire, alarm of fire, hazardous material incident or other emergency to which their fire department, fire company, or any unit thereof, either has responded or would be required or authorized to respond; and (b) for

1 completion of certain training, as identified and published by the
2 office of fire prevention and control.

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

7 § 4. Subdivision 2 of section 517 of the labor law is amended by
8 adding a new paragraph (j) to read as follows:

9 (j) Any nominal fee paid to a volunteer firefighter pursuant to
10 section two hundred-aa of the general municipal law.

11 § 5. Subparagraph (m) of the opening paragraph of subdivision 5 of
12 section 651 of the labor law, as amended by chapter 105 of the laws of
13 2019, is amended to read as follows:

14 (m) by a federal, state or municipal government or political subdivi-
15 sion thereof, including volunteer firefighters as defined in section
16 three of the volunteer firefighters' benefit law;

17 § 6. Section 35 of the civil service law is amended by adding a new
18 subdivision (l) to read as follows:

19 (l) all volunteer firefighters as defined by section three of the
20 volunteer firefighters' benefit law.

21 § 7. Subdivision 7 of section 201 of the civil service law is amended
22 by adding a new paragraph (h) to read as follows:

23 (h) The term "public employee" shall not mean a volunteer firefighter
24 as defined by section three of the volunteer firefighters' benefit law
25 for purposes of this article.

26 § 8. Paragraph (c) of subdivision 1 of section 205-g of the general
27 municipal law, as added by chapter 559 of the laws of 2006, is amended
28 to read as follows:

29 c. "Line of duty" means the performance by a volunteer firefighter of
30 the duties and activities described in subdivision one of section five
31 of the volunteer firefighters' benefit law and the same such duties and
32 activities performed for a specialized team established pursuant to the
33 provisions of section two hundred nine-bb of this article for which the
34 volunteer firefighter does not receive any remuneration or a gratuity
35 and shall be deemed to include any date of injury as determined by the
36 workers' compensation board pursuant to the provisions of section
37 forty-one of the volunteer firefighters' benefit law. The following
38 shall not be deemed to be remuneration or a gratuity: reimbursement of
39 expenses for meals, lodging and actual and necessary travel; the receipt
40 of a mileage allowance in lieu of travel expense; reimbursement of
41 expenses for registration and tuition fees payable under section seven-
42 ty-two-g of this chapter, ~~and~~ the acceptance of transportation, food,
43 drink, shelter, clothing and similar items while on duty or engaged in
44 such activities; and payment of a nominal fee as outlined in section
45 200-aa of this article.

46 § 9. Section 209-d of the general municipal law, as amended by chapter
47 476 of the laws of 2018, is amended to read as follows:

48 § 209-d. Contracts for outside service by volunteer fire departments
49 and companies. Notwithstanding any other provision of law, no contract
50 shall be made by a municipality or fire district whereby the services of
51 a volunteer fire department or company are to be supplied outside of
52 such municipality or fire district to provide (1) fire protection, (2)
53 emergency service in case of accidents, calamities or other emergencies,
54 or (3) general ambulance service pursuant to the provisions of section
55 two hundred nine-b of this article, unless such volunteer fire depart-
56 ment or company consents thereto. Any such contract may provide for the

1 payment of a portion of the consideration expressed therein to such
2 volunteer fire department or company to be expended for fire department
3 or company purposes only. If the municipality or fire district owns all
4 of the fire apparatus to be used in carrying out the contract, the
5 portion of the consideration which may be paid to such volunteer fire
6 department or company shall not exceed thirty-five per centum, unless a
7 greater portion was being so paid on March fifteenth, nineteen hundred
8 forty-one, under a contract entered into on or before that date, in
9 which event a not greater portion than was being paid on said date may
10 be paid to such volunteer fire department or company in respect to any
11 contract entered into on or after such date. No payments shall be made
12 to individual volunteer firefighters as compensation for rendering such
13 outside service. The payment of a nominal fee to a volunteer firefighter
14 pursuant to section two hundred-aa of this article shall not constitute
15 compensation for rendering such outside service.

16 § 10. This act shall take effect immediately.

17 PART I

18 Section 1. Subdivision 7 of section 575 of the executive law is
19 REPEALED and a new subdivision 7 is added to read as follows:

20 7. Model domestic and gender-based violence policy for New York state
21 and its counties. (a) The office shall convene a task force of state and
22 county level municipal officials, including but not limited to the
23 following: commissioners of local departments of social services,
24 members of the judiciary or their representatives, directors of domestic
25 violence programs, representatives from statewide and national advocacy
26 organizations for the prevention of domestic and gender-based violence,
27 including the New York state coalition against domestic violence and the
28 New York state coalition against sexual assault, directors of sexual
29 violence programs, representatives from statewide and national advocacy
30 organizations for the prevention of sexual violence, local hospitals,
31 health and mental health professionals, representatives from continuums
32 of care and other housing providers, local police department chiefs,
33 directors of county departments of probation, education representatives,
34 state agency partners overseeing programs and funding for victims of
35 gender-based violence, including commissioners or delegates from the
36 office of victim services, the office of children and family services,
37 the office of temporary and disability assistance, the department of
38 health, the division of criminal justice services, and members of the
39 New York state interagency task force against human trafficking. In
40 selecting task force members, the office shall seek diversity in repre-
41 sentation in membership by people from intersectional identities which
42 can include diverse cultures, beliefs, abilities and geographic region
43 or those who have worked with culturally specific or population specific
44 survivors.

45 (b) The purpose of the task force shall be to develop a model domestic
46 and gender-based violence policy for counties and the state that fosters
47 a survivor-centered, culturally responsive, and trauma-informed response
48 across all systems providing services to victims of domestic and
49 gender-based violence, by assuring that best practices, policies, proto-
50 cols and procedures are used to address the issue of domestic and
51 gender-based violence. Such policy shall also address, including, but
52 not limited to:

53 (i) how survivors are referred to or access services, with the goal of
54 creating uniform response by social services districts and community-

1 based providers, hospitals and medical providers, mental health and
2 substance use providers, including identification, assessment, inter-
3 vention and referral policies and responses to victims and persons who
4 cause harm;

5 (ii) creating uniform response and investigation by police agencies
6 and other criminal justice agencies to gender-based violence, including
7 use of domestic incident reports, screening tools and assessments,
8 disposition of domestic violence complaints, the provision of informa-
9 tion and orders of protection;

10 (iii) training and appropriate and relevant measures for periodic
11 evaluation of community efforts between the office and other state agen-
12 cies having oversight over any local system; and

13 (iv) other issues as shall be appropriate and relevant for the task
14 force to develop such policy.

15 (c) The office shall convene a public hearing for members of the task
16 force to receive input into the model policy developed pursuant to this
17 subdivision, after which the office shall draft such policy with input
18 from the task force. Such draft shall be circulated for review by the
19 public no later than December first, two thousand twenty-four and
20 amended as necessary to reflect written comments received.

21 (d) The model policy developed pursuant to this subdivision shall be
22 reviewed and approved by the advisory council, and once approved, such
23 model policy shall be posted on the office's website.

24 (e) Notification of the availability of the model domestic and
25 gender-based violence policy developed pursuant to this subdivision
26 shall be made by the office to every county and executive state agency
27 in the state. Upon notification of the availability of such model poli-
28 cy, the office shall set reasonable timeframes for the submission,
29 review, and adoption of all local policies, which shall be adopted no
30 later than six months after the dissemination of such model policy.

31 (f) Upon adoption of the model policy developed pursuant to this
32 subdivision, every county and executive state agency in the state shall
33 submit a certification to the office.

34 (g) The office shall provide training, technical support, and informa-
35 tion to implement the development of the model policy developed pursuant
36 to this subdivision.

37 (h) Nothing contained in this subdivision shall be deemed to prevent
38 the governing body of a county or locality from designating a local
39 advisory committee to investigate the issues, work with providers of
40 domestic and gender-based violence programs and other interested
41 parties, and to aid in the implementation of the policy required by this
42 subdivision. Such governing body or advisory committee may request and
43 shall receive technical assistance from the office for the development
44 of such a policy. Implementation of the model domestic violence policy
45 may take place in a form considered appropriate by the governing body of
46 a county, including guidelines, regulations and local laws.

47 (i) The office, in conjunction with any state agency having oversight
48 over any local system, shall have authority to oversee compliance with
49 the model policy developed pursuant to this subdivision and, upon
50 discovering any compliance concerns, to require corrective actions to
51 come into compliance with such policy. The office shall survey county
52 governments every five years after the issuance of such policy to evalu-
53 ate the effectiveness of such policy, to determine the level of compli-
54 ance with such model domestic and gender-based violence policy, and
55 identify any additional steps necessary to aid in the implementation of
56 such policy.

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

PART J

Section 1. Subdivisions 1 and 2 of section 217 of the military law, subdivision 1 as amended by chapter 141 of the laws of 1988, and subdivision 2 as amended by chapter 63 of the laws of 1976, are amended to read as follows:

1. Any member of the organized militia who (a) shall be disabled or has been so disabled in the performance of any actual service of this state within three years preceding the application for a pension under this chapter, in case of riots, tumults, breach of the peace, resistance to process, invasion, insurrection or imminent danger thereof, or whenever called upon in aid of the civil authorities, or while engaged in any lawfully ordered parade, drill, encampment or inspection, shall, upon proof of the fact, as hereinafter provided, be placed on the disability retired roll of the state and shall receive out of any moneys in the treasury of the state, not otherwise appropriated, upon the approval of the chief of staff and approval of the governor, the same pension or reward that persons under similar circumstances receive from the United States[~~+~~], or

(b) was activated on state active duty on or after September eleventh, two thousand one, and participated in World Trade Center site rescue, recovery, or cleanup operations as part of such state active duty, and who is determined to have incurred a qualifying World Trade Center condition shall be entitled to a performance of duty disability pension equivalent to three-quarters of the member's final average salary. The deadline for submitting any qualifying claim under this paragraph shall be on or before September eleventh, two thousand twenty-six. The adjutant general of the division of military and naval affairs is authorized to promulgate regulations to implement the provisions of this section.

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

(b) was activated on state active duty on or after September eleventh, two thousand one, and participated in World Trade Center site rescue, recovery, or cleanup operations as part of such state active duty, and whose death is determined to be the result of incurring a qualifying World Trade Center condition shall be entitled to an accidental death benefit of one-half of the member's final average salary. The deadline for submitting any qualifying claim under this paragraph shall be on or before September eleventh, two thousand twenty-six. The adjutant general of the division of military and naval affairs is authorized to promulgate regulations to implement the provisions of this section.

§ 2. This act shall take effect immediately.

PART K

Section 1. New York's alcoholic beverage control law was enacted in 1934. Since that time, the law has grown organically to meet the changing needs of the industry. However, through that growth over the course of nearly a century, the structure of the law has become unwieldy and

1 inconsistent. Consequently, it is difficult for the industry and regu-
2 lators to understand, implement, enforce, and comply with the law.

3 The State believes that with an open, transparent legislative review
4 process, the alcoholic beverage control law can be properly rewritten.
5 To begin the process of modernizing the state's alcoholic beverage
6 control laws, the New York State Liquor Authority ("SLA") is hereby
7 directed to undertake a review of those laws and recommend changes. Such
8 recommended changes shall focus on clearly and rationally delineating
9 policies, procedures, criteria, and legal standards that are in current
10 law but not in an intelligible form. The SLA shall prepare an amended
11 version of the law containing the proposed changes and post it on their
12 website for public review.

13 § 2. This act shall take effect immediately.

14 PART L

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

17 § 97-d. Temporary wholesale permit. 1. Any person may apply to the
18 liquor authority for a temporary permit to operate any alcoholic bever-
19 age wholesale business as may be licensed under this chapter. Such
20 application shall be in writing and verified and shall contain informa-
21 tion as the liquor authority shall require. Such application shall be
22 accompanied by a check or draft in the amount of one hundred twenty-five
23 dollars for such permit.

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

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

29 (b) the applicant has obtained and provided evidence of all permits,
30 licenses and other documents necessary for the operation of such a busi-
31 ness; and

32 (c) any current license in effect at the premises that may not under
33 law operate concurrently has been surrendered or placed in safekeeping,
34 or has been deemed abandoned by the authority.

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

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

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

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

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

45 5. A temporary permit shall authorize the permittee to operate a manu-
46 facturing facility for the manufacture and sale of alcoholic beverages
47 according to the laws applicable to the type of manufacturing license
48 being applied for.

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

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

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

12 § 2. This act shall take effect on the ninetieth day after it shall
13 have become law.

14 PART M

15 Section 1. The opening paragraph of subdivision 2 of section 99-d of
16 the alcoholic beverage control law, as amended by chapter 560 of the
17 laws of 2011, is amended to read as follows:

18 Before any change in the members of a limited liability company or the
19 transfer or assignment of a membership interest in a limited liability
20 company or any corporate change in stockholders, stockholdings, alcohol-
21 ic beverage officers, officers or directors, except officers and direc-
22 tors of a premises licensed as a club or a luncheon club under this
23 chapter can be effectuated for the purposes of this chapter, there shall
24 be filed with the liquor authority an application for permission to make
25 such change and there shall be paid to the liquor authority in advance
26 upon filing of the application a fee of one hundred twenty-eight
27 dollars. If the authority does not act within ninety days of receipt of
28 such application, the change shall be deemed approved. Provided, howev-
29 er, any change which is in violation of any provision of this chapter,
30 including but not limited to those in sections one hundred one, one
31 hundred twenty-six, and one hundred twenty-eight of this chapter, may
32 not be approved or deemed approved.

33 § 2. This act shall take effect immediately.

34 PART N

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

38 Not [~~less than thirty nor~~] more than two hundred [~~and~~] seventy days
39 before filing any of the following applications provided for in this
40 subdivision, an applicant shall notify the municipality in which the
41 premises is located of such applicant's intent to file such an applica-
42 tion. The proof of notification, provided for in subdivisions six and
43 six-a of this section, must be provided at the time of application;
44 failure to so provide shall constitute good cause for denial. The
45 authority may not act to approve any application subject to this section
46 prior to the passage of thirty days from the date notification was
47 provided to the municipality. This section shall apply to an
48 application:

49 § 2. This act shall take effect immediately.

50 PART O

1 Section 1. Subdivision 3 of section 97-a of the alcoholic beverage
2 control law, as amended by chapter 106 of the laws of 2022, is amended
3 to read as follows:

4 3. A temporary retail permit under paragraph (b) of subdivision one of
5 this section may not be issued for any premises that is subject to the
6 provisions of section sixty-three or seventy-nine of this chapter; a
7 temporary retail permit under paragraph (b) of subdivision one of this
8 section shall not be issued for a premises subject to the provisions of
9 paragraph (b) of subdivision seven of section sixty-four, subparagraph
10 (ii) of paragraph (a) of subdivision seven of section sixty-four-a,
11 subparagraph (ii) of paragraph (a) of subdivision eleven of section
12 sixty-four-c, or paragraph (b) of subdivision eight of section sixty-
13 four-d, unless and until a recommendation that there be a finding of
14 public interest has been made by an administrative law judge pursuant to
15 paragraph (f) of subdivision seven of section sixty-four, paragraph (d)
16 of subdivision seven of section sixty-four-a, paragraph (c) of subdivi-
17 sion five of section sixty-four-b, paragraph (c) of subdivision eleven
18 of section sixty-four-c, or paragraph (e) of subdivision eight of
19 section sixty-four-d of this chapter. Provided however, any premises
20 granted a temporary retail permit pursuant to this subdivision in a city
21 with a population of one million or more people shall only be allowed to
22 operate on the premises under the following conditions: ~~[an active]~~ no
23 ~~retail license [shall have existed]~~ at the applied for location ~~[within~~
24 ~~the past two years, and such license]~~ shall ~~[not]~~ have been canceled,
25 suspended, or revoked by the authority within the past two years; the
26 closing time any day of the week shall be no later than midnight;
27 provided however that the closing time of any outdoor space shall be no
28 later than ten o'clock post-meridian Sunday through Thursday and eleven
29 o'clock post-meridian Friday and Saturday; no outdoor music; indoors
30 shall have recorded background music only, with no live music, DJ's,
31 karaoke, or similar forms of music; and no dancing. The authority shall
32 automatically lift such restrictions if the authority issues a retail
33 license for the premises, and replace such restrictions with other
34 restrictions, if any, imposed by the authority in accordance with the
35 public interest standard.

36 § 2. Subdivision 4 of section 97-a of the alcoholic beverage control
37 law, as added by chapter 396 of the laws of 2010, is amended to read as
38 follows:

39 4. A temporary retail permit issued by the authority pursuant to this
40 section shall be for a period not to exceed ninety days. A temporary
41 permit may be extended at the discretion of the authority, for an addi-
42 tional ~~[thirty]~~ ninety day period upon payment of an additional fee of
43 sixty-four dollars for all retail beer licenses and ninety-six dollars
44 for all other temporary permits and upon compliance with all conditions
45 required in this section. The authority may, in its discretion, issue
46 additional ~~[thirty]~~ ninety day extensions upon payment of the appropri-
47 ate fee.

48 § 3. Subdivision 6 of section 97-a of the alcoholic beverage control
49 law, as added by chapter 396 of the laws of 2010, is amended to read as
50 follows:

51 6. The holder of a temporary retail permit shall ~~[purchase alcoholic~~
52 ~~beverages only by payment in currency or check for such alcoholic beverages~~
53 ~~on or before the day such alcoholic beverages are delivered,~~
54 ~~provided, however, that the holder of a temporary permit issued pursuant~~
55 ~~to this section who also holds one or more retail licenses and is oper-~~
56 ~~ating under such retail license or licenses in addition to the temporary~~

~~retail permit, and who is not delinquent under the provisions of section one hundred one aa of this chapter as to any retail license under which he operates, may purchase alcoholic beverages on credit under the temporary permit]~~ be subject to sections one hundred one-aa and one hundred one-aaa of this chapter.

§ 4. Section 5 of chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, as amended by section 1 of part M of chapter 55 of the laws of 2022, is amended to read as follows:

§ 5. This act shall take effect on the sixtieth day after it shall have become a law[~~, provided that paragraph (b) of subdivision 1 of section 97-a of the alcoholic beverage control law as added by section two of this act shall expire and be deemed repealed October 12, 2023~~].

§ 5. This act shall take effect immediately; provided, however, that section two of this act shall take effect on the ninetieth day after it shall have become a law.

PART P

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

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

(a) for representation of a person [~~entitled to representation by law who is initially charged with a misdemeanor or lesser offense and no felony, compensation for such misdemeanor or lesser offense representation at a rate of sixty dollars per hour for time expended in court or before a magistrate, judge or justice, and sixty~~] in all cases governed by this article, and arising in New York county, Kings county, Bronx county, Richmond county, Queens county, Suffolk county, Nassau county, Westchester county, Rockland county, Putnam county, Orange county, Dutchess county, Ulster county, and Sullivan county, including all representation in an appellate court, compensation at a rate of one hundred fifty-eight dollars per hour for time expended in court before a magistrate, judge or justice and one hundred fifty-eight dollars per hour for time reasonably expended out of court, and shall receive reimbursement for expenses reasonably incurred; and

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

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

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

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

3. ~~For representation on an appeal, compensation and reimbursement shall be fixed by the appellate court. For all other representation,~~

~~compensation and reimbursement shall be fixed by the trial court judge. In extraordinary circumstances a trial or appellate court may provide for compensation in excess of the foregoing limits and for payment of compensation and reimbursement for expenses before the completion of the representation.~~

4.] Except as provided in this section, compensation for time expended in providing representation pursuant to paragraph (a) of subdivision one of this section shall not exceed ten thousand dollars; and (b) pursuant to paragraph (b) of subdivision one of this section shall not exceed seven thousand dollars.

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

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

3. (a) No counsel assigned pursuant to this section shall seek or accept any fee for representing the person for whom he or she is assigned without approval of the court as herein provided. Whenever it appears that such person is financially able to obtain counsel or make partial payment for the representation, counsel may report this fact to the court and the court may terminate the assignment or authorize payment, as the interests of justice may dictate, to such counsel. Counsel assigned hereunder shall at the conclusion of the representation receive compensation at a rate of ~~[seventy-five]:~~ (i) one hundred fifty-eight dollars per hour for time expended in court~~[, and seventy-five dollars per hour for time reasonably expended out of court]~~ in the following counties: New York, Kings, Bronx, Richmond, Queens, Suffolk, Nassau, Westchester, Rockland, Putnam, Orange, Dutchess, Ulster, and Sullivan; and (ii) one hundred nineteen dollars per hour for time expended in court in all other New York state counties, and shall receive reimbursement for expenses reasonably incurred.

(b) For representation upon a hearing, compensation and reimbursement shall be fixed by the court wherein the hearing was held and such compensation shall not exceed ~~[four thousand four hundred dollars. For representation in an appellate court, compensation and reimbursement shall be fixed by such court and such compensation shall not exceed four thousand four hundred dollars]~~ ten thousand dollars for time expended in providing representation pursuant to subparagraph (i) of paragraph (a) of this subdivision; and seven thousand dollars for time expended in providing representation pursuant to subparagraph (ii) of paragraph (a) of this subdivision. In extraordinary circumstances the court may provide for compensation in excess of the foregoing limits.

§ 3. This act shall take effect April 1, 2023. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART Q

Section 1. Section 2 of chapter 303 of the laws of 1988, relating to the extension of the state commission on the restoration of the capitol,

1 as amended by section 1 of part T of chapter 55 of the laws of 2018, is
2 amended to read as follows:

3 § 2. The temporary state commission on the restoration of the capitol
4 is hereby renamed as the state commission on the restoration of the
5 capitol (hereinafter to be referred to as the "commission") and is here-
6 by continued until April 1, ~~2023~~ 2028. The commission shall consist
7 of eleven members to be appointed as follows: five members shall be
8 appointed by the governor; two members shall be appointed by the tempo-
9 rary president of the senate; two members shall be appointed by the
10 speaker of the assembly; one member shall be appointed by the minority
11 leader of the senate; one member shall be appointed by the minority
12 leader of the assembly, together with the commissioner of general
13 services and the commissioner of parks, recreation and historic preser-
14 vation. The term for each elected member shall be for three years,
15 except that of the first five members appointed by the governor, one
16 shall be for a one year term, and two shall be for a two year term, and
17 one of the first appointments by the president of the senate and by the
18 speaker of the assembly shall be for a two year term. Any vacancy that
19 occurs in the commission shall be filled in the same manner in which the
20 original appointment was made. The commission shall elect a chairman and
21 a vice-chairman from among its members. The members of the state
22 commission on the restoration of the capitol shall be deemed to be
23 members of the commission until their successors are appointed. The
24 members of the commission shall receive no compensation for their
25 services, but shall be reimbursed for their expenses actually and neces-
26 sarily incurred by them in the performance of their duties hereunder.

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

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

33 § 3. This act shall take effect immediately and shall be deemed to
34 have been in full force and effect on and after April 1, 2023; provided
35 that the amendments to section 2 of chapter 303 of the laws of 1988 made
36 by section one of this act shall not affect the expiration of such chap-
37 ter, and shall be deemed to expire therewith.

38 PART R

39 Section 1. Subdivision 7 of section 163 of the state finance law, as
40 amended by section 2 of subpart A of part KK of chapter 57 of the laws
41 of 2018, is amended to read as follows:

42 7. Method of procurement. Consistent with the requirements of subdivi-
43 sions three and four of this section, state agencies shall select among
44 permissible methods of procurement including, but not limited to, an
45 invitation for bid, request for proposals or other means of solicitation
46 pursuant to guidelines issued by the state procurement council. State
47 agencies may ~~accept~~ require electronic submission as the sole method
48 for the submission of bids [electronically] for commodity, service and
49 technology contracts, including submission of the statement of non-col-
50 lusion required by section one hundred thirty-nine-d of this chapter,
51 and the statement of certification required by section one hundred thir-
52 ty-nine-l of this chapter~~, and~~ ~~[, starting April first, two thousand~~
53 ~~twelve, and ending March thirty-first, two thousand fifteen,~~ may~~, for~~
54 ~~commodity, service and technology]~~ require electronic signatures on all

1 documents required for submission of a bid, any resulting contracts
2 ~~[require electronic submission as the sole method for the submission of~~
3 ~~bids for the solicitation], and required submissions during the term of~~
4 any contract. ~~[State agencies shall undertake no more than eighty-five~~
5 ~~such electronic bid solicitations, none of which shall be reverse~~
6 ~~auctions, prior to April first, two thousand fifteen. In addition, state~~
7 ~~agencies may conduct up to twenty reverse auctions through electronic~~
8 ~~means, prior to April first, two thousand fifteen.]~~ Prior to requiring
9 the electronic submission of bids, the agency shall make a determi-
10 nation, which shall be documented in the procurement record, that elec-
11 tronic submission affords a fair and equal opportunity for offerers to
12 submit responsive offers, and that the electronic signature complies
13 with the provisions of article three of the state technology law.
14 ~~[Within thirty days of the completion of the eighty-fifth electronic bid~~
15 ~~solicitation, or by April first, two thousand fifteen, whichever is~~
16 ~~earlier, the commissioner shall prepare a report assessing the use of~~
17 ~~electronic submissions and make recommendations regarding future use of~~
18 ~~this procurement method. In addition, within thirty days of the~~
19 ~~completion of the twentieth reverse auction through electronic means, or~~
20 ~~by April first, two thousand fifteen, whichever is earlier, the commis-~~
21 ~~sioner shall prepare a report assessing the use of reverse auctions~~
22 ~~through electronic means and make recommendations regarding future use~~
23 ~~of this procurement method. Such reports shall be published on the~~
24 ~~website of the office of general services.]~~ Except where otherwise
25 provided by law, procurements shall be competitive, and state agencies
26 shall conduct formal competitive procurements to the maximum extent
27 practicable. State agencies shall document the determination of the
28 method of procurement and the basis of award in the procurement record.
29 Where the basis for award is the best value offer, the state agency
30 shall document, in the procurement record and in advance of the initial
31 receipt of offers, the determination of the evaluation criteria, which
32 whenever possible, shall be quantifiable, and the process to be used in
33 the determination of best value and the manner in which the evaluation
34 process and selection shall be conducted.

35 § 2. Subdivision 7-a of section 163 of the state finance law is
36 REPEALED.

37 § 3. This act shall take effect immediately; provided, however, that
38 the amendments to section 163 of the state finance law made by section
39 one of this act shall not affect the repeal of such section and shall be
40 deemed repealed therewith.

41 PART S

42 Section 1. Section 57 of the civil service law, as added by chapter
43 83 of the laws of 1963, is amended to read as follows:

44 § 57. Continuous recruitment for certain positions. Notwithstanding
45 any other provisions of this chapter or any other law, the civil service
46 department or a municipal commission may establish a continuing eligible
47 list for any class of positions for which it finds ~~[inadequate numbers~~
48 ~~of well qualified persons available for recruitment]~~ such lists appro-
49 priate. The civil service department may only establish continuing
50 eligible lists for any class of positions filled through open compet-
51 itive examination. Names of eligibles shall be inserted in such list
52 from time to time as applicants are tested and found qualified in exam-
53 inations held at such intervals as may be prescribed by the civil
54 service department or municipal commission having jurisdiction. Such

1 successive examinations shall, so far as practicable, be constructed and
2 rated so as to be equivalent tests of the merit and fitness of candi-
3 dates. The name of any candidate who passes any such examination and who
4 is otherwise qualified shall be placed on the continuing eligible list
5 in the rank corresponding to his or her final rating on such examina-
6 tion. The period of eligibility of successful candidates for certifi-
7 cation and appointment from such continuing eligible list, as a result
8 of any such examination, shall be fixed by the civil service department
9 or municipal commission but, except as a list may reach an announced
10 terminal date, such period shall not be less than one year; nor shall
11 such period of eligibility exceed four years. Subject to such conditions
12 and limitations as the civil service department or municipal commission
13 may prescribe, a candidate may take more than one such examination;
14 provided, however, that no such candidate shall be certified simultane-
15 ously with more than one rank on the continuing eligible list. With
16 respect to any candidate who applies for and is granted additional cred-
17 it in any such examination as a disabled or non-disabled veteran, and
18 for the limited purpose of granting such additional credit, the eligible
19 list shall be deemed to be established on the date on which his or her
20 name is added thereto.

21 § 2. This act shall take effect immediately.

22 PART T

23 Section 1. Subdivision 1 of section 55-b of the civil service law, as
24 amended by chapter 603 of the laws of 1995, is amended to read as
25 follows:

26 1. The commission may determine up to [~~twelve~~] seventeen hundred posi-
27 tions with duties such as can be performed by persons with a physical or
28 mental disability who are found otherwise qualified to perform satisfac-
29 torily the duties of any such position. Upon such determination the said
30 positions shall be classified in the noncompetitive class, and may be
31 filled only by persons who shall have been certified by the employee
32 health service of the department as being a person with either a phys-
33 ical or mental disability. The number of persons appointed pursuant to
34 this section shall not exceed [~~twelve~~] seventeen hundred.

35 § 2. Section 55-b of the civil service law is amended by adding a new
36 subdivision 3 to read as follows:

37 3. Those employees hired under subdivision one of this section shall
38 be afforded the opportunity to transfer into competitive class positions
39 so long as they meet the requirements for transfer pursuant to section
40 fifty-two of this title and section seventy of this chapter.

41 § 3. Section 55-c of the civil service law, as amended by chapter 603
42 of the laws of 1995, is amended by adding a new subdivision 4 to read as
43 follows:

44 4. Those employees hired under subdivision one of this section shall
45 be afforded the opportunity to transfer into competitive class positions
46 so long as they meet the requirements for transfer pursuant to section
47 fifty-two of this title and section seventy of this chapter.

48 § 4. This act shall take effect immediately.

49 PART U

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

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

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

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

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

PART V

Section 1. Section 2 of part HH of chapter 56 of the laws of 2022, amending the retirement and social security law relating to waiving approval and income limitations on retirees employed in school districts and board of cooperative educational services, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed June 30, ~~2023~~ 2024.

§ 2. This act shall take effect immediately.

PART W

Section 1. Paragraphs 2 and 3 of subdivision e of section 19-a of the retirement and social security law, as amended by chapter 48 of the laws of 2017, are amended to read as follows:

(2) For any given fiscal year for which (i) the system actuarial contribution rate exceeds nine and one-half percent of payroll as of the end of the previous fiscal year, and (ii) an employer's average actuarial contribution rate exceeds the ~~[system]~~ employer's graded contribution rate or the alternative ~~[system]~~ employer's graded contribution rate, the balance in the employer's account within such fund shall be applied to reduce the employer's payment to the retirement system for such fiscal year in an amount not to exceed the difference between the employer's actuarial contribution and the employer's graded contribution for the fiscal year.

(3) Notwithstanding the provisions of paragraph two of this subdivision, if at the close of any given fiscal year the balance of an employer's account within the fund exceeds ~~[one hundred percent of]~~ the employer's ~~[payroll]~~ actuarial contribution for the previous fiscal year, ~~[the excess shall be applied to reduce the employer's payment to the retirement system for the next succeeding fiscal year]~~ no graded payment shall be required or allowed.

§ 2. Section 19-a of the retirement and social security law is amended by adding a new subdivision f to read as follows:

f. (1) An amortizing employer may elect to terminate participation in the contribution stabilization program provided that such employer shall have paid in full all such prior year amortization amounts including interest as determined by the comptroller. Furthermore, any amortizing employer that has terminated participation in the contribution stabilization program may re-enter the program in a year in which the employer is eligible to amortize and their employer contribution reserve fund has been depleted.

(2) An alternative amortizing employer may elect to terminate participation in the alternative contribution stabilization program provided that such employer shall have paid in full all such prior year amortization amounts including interest as determined by the comptroller. Furthermore, any alternative amortizing employer that has terminated participation in the alternative contribution stabilization program may not re-enter the alternative contribution stabilization program; provided, however, such employer may enter the regular contribution stabilization program as set forth in paragraph one of this subdivision.

(3) In order to terminate participation in the contribution stabilization or alternative contribution stabilization program, such employer must file an election on a form prescribed by the comptroller. Such election is subject to review and approval by the comptroller.

(4) Termination shall take effect for the fiscal year billing cycle following the fiscal year of approval. An employer who has been approved to terminate from the contribution stabilization or alternative contribution stabilization program pursuant to this section shall not be required to make a graded payment starting in the following fiscal year billing cycle.

(5) In the event an employer in the contribution stabilization program or alternative contribution stabilization program terminates participation pursuant to this section, any such balance in their employer contribution reserve fund shall be applied to the employer's annual bill in the maximum amount permitted under paragraph two of subdivision e of this section, for the following fiscal year and continue to be applied to future annual bills until the reserve fund is depleted.

§ 3. Paragraphs 2 and 3 of subdivision e of section 319-a of the retirement and social security law, as amended by chapter 48 of the laws of 2017, are amended to read as follows:

(2) For any given fiscal year for which (i) the system actuarial contribution rate exceeds seventeen and one-half percent of payroll as of the end of the previous fiscal year, and (ii) for which an employer's average actuarial contribution rate exceeds the employer's graded contribution rate or the alternative ~~[system]~~ employer's graded contribution rate, the balance in the employer's account within such fund shall be applied to reduce the employer's payment to the retirement system for such fiscal year in an amount not to exceed the difference between the employer's actuarial contribution and the employer's graded contribution for the fiscal year.

(3) Notwithstanding the provisions of paragraph two of this subdivision, if at the close of any given fiscal year the balance of an employer's account within the fund exceeds ~~[one hundred percent of]~~ the employer's ~~[payroll]~~ actuarial contribution for the previous fiscal year, ~~[the excess shall be applied to reduce the employer's payment to the retirement system for the next succeeding fiscal year]~~ no graded payment shall be required or allowed.

§ 4. Section 319-a of the retirement and social security law is amended by adding a new subdivision f to read as follows:

f. (1) An amortizing employer may elect to terminate participation in the contribution stabilization program provided that such employer shall have paid in full all such prior year amortization amounts including interest as determined by the comptroller. Furthermore, any amortizing employer that has terminated participation in the contribution stabilization program may re-enter the program in a year in which the employer is eligible to amortize and their employer contribution reserve fund has been depleted.

(2) An alternative amortizing employer may elect to terminate participation in the alternative contribution stabilization program provided that such employer shall have paid in full all such prior year amortization amounts including interest as determined by the comptroller. Furthermore, any alternative amortizing employer that has terminated participation in the alternative contribution stabilization program may not re-enter the alternative contribution stabilization program; provided, however, such employer may enter the regular contribution stabilization program as set forth in paragraph one of this subdivision.

(3) In order to terminate participation in the contribution stabilization or alternative contribution stabilization program, such employer must file an election on a form prescribed by the comptroller. Such election is subject to review and approval by the comptroller.

(4) Termination shall take effect for the fiscal year billing cycle following the fiscal year of approval. An employer who has been approved to terminate from the contribution stabilization or alternative contribution stabilization program pursuant to this section shall not be required to make a graded payment starting in the following fiscal year billing cycle.

(5) In the event an employer in the contribution stabilization program or alternative contribution stabilization program terminates participation pursuant to this section, any such balance in their employer contribution reserve fund shall be applied to the employer's annual bill in the maximum amount permitted under paragraph two of subdivision e of this section, for the following fiscal year and continue to be applied to future annual bills until the reserve fund is depleted.

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

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would revise the terms of participation in the New York State and Local Retirement Systems (NYSLRS) Contribution Stabilization Program (CSP). Participating employers in the NYSLRS may enter the CSP to reduce volatility in average annual contribution rates. Should employer billing rates increase rapidly, the CSP allows a portion of the increase to be amortized over 10 years for the regular CSP or 12 years for the alternative CSP. Should employer billing rates decrease rapidly, the CSP requires employers to make an additional contribution, called a graded payment. The graded payment is deposited into an interest-bearing reserve fund held within the NYSLRS for the exclusive use by the employer to reduce future amortizations.

This bill revises the CSP in the following ways:

1) Limits the value of the reserve fund assets. Graded payments would cease when the employer's reserve fund assets exceed the employer's actuarial contribution in the prior fiscal year. Currently, the reserve fund is capped at 100% of the employer's payroll.

2) Creates provisions for termination from the CSP, subject to approval by the Comptroller, provided all prior year amortizations are paid in full, including interest. Beginning the fiscal year following termination, the employer would not be required (or allowed) to make a graded payment. Any existing reserve fund assets would be used to reduce future annual bills up to the amount the employer would have been able to amortize if still in the program. The employer would be permitted to re-enter the regular CSP only if eligible to amortize, provided all reserve fund assets are depleted.

3) Allows an employer to utilize its reserve fund assets to pay a portion of its annual bill when the employer's average actuarial contribution rate exceeds the employer's graded rate. Currently, the employer's average actuarial rate must exceed the System graded rate.

If this bill is enacted during the 2023 legislative session, we anticipate some administrative costs to implement the provisions of this legislation.

Summary of relevant resources:

Membership data as of March 31, 2022 was used in measuring the impact of the proposed change, the same data used in the April 1, 2022 actuarial valuation. Distributions and other statistics can be found in the 2022 Report of the Actuary and the 2022 Annual Comprehensive Financial Report.

The actuarial assumptions and methods used are described in the 2020, 2021, and 2022 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2022 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 26, 2023, and intended for use only during the 2023 Legislative Session, is Fiscal Note No. 2023-57, prepared by the Actuary for the New York State and Local Retirement System.

1 Section 1. Subdivision 2 of section 163 of the civil service law, as
2 amended by section 4 of part T of chapter 56 of the laws of 2010, is
3 amended to read as follows:

4 2. The contract or contracts shall provide for health benefits for
5 retired employees of the state and of the state colleges of agriculture,
6 home economics, industrial labor relations and veterinary medicine, the
7 state agricultural experiment station at Geneva, and any other institu-
8 tion or agency under the management and control of Cornell university as
9 the representative of the board of trustees of the state university of
10 New York, and the state college of ceramics under the management and
11 control of Alfred university as the representative of the board of trus-
12 tees of the state university of New York, and their spouses and depend-
13 ent children as defined by the regulations of the president, on such
14 terms as the president may deem appropriate, and the president may
15 authorize the inclusion in the plan of the employees and retired employ-
16 ees of public authorities, public benefit corporations, school
17 districts, special districts, district corporations, municipal corpo-
18 rations excluding active employees and retired employees of cities
19 having a population of one million or more inhabitants whose compen-
20 sation is or was before retirement paid out of the city treasury, or
21 other appropriate agencies, subdivisions or quasi-public organizations
22 of the state, including active members of volunteer fire and volunteer
23 ambulance companies serving one or more municipal corporations pursuant
24 to subdivision seven of section ninety-two-a of the general municipal
25 law, and their spouses and dependent children as defined by the regu-
26 lations of the president. Any such corporation, district, agency or
27 organization electing to participate in the plan shall be required to
28 pay: (a) its proportionate share of the expenses of administration of
29 the plan in such amounts and at such times as determined and fixed by
30 the president; and (b) at the president's discretion, if such amount is
31 not paid on the date due, interest for such late payment as determined
32 and fixed by the president by regulation, which in no case shall be
33 greater than the interest incurred by the health insurance plan as a
34 result of such late payment. All amounts payable for such expenses of
35 administration shall be paid to the commissioner of taxation and finance
36 and shall be applied to the reimbursement of funds previously advanced
37 for such purposes. Neither the state nor any other participant in the
38 plan shall be charged with the particular experience attributable to the
39 employees of the participant, and all dividends or retroactive rate
40 credits shall be distributed pro-rata based upon the number of employees
41 of such participant covered by the plan.

42 § 2. This act shall take effect immediately.

43 PART Y

44 Section 1. The opening paragraph and paragraph 1 of subdivision b and
45 subdivision e of section 208-f of the general municipal law, paragraph 1
46 of subdivision b and subdivision e as added by chapter 472 of the laws
47 of 1978 and the opening paragraph of subdivision b as amended by chapter
48 782 of the laws of 2022, are amended and a new subdivision k is added to
49 read as follows:

50 The special accidental death benefit shall be paid by the county,
51 city, town or village which employed the deceased member at the time of
52 death, and shall consist of a pension which is equal to the salary of
53 the deceased member, reduced by the sum of each of the following bene-
54 fits received by the widow or widower or the deceased member's children

1 under the age of eighteen, if the widow or widower has died, or to the
2 deceased member's parents if the member has no widow, widower, children
3 under the age of eighteen, or a student under the age of twenty-three,
4 on account of the death of the deceased member:

5 1. Any death benefit and any supplementation thereto paid by the said
6 county, city, town or village in the form of a pension, and

7 e. There shall be appropriated to the [~~local assistance fund in the~~]
8 general fund [~~to the department of audit and control~~] an amount equal to
9 the special accidental death benefits paid pursuant to subdivisions b
10 and c of this section during each preceding state fiscal year, as certi-
11 fied to the comptroller by the appropriate municipal official, for the
12 purposes of reimbursing such special accidental death benefits.

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

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

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

28 PART Z

29 Section 1. Paragraph (a) of subdivision 4 of section 94 of the execu-
30 tive law, as added by section 2 of part QQ of chapter 56 of the laws of
31 2022, is amended to read as follows:

32 (a) The first class of members of the commission shall serve stag-
33 gered terms to ensure continuity. For the first class of the commis-
34 sion, [~~five members shall serve a term of four years, three members~~
35 ~~shall serve a term of two years, and one member shall serve a term of~~
36 ~~one year. All subsequent members shall serve a term of four years]~~ the
37 governor's first appointee shall serve an initial term of four years,
38 their second appointee shall serve an initial term of two years, and
39 their third appointee shall serve an initial term of one year; the
40 attorney general's appointee shall serve an initial term of four years;
41 the comptroller's appointee shall serve an initial term of four years;
42 the temporary president of the senate's first appointee shall serve an
43 initial term of four years and their second appointee shall serve a term
44 of two years; the minority leader of the senate's first appointee shall
45 serve an initial term of four years; the speaker of the assembly's first
46 appointee shall serve initial terms of four years and their second
47 appointee shall serve a term of two years; and the minority leader of
48 the assembly's appointee shall serve a term of four years. No member
49 shall be selected to the commission for more than two full consec-
50 utive terms, except that a member who has held the position by filling
51 a vacancy can only be selected to the commission for an additional two
52 full consecutive terms.

53 § 2. This act shall take effect immediately.

1

PART AA

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

6 (A) "Tenant" means a person who, as lessee, enters into a space lease
7 with a landlord for a term of ten years or more commencing on or after
8 September first, two thousand five, but not later than, in the case of a
9 space lease with respect to leased premises located in eligible areas as
10 defined in clause (i) of subparagraph (D) of this paragraph, September
11 first, two thousand [~~twenty-three~~ twenty-eight] and, in the case of a
12 space lease with respect to leased premises located in eligible areas as
13 defined in clause (ii) of subparagraph (D) of this paragraph not later
14 than September first, two thousand [~~twenty-five~~ thirty], of premises for
15 use as commercial office space in buildings located or to be located in
16 the eligible areas. A person who currently occupies premises for use as
17 commercial office space under an existing lease in a building in the
18 eligible areas shall not be eligible for exemption under this subdivi-
19 sion unless such existing lease, in the case of a space lease with
20 respect to leased premises located in eligible areas as defined in
21 clause (i) of subparagraph (D) of this paragraph expires according to
22 its terms before September first, two thousand [~~twenty-three~~ twenty-
23 eight] or such existing lease, in the case of a space lease with respect
24 to leased premises located in eligible areas as defined in clause (ii)
25 of subparagraph (D) of this paragraph and such person enters into a
26 space lease, for a term of ten years or more commencing on or after
27 September first, two thousand five, of premises for use as commercial
28 office space in a building located or to be located in the eligible
29 areas, provided that such space lease with respect to leased premises
30 located in eligible areas as defined in clause (i) of subparagraph (D)
31 of this paragraph commences no later than September first, two thousand
32 [~~twenty-three~~ twenty-eight], and provided that such space lease with
33 respect to leased premises located in eligible areas as defined in
34 clause (ii) of subparagraph (D) of this paragraph commences no later
35 than September first, two thousand [~~twenty-five~~ thirty] and provided,
36 further, that such space lease shall expire no earlier than ten years
37 after the expiration of the original lease.

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

42 § 2. This act shall take effect September 1, 2005 and shall expire and
43 be deemed repealed on December 1, [~~2026~~ 2031], and shall apply to sales
44 made, uses occurring and services rendered on or after such effective
45 date, in accordance with the applicable transitional provisions of
46 sections 1106 and 1217 of the tax law; except that clause (i) of subpar-
47 agraph (D) of paragraph seven of subdivision (ee) of section 1115 of the
48 tax law, as added by section one of this act, shall expire and be deemed
49 repealed December 1, [~~2024~~ 2029].

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

53 (1) non-residential premises that are wholly contained in property
54 that is eligible to obtain benefits under title two-D or two-F of arti-
55 cle four of the real property tax law, or would be eligible to receive

benefits under such article except that such property is exempt from real property taxation and the requirements of paragraph (b) of subdivision seven of section four hundred eighty-nine-dddd of such title two-D, or the requirements of subparagraph (ii) of paragraph (b) of subdivision five of section four hundred eighty-nine-cccccc of such title two-F, whichever is applicable, have not been satisfied, provided that application for such benefits was made after May third, nineteen hundred eighty-five and prior to July first, two thousand [~~twenty-three~~ twenty-eight], that construction or renovation of such premises was described in such application, that such premises have been substantially improved by such construction or renovation so described, that the minimum required expenditure as defined in such title two-D or two-F, whichever is applicable, has been made, and that such real property is located in an eligible area; or

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

(3) non-residential premises that are wholly contained in real property that has obtained approval after October thirty-first, two thousand and prior to July first, two thousand [~~twenty-three~~ twenty-eight] for financing by an industrial development agency established pursuant to article eighteen-A of the general municipal law, provided that such financing has been used in whole or in part to substantially improve such premises (by construction or renovation), and that expenditures have been made for improvements to such real property in excess of ten per centum of the value at which such real property was assessed for tax purposes for the tax year in which such improvements commenced, that such expenditures have been made within thirty-six months after the earlier of (i) the issuance by such agency of bonds for such financing, or (ii) the conveyance of title to such property to such agency, and that such real property is located in an eligible area; or

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

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

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

(2) No eligible energy user, qualified eligible energy user, on-site cogenerator, or clean on-site cogenerator shall receive a rebate pursuant to this article until it has obtained a certification from the appropriate city agency in accordance with a local law enacted pursuant

1 to this section. No such certification for a qualified eligible energy
2 user shall be issued on or after November first, two thousand. No such
3 certification of any other eligible energy user, on-site cogenerator, or
4 clean on-site cogenerator shall be issued on or after July first, two
5 thousand [~~twenty-three~~] twenty-eight.

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

9 (1) is eligible to obtain benefits under title two-D or two-F of arti-
10 cle four of the real property tax law, or would be eligible to receive
11 benefits under such title except that such property is exempt from real
12 property taxation and the requirements of paragraph (b) of subdivision
13 seven of section four hundred eighty-nine-dddd of such title two-D, or
14 the requirements of subparagraph (ii) of paragraph (b) of subdivision
15 five of section four hundred eighty-nine-cccccc of such title two-F,
16 whichever is applicable, of the real property tax law have not been
17 satisfied, provided that application for such benefits was made after
18 the thirtieth day of June, nineteen hundred ninety-five and before the
19 first day of July, two thousand [~~twenty-three~~] twenty-eight, that
20 construction or renovation of such building or structure was described
21 in such application, that such building or structure has been substan-
22 tially improved by such construction or renovation, and (i) that the
23 minimum required expenditure as defined in such title has been made, or
24 (ii) where there is no applicable minimum required expenditure, the
25 building was constructed within such period or periods of time estab-
26 lished by title two-D or two-F, whichever is applicable, of article four
27 of the real property tax law for construction of a new building or
28 structure; or

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

32 (2) has obtained approval after the thirtieth day of June, nineteen
33 hundred ninety-five and before the first day of July, two thousand
34 [~~twenty-three~~] twenty-eight, for financing by an industrial development
35 agency established pursuant to article eighteen-A of the general munici-
36 pal law, provided that such financing has been used in whole or in part
37 to substantially improve such building or structure by construction or
38 renovation, that expenditures have been made for improvements to such
39 real property in excess of twenty per centum of the value at which such
40 real property was assessed for tax purposes for the tax year in which
41 such improvements commenced, and that such expenditures have been made
42 within thirty-six months after the earlier of (i) the issuance by such
43 agency of bonds for such financing, or (ii) the conveyance of title to
44 such building or structure to such agency; or

45 (3) is owned by the city of New York or the New York state urban
46 development corporation, or a subsidiary corporation thereof, a lease
47 for which was approved in accordance with the applicable provisions of
48 the charter of such city or by the board of directors of such corpo-
49 ration, as the case may be, and such approval was obtained after the
50 thirtieth day of June, nineteen hundred ninety-five and before the first
51 day of July, two thousand [~~twenty-three~~] twenty-eight, provided that
52 expenditures have been made for improvements to such real property in
53 excess of twenty per centum of the value at which such real property was
54 assessed for tax purposes for the tax year in which such improvements
55 commenced, and that such expenditures have been made within thirty-six
56 months after the effective date of such lease; or

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

(f) Application and certification. An owner or lessee of a building or structure located in an eligible revitalization area, or an agent of such owner or lessee, may apply to such department of small business services for certification that such building or structure is an eligible building or targeted eligible building meeting the criteria of subdivision (a) or (q) of section twenty-five-aa of this article. Application for such certification must be filed after the thirtieth day of June, nineteen hundred ninety-five and before a building permit is issued for the construction or renovation required by such subdivisions and before the first day of July, two thousand [~~twenty-three~~ **twenty-eight**], provided that no certification for a targeted eligible building shall be issued after October thirty-first, two thousand. Such application shall identify expenditures to be made that will affect eligibility under such subdivision (a) or (q). Upon completion of such expenditures, an applicant shall supplement such application to provide information (i) establishing that the criteria of such subdivision (a) or (q) have been met; (ii) establishing a basis for determining the amount of special rebates, including a basis for an allocation of the special rebate among eligible revitalization area energy users purchasing or otherwise receiving energy services from an eligible redistributor of energy or a qualified eligible redistributor of energy; and (iii) supporting an allocation of charges for energy services between eligible charges and other charges. Such department shall certify a building or structure as an eligible building or targeted eligible building after receipt and review of such information and upon a determination that such information establishes that the building or structure qualifies as an eligible building or targeted eligible building. Such department shall mail such certification or notice thereof to the applicant upon issuance. Such certification shall remain in effect provided the eligible redistributor of energy or qualified eligible redistributor of energy reports any changes that materially affect the amount of the special rebates to which it is entitled or the amount of reduction required by subdivision (c) of this section in an energy services bill of an eligible revitalization area energy user and otherwise complies with the requirements of this article. Such department shall notify the private utility or public utility service required to make a special rebate to such redistributor of the amount of such special rebate established at the time of certification and any changes in such amount and any suspension or termination by such department of certification under this subdivision. Such department may require some or all of the information required as part of an application or other report be provided by a licensed engineer.

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

(1) Non-residential premises that are wholly contained in property that is eligible to obtain benefits under part four or part five of subchapter two of chapter two of title eleven of this code, or would be eligible to receive benefits under such chapter except that such property is exempt from real property taxation and the requirements of paragraph two of subdivision g of section 11-259 of this code, or the requirements of subparagraph (b) of paragraph two of subdivision e of

1 section 11-270 of this code, whichever is applicable, have not been
2 satisfied, provided that application for such benefits was made after
3 May third, nineteen hundred eighty-five and prior to July first, two
4 thousand [~~twenty-three~~] twenty-eight, that construction or renovation of
5 such premises was described in such application, that such premises have
6 been substantially improved by such construction or renovation so
7 described, that the minimum required expenditure as defined in such part
8 four or part five, whichever is applicable, has been made, and that such
9 real property is located in an eligible area; or

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

14 (3) non-residential premises that are wholly contained in real proper-
15 ty that has obtained approval after October thirty-first, two thousand
16 and prior to July first, two thousand [~~twenty-three~~] twenty-eight for
17 financing by an industrial development agency established pursuant to
18 article eighteen-A of the general municipal law, provided that such
19 financing has been used in whole or in part to substantially improve
20 such premises (by construction or renovation), and that expenditures
21 have been made for improvements to such real property in excess of ten
22 per centum of the value at which such real property was assessed for tax
23 purposes for the tax year in which such improvements commenced, that
24 such expenditures have been made within thirty-six months after the
25 earlier of (i) the issuance by such agency of bonds for such financing,
26 or (ii) the conveyance of title to such property to such agency, and
27 that such real property is located in an eligible area; or

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

32 (5) non-residential premises that are wholly contained in real proper-
33 ty owned by such city or the New York state urban development corpo-
34 ration, or a subsidiary thereof, a lease for which was approved in
35 accordance with the applicable provisions of the charter of such city or
36 by the board of directors of such corporation, and such approval was
37 obtained after October thirty-first, two thousand and prior to July
38 first, two thousand [~~twenty-three~~] twenty-eight, provided, however, that
39 such premises were constructed or renovated subsequent to such approval,
40 that expenditures have been made subsequent to such approval for
41 improvements to such real property (by construction or renovation) in
42 excess of ten per centum of the value at which such real property was
43 assessed for tax purposes for the tax year in which such improvements
44 commenced, that such expenditures have been made within thirty-six
45 months after the effective date of such lease, and that such real prop-
46 erty is located in an eligible area; or

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

51 (1) No eligible energy user, qualified eligible energy user, on-site
52 cogenerator, clean on-site cogenerator or special eligible energy user
53 shall receive a rebate pursuant to this chapter until it has obtained a
54 certification as an eligible energy user, qualified eligible energy
55 user, on-site cogenerator, clean on-site cogenerator or special eligible
56 energy user, respectively, from the commissioner of small business

1 services. No such certification for a qualified eligible energy user
2 shall be issued on or after July first, two thousand three. No such
3 certification of any other eligible energy user, on-site cogenerator or
4 clean on-site cogenerator shall be issued on or after July first, two
5 thousand [~~twenty-three~~] twenty-eight. The commissioner of small busi-
6 ness services, after notice and hearing, may revoke a certification
7 issued pursuant to this subdivision where it is found that eligibility
8 criteria have not been met or that compliance with conditions for
9 continued eligibility has not been maintained. The corporation counsel
10 may maintain a civil action to recover an amount equal to any benefits
11 improperly obtained.

12 § 14. Subparagraph (b-2) of paragraph 2 of subdivision i of section
13 11-704 of the administrative code of the city of New York, as amended by
14 section 14 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 (b-2) The amount of the special reduction allowed by this subdivision
17 with respect to a lease other than a sublease commencing between July
18 first, two thousand five and June thirtieth, two thousand [~~twenty-three~~]
19 twenty-eight with an initial or renewal lease term of at least five
20 years shall be determined as follows:

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

23 (ii) For the first, second, third and fourth twelve-month periods
24 following the base year the amount of such special reduction shall be
25 equal to the lesser of (A) the base rent for each such twelve-month
26 period or (B) the base rent for the base year.

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

30 9. "Eligibility period." The period commencing April first, nineteen
31 hundred ninety-five and terminating March thirty-first, two thousand
32 one, provided, however, that with respect to eligible premises defined
33 in subparagraph (i) of paragraph (b) of subdivision ten of this section,
34 the period commencing July first, two thousand and terminating June
35 thirtieth, two thousand [~~twenty-four~~] twenty-nine, and provided,
36 further, however, that with respect to eligible premises defined in
37 subparagraph (ii) of paragraph (b) or paragraph (c) of subdivision ten
38 of this section, the period commencing July first, two thousand five and
39 terminating June thirtieth, two thousand [~~twenty-four~~] twenty-nine.

40 § 16. Subparagraph (iii) of paragraph (a) of subdivision 3 of section
41 499-cc of the real property tax law, as amended by section 16 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 (iii) With respect to the eligible premises defined in subparagraph
45 (ii) of paragraph (b) or paragraph (c) of subdivision ten of section
46 four hundred ninety-nine-aa of this title and for purposes of determin-
47 ing whether the amount of expenditures required by subdivision one of
48 this section have been satisfied, expenditures on improvements to the
49 common areas of an eligible building shall be included only if work on
50 such improvements commenced and the expenditures are made on or after
51 July first, two thousand five and on or before December thirty-first,
52 two thousand [~~twenty-four~~] twenty-nine; provided, however, that expendi-
53 tures on improvements to the common areas of an eligible building made
54 prior to three years before the lease commencement date shall not be
55 included.

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

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

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

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

(a) For purposes of determining whether the amount of expenditures required by subdivision one of this section have been satisfied, expenditures on improvements to the common areas of an eligible building shall be included only if work on such improvements commenced and the expenditures are made on or after April first, nineteen hundred ninety-five and on or before September thirtieth, two thousand ~~[twenty-four]~~ twenty-nine; provided, however, that expenditures on improvements to the common areas of an eligible building made prior to three years before the lease commencement date shall not be included.

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

8. Leases commencing on or after April first, nineteen hundred ninety-seven shall be subject to the provisions of this title as amended by chapter six hundred twenty-nine of the laws of nineteen hundred ninety-seven, chapter one hundred eighteen of the laws of two thousand one, chapter four hundred forty of the laws of two thousand three, chapter sixty of the laws of two thousand seven, chapter twenty-two of the laws of two thousand ten, chapter fifty-nine of the laws of two thousand fourteen, chapter twenty of the laws of two thousand fifteen, chapter sixty-one of the laws of two thousand seventeen ~~[and the]~~, chapter fifty-eight of the laws of two thousand twenty, and the chapter of the laws of two thousand twenty-three that amended this phrase. Notwithstanding any other provision of law to the contrary, with respect to leases commencing on or after April first, nineteen hundred ninety-seven, an application for a certificate of abatement shall be considered timely filed if filed within one hundred eighty days following the lease commencement date or within sixty days following the date chapter six hundred twenty-nine of the laws of nineteen hundred ninety-seven became a law, whichever is later.

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

(a) An eligible tenant of eligible taxable premises shall be allowed a special reduction in determining the taxable base rent for such eligible

1 taxable premises. Such special reduction shall be allowed with respect
2 to the rent for such eligible taxable premises for a period not exceed-
3 ing sixty months or, with respect to a lease commencing on or after
4 April first, nineteen hundred ninety-seven with an initial lease term of
5 less than five years, but not less than three years, for a period not
6 exceeding thirty-six months, commencing on the rent commencement date
7 applicable to such eligible taxable premises, provided, however, that in
8 no event shall any special reduction be allowed for any period beginning
9 after March thirty-first, two thousand [~~thirty~~] thirty-five. For
10 purposes of applying such special reduction, the base rent for the base
11 year shall, where necessary to determine the amount of the special
12 reduction allowable with respect to any number of months falling within
13 a tax period, be prorated by dividing the base rent for the base year by
14 twelve and multiplying the result by such number of months.

15 § 21. This act shall take effect immediately, provided, however, that
16 if this act shall become a law after June 30, 2023, this act shall be
17 deemed to have been in full force and effect on and after June 30, 2023;
18 provided further, however, that the amendments to subparagraph (A) of
19 paragraph 7 of subdivision (ee) of section 1115 of the tax law made by
20 section one of this act shall not affect the repeal of such subdivision
21 and shall be repealed therewith.

22 PART BB

23 Section 1. Subdivision 12 of section 239-bb of the general municipal
24 law is REPEALED.

25 § 2. This act shall take effect immediately.

26 PART CC

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

- 31 1. DOL-Child performer protection account (20401).
- 32 2. Local government records management account (20501).
- 33 3. Child health plus program account (20810).
- 34 4. EPIC premium account (20818).
- 35 5. Education - New (20901).
- 36 6. VLT - Sound basic education fund (20904).
- 37 7. Sewage treatment program management and administration fund
38 (21000).
- 39 8. Hazardous bulk storage account (21061).
- 40 9. Utility environmental regulatory account (21064).
- 41 10. Federal grants indirect cost recovery account (21065).
- 42 11. Low level radioactive waste account (21066).
- 43 12. Recreation account (21067).
- 44 13. Public safety recovery account (21077).
- 45 14. Environmental regulatory account (21081).
- 46 15. Natural resource account (21082).
- 47 16. Mined land reclamation program account (21084).
- 48 17. Great lakes restoration initiative account (21087).
- 49 18. Environmental protection and oil spill compensation fund (21200).
- 50 19. Public transportation systems account (21401).
- 51 20. Metropolitan mass transportation (21402).
- 52 21. Operating permit program account (21451).

1 22. Mobile source account (21452).
2 23. Statewide planning and research cooperative system account
3 (21902).
4 24. New York state thruway authority account (21905).
5 25. Mental hygiene program fund account (21907).
6 26. Mental hygiene patient income account (21909).
7 27. Financial control board account (21911).
8 28. Regulation of racing account (21912).
9 29. State university dormitory income reimbursable account (21937).
10 30. Criminal justice improvement account (21945).
11 31. Environmental laboratory reference fee account (21959).
12 32. Training, management and evaluation account (21961).
13 33. Clinical laboratory reference system assessment account (21962).
14 34. Indirect cost recovery account (21978).
15 35. Multi-agency training account (21989).
16 36. Bell jar collection account (22003).
17 37. Industry and utility service account (22004).
18 38. Real property disposition account (22006).
19 39. Parking account (22007).
20 40. Courts special grants (22008).
21 41. Asbestos safety training program account (22009).
22 42. Batavia school for the blind account (22032).
23 43. Investment services account (22034).
24 44. Surplus property account (22036).
25 45. Financial oversight account (22039).
26 46. Regulation of Indian gaming account (22046).
27 47. Rome school for the deaf account (22053).
28 48. Seized assets account (22054).
29 49. Administrative adjudication account (22055).
30 50. New York City assessment account (22062).
31 51. Cultural education account (22063).
32 52. Local services account (22078).
33 53. DHCR mortgage servicing account (22085).
34 54. Housing indirect cost recovery account (22090).
35 55. Voting Machine Examinations account (22099).
36 56. DHCR-HCA application fee account (22100).
37 57. Low income housing monitoring account (22130).
38 58. Restitution account (22134).
39 59. Corporation administration account (22135).
40 60. New York State Home for Veterans in the Lower-Hudson Valley
41 account (22144).
42 61. Deferred compensation administration account (22151).
43 62. Rent revenue other New York City account (22156).
44 63. Rent revenue account (22158).
45 64. Transportation aviation account (22165).
46 65. Tax revenue arrearage account (22168).
47 66. New York State Campaign Finance Fund account (22211).
48 67. New York state medical indemnity fund account (22240).
49 68. Behavioral health parity compliance fund (22246).
50 69. Pharmacy benefit manager regulatory fund (22255).
51 70. State university general income offset account (22654).
52 71. Lake George park trust fund account (22751).
53 72. Highway safety program account (23001).
54 73. DOH drinking water program account (23102).
55 74. NYCCC operating offset account (23151).
56 75. Commercial gaming revenue account (23701).

1 76. Commercial gaming regulation account (23702).
2 77. Highway use tax administration account (23801).
3 78. New York state secure choice administrative account (23806).
4 79. New York state cannabis revenue fund (24800).
5 80. Fantasy sports administration account (24951).
6 81. Mobile sports wagering fund (24955).
7 82. Highway and bridge capital account (30051).
8 83. State university residence hall rehabilitation fund (30100).
9 84. State parks infrastructure account (30351).
10 85. Clean water/clean air implementation fund (30500).
11 86. Hazardous waste remedial cleanup account (31506).
12 87. Youth facilities improvement account (31701).
13 88. Housing assistance fund (31800).
14 89. Housing program fund (31850).
15 90. Highway facility purpose account (31951).
16 91. New York racing account (32213).
17 92. Capital miscellaneous gifts account (32214).
18 93. Information technology capital financing account (32215).
19 94. New York environmental protection and spill remediation account
20 (32219).
21 95. Mental hygiene facilities capital improvement fund (32300).
22 96. Correctional facilities capital improvement fund (32350).
23 97. New York State Storm Recovery Capital Fund (33000).
24 98. OGS convention center account (50318).
25 99. Empire Plaza Gift Shop (50327).
26 100. Centralized services fund (55000).
27 101. Archives records management account (55052).
28 102. Federal single audit account (55053).
29 103. Civil service administration account (55055).
30 104. Civil service EHS occupational health program account (55056).
31 105. Banking services account (55057).
32 106. Cultural resources survey account (55058).
33 107. Neighborhood work project account (55059).
34 108. Automation & printing chargeback account (55060).
35 109. OFT NYT account (55061).
36 110. Data center account (55062).
37 111. Intrusion detection account (55066).
38 112. Domestic violence grant account (55067).
39 113. Centralized technology services account (55069).
40 114. Labor contact center account (55071).
41 115. Human services contact center account (55072).
42 116. Tax contact center account (55073).
43 117. Department of law civil recoveries account (55074).
44 118. Executive direction internal audit account (55251).
45 119. CIO Information technology centralized services account (55252).
46 120. Health insurance internal service account (55300).
47 121. Civil service employee benefits division administrative account
48 (55301).
49 122. Correctional industries revolving fund (55350).
50 123. Employees health insurance account (60201).
51 124. Medicaid management information system escrow fund (60900).
52 125. Virtual currency assessments account.
53 § 1-a. The state comptroller is hereby authorized and directed to loan
54 money in accordance with the provisions set forth in subdivision 5 of
55 section 4 of the state finance law to any account within the following
56 federal funds, provided the comptroller has made a determination that

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

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

12 § 2. Notwithstanding any law to the contrary, and in accordance with
13 section 4 of the state finance law, the comptroller is hereby authorized
14 and directed to transfer, upon request of the director of the budget, on
15 or before March 31, 2024, up to the unencumbered balance or the follow-
16 ing amounts:

17 Economic Development and Public Authorities:

- 18 1. \$1,175,000 from the miscellaneous special revenue fund, underground
19 facilities safety training account (22172), to the general fund.
- 20 2. An amount up to the unencumbered balance from the miscellaneous
21 special revenue fund, business and licensing services account (21977),
22 to the general fund.
- 23 3. \$19,810,000 from the miscellaneous special revenue fund, code
24 enforcement account (21904), to the general fund.
- 25 4. \$3,000,000 from the general fund to the miscellaneous special
26 revenue fund, tax revenue arrearage account (22168).

27 Education:

- 28 1. \$2,314,000,000 from the general fund to the state lottery fund,
29 education account (20901), as reimbursement for disbursements made from
30 such fund for supplemental aid to education pursuant to section 92-c of
31 the state finance law that are in excess of the amounts deposited in
32 such fund for such purposes pursuant to section 1612 of the tax law.
- 33 2. \$1,033,000,000 from the general fund to the state lottery fund, VLT
34 education account (20904), as reimbursement for disbursements made from
35 such fund for supplemental aid to education pursuant to section 92-c of
36 the state finance law that are in excess of the amounts deposited in
37 such fund for such purposes pursuant to section 1612 of the tax law.
- 38 3. \$131,200,000 from the general fund to the New York state commercial
39 gaming fund, commercial gaming revenue account (23701), as reimbursement
40 for disbursements made from such fund for supplemental aid to education
41 pursuant to section 97-nnnn of the state finance law that are in excess
42 of the amounts deposited in such fund for purposes pursuant to section
43 1352 of the racing, pari-mutuel wagering and breeding law.
- 44 4. \$895,897,000 from the general fund to the mobile sports wagering
45 fund, education account (24955), as reimbursement for disbursements made
46 from such fund for supplemental aid to education pursuant to section
47 92-c of the state finance law that are in excess of the amounts deposit-
48 ed in such fund for such purposes pursuant to section 1367 of the
49 racing, pari-mutuel wagering and breeding law.
- 50 5. \$7,000,000 from the interactive fantasy sports fund, fantasy sports
51 education account (24950), to the state lottery fund, education account
52 (20901), as reimbursement for disbursements made from such fund for
53 supplemental aid to education pursuant to section 92-c of the state
54 finance law.
- 55 6. An amount up to the unencumbered balance in the fund on March 31,
56 2024 from the charitable gifts trust fund, elementary and secondary

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

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

8 8. \$300,000 from the New York state local government records manage-
9 ment improvement fund, local government records management account
10 (20501), to the New York state archives partnership trust fund, archives
11 partnership trust maintenance account (20351).

12 9. \$900,000 from the general fund to the miscellaneous special revenue
13 fund, Batavia school for the blind account (22032).

14 10. \$900,000 from the general fund to the miscellaneous special reven-
15 ue fund, Rome school for the deaf account (22053).

16 11. \$343,400,000 from the state university dormitory income fund
17 (40350) to the miscellaneous special revenue fund, state university
18 dormitory income reimbursable account (21937).

19 12. \$8,318,000 from the general fund to the state university income
20 fund, state university income offset account (22654), for the state's
21 share of repayment of the STIP loan.

22 13. \$69,000,000 from the state university income fund, state universi-
23 ty hospitals income reimbursable account (22656) to the general fund for
24 hospital debt service for the period April 1, 2023 through March 31,
25 2024.

26 14. \$5,160,000 from the miscellaneous special revenue fund, office of
27 the professions account (22051), to the miscellaneous capital projects
28 fund, office of the professions electronic licensing account (32222).

29 15. \$24,000,000 from any of the state education department's special
30 revenue and internal service funds to the miscellaneous special revenue
31 fund, indirect cost recovery account (21978).

32 16. \$4,200,000 from any of the state education department's special
33 revenue or internal service funds to the capital projects fund (30000).

34 17. \$30,013,000 from the general fund to the miscellaneous special
35 revenue fund, HESC-insurance premium payments account (21960).

36 Environmental Affairs:

37 1. \$16,000,000 from any of the department of environmental conserva-
38 tion's special revenue federal funds, and/or federal capital funds, to
39 the environmental conservation special revenue fund, federal indirect
40 recovery account (21065).

41 2. \$5,000,000 from any of the department of environmental conserva-
42 tion's special revenue federal funds, and/or federal capital funds, to
43 the conservation fund (21150) or Marine Resources Account (21151) as
44 necessary to avoid diversion of conservation funds.

45 3. \$3,000,000 from any of the office of parks, recreation and historic
46 preservation capital projects federal funds and special revenue federal
47 funds to the miscellaneous special revenue fund, federal grant indirect
48 cost recovery account (22188).

49 4. \$1,000,000 from any of the office of parks, recreation and historic
50 preservation special revenue federal funds to the miscellaneous capital
51 projects fund, I love NY water account (32212).

52 5. \$100,000,000 from the general fund to the environmental protection
53 fund, environmental protection fund transfer account (30451).

54 6. \$6,000,000 from the general fund to the hazardous waste remedial
55 fund, hazardous waste oversight and assistance account (31505).

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

6 8. \$1,800,000 from the miscellaneous special revenue fund, public
7 service account (22011) to the miscellaneous special revenue fund, util-
8 ity environmental regulatory account (21064).

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

11 10. \$4,000,000 from the waste management & cleanup account (21053) to
12 the general fund.

13 11. \$3,000,000 from the waste management & cleanup account (21053) to
14 the environmental protection fund transfer account (30451).

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

17 Family Assistance:

18 1. \$7,000,000 from any of the office of children and family services,
19 office of temporary and disability assistance, or department of health
20 special revenue federal funds and the general fund, in accordance with
21 agreements with social services districts, to the miscellaneous special
22 revenue fund, office of human resources development state match account
23 (21967).

24 2. \$4,000,000 from any of the office of children and family services
25 or office of temporary and disability assistance special revenue federal
26 funds to the miscellaneous special revenue fund, family preservation and
27 support services and family violence services account (22082).

28 3. \$18,670,000 from any of the office of children and family services,
29 office of temporary and disability assistance, or department of health
30 special revenue federal funds and any other miscellaneous revenues
31 generated from the operation of office of children and family services
32 programs to the general fund.

33 4. \$175,000,000 from any of the office of temporary and disability
34 assistance or department of health special revenue funds to the general
35 fund.

36 5. \$2,500,000 from any of the office of temporary and disability
37 assistance special revenue funds to the miscellaneous special revenue
38 fund, office of temporary and disability assistance program account
39 (21980).

40 6. \$35,000,000 from any of the office of children and family services,
41 office of temporary and disability assistance, department of labor, and
42 department of health special revenue federal funds to the office of
43 children and family services miscellaneous special revenue fund, multi-
44 agency training contract account (21989).

45 7. \$205,000,000 from the miscellaneous special revenue fund, youth
46 facility per diem account (22186), to the general fund.

47 8. \$621,850 from the general fund to the combined gifts, grants, and
48 bequests fund, WB Hoyt Memorial account (20128).

49 9. \$5,000,000 from the miscellaneous special revenue fund, state
50 central registry (22028), to the general fund.

51 10. \$900,000 from the general fund to the Veterans' Remembrance and
52 Cemetery Maintenance and Operation account (20201).

53 11. \$905,000,000 from the general fund to the housing program fund
54 (31850).

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

General Government:

1. \$12,000,000 from the general fund to the health insurance revolving fund (55300).

2. \$292,400,000 from the health insurance reserve receipts fund (60550) to the general fund.

3. \$150,000 from the general fund to the not-for-profit revolving loan fund (20650).

4. \$150,000 from the not-for-profit revolving loan fund (20650) to the general fund.

5. \$3,000,000 from the miscellaneous special revenue fund, surplus property account (22036), to the general fund.

6. \$19,000,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the general fund.

7. \$1,826,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the miscellaneous special revenue fund, authority budget office account (22138).

8. \$1,000,000 from the miscellaneous special revenue fund, parking account (22007), to the general fund, for the purpose of reimbursing the costs of debt service related to state parking facilities.

9. \$11,460,000 from the general fund to the agencies internal service fund, central technology services account (55069), for the purpose of enterprise technology projects.

10. \$10,000,000 from the general fund to the agencies internal service fund, state data center account (55062).

11. \$12,000,000 from the miscellaneous special revenue fund, parking account (22007), to the centralized services, building support services account (55018).

12. \$30,000,000 from the general fund to the internal service fund, business services center account (55022).

13. \$8,000,000 from the general fund to the internal service fund, building support services account (55018).

14. \$1,500,000 from the combined expendable trust fund, plaza special events account (20120), to the general fund.

15. \$50,000,000 from the New York State cannabis revenue fund (24800) to the general fund.

16. A transfer from the general fund to the miscellaneous special revenue fund, New York State Campaign Finance Fund Account (22211), up to an amount equal to total reimbursements due to qualified candidates.

17. \$6,000,000 from the miscellaneous special revenue fund, standards and purchasing account (22019), to the general fund.

Health:

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

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

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

4. \$8,940,000 from the HCRA resources fund (20800) to the miscellaneous special revenue fund, empire state stem cell trust fund account (22161).

5. \$3,600,000 from the miscellaneous special revenue fund, certificate of need account (21920), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

6. \$4,000,000 from the miscellaneous special revenue fund, vital health records account (22103), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

7. \$6,000,000 from the miscellaneous special revenue fund, professional medical conduct account (22088), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

8. \$114,500,000 from the HCRA resources fund (20800) to the capital projects fund (30000).

9. \$6,550,000 from the general fund to the medical cannabis trust fund, health operation and oversight account (23755).

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

11. \$500,000 from the miscellaneous special revenue fund, New York State cannabis revenue fund, to the miscellaneous special revenue fund, environmental laboratory fee account (21959).

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

13. \$1,000,000,000 from the general fund to the health care transformation fund (24850).

14. \$2,590,000 from the miscellaneous special revenue fund, patient safety center account (22140), to the general fund.

15. \$1,000,000 from the miscellaneous special revenue fund, nursing home receivership account (21925), to the general fund.

16. \$130,000 from the miscellaneous special revenue fund, quality of care account (21915), to the general fund.

17. \$2,200,000 from the miscellaneous special revenue fund, adult home quality enhancement account (22091), to the general fund.

18. \$7,429,000 from the general fund, to the miscellaneous special revenue fund, helen hayes hospital account (22140).

19. \$1,117,000 from the general fund, to the miscellaneous special revenue fund, New York city veterans' home account (22141).

20. \$813,000 from the general fund, to the miscellaneous special revenue fund, New York state home for veterans' and their dependents at oxford account (22142).

21. \$313,000 from the general fund, to the miscellaneous special revenue fund, western New York veterans' home account (22143).

22. \$1,473,000 from the general fund, to the miscellaneous special revenue fund, New York state for veterans in the lower-hudson valley account (22144).

Labor:

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

1 2. \$11,700,000 from the unemployment insurance interest and penalty
2 fund, unemployment insurance special interest and penalty account
3 (23601), to the general fund.

4 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-
5 ment insurance special interest and penalty account (23601), and public
6 work enforcement account (21998), to the general fund.

7 4. \$850,000 from the miscellaneous special revenue fund, DOL elevator
8 safety program fund (22252) to the miscellaneous special revenue fund,
9 DOL fee and penalty account (21923).

10 Mental Hygiene:

11 1. \$3,800,000 from the general fund, to the agencies internal service
12 fund, civil service EHS occupational health program account (55056).

13 2. \$2,000,000 from the general fund, to the mental hygiene facilities
14 capital improvement fund (32300).

15 3. \$20,000,000 from the opioid settlement fund (23817) to the miscel-
16 laneous capital projects fund, opioid settlement capital account.

17 4. \$20,000,000 from the miscellaneous capital projects fund, opioid
18 settlement capital account to the opioid settlement fund (23817).

19 Public Protection:

20 1. \$1,350,000 from the miscellaneous special revenue fund, emergency
21 management account (21944), to the general fund.

22 2. \$2,587,000 from the general fund to the miscellaneous special
23 revenue fund, recruitment incentive account (22171).

24 3. \$23,773,000 from the general fund to the correctional industries
25 revolving fund, correctional industries internal service account
26 (55350).

27 4. \$2,000,000,000 from any of the division of homeland security and
28 emergency services special revenue federal funds to the general fund.

29 5. \$115,420,000 from the state police motor vehicle law enforcement
30 and motor vehicle theft and insurance fraud prevention fund, state
31 police motor vehicle enforcement account (22802), to the general fund
32 for state operation expenses of the division of state police.

33 6. \$138,272,000 from the general fund to the correctional facilities
34 capital improvement fund (32350).

35 7. \$5,000,000 from the general fund to the dedicated highway and
36 bridge trust fund (30050) for the purpose of work zone safety activities
37 provided by the division of state police for the department of transpor-
38 tation.

39 8. \$10,000,000 from the miscellaneous special revenue fund, statewide
40 public safety communications account (22123), to the capital projects
41 fund (30000).

42 9. \$9,830,000 from the miscellaneous special revenue fund, legal
43 services assistance account (22096), to the general fund.

44 10. \$1,000,000 from the general fund to the agencies internal service
45 fund, neighborhood work project account (55059).

46 11. \$7,980,000 from the miscellaneous special revenue fund, finger-
47 print identification & technology account (21950), to the general fund.

48 12. \$1,100,000 from the state police motor vehicle law enforcement and
49 motor vehicle theft and insurance fraud prevention fund, motor vehicle
50 theft and insurance fraud account (22801), to the general fund.

51 13. \$14,400,000 from the general fund to the miscellaneous special
52 revenue fund, criminal justice improvement account (21945).

53 14. \$2,000,000 from the general fund to the miscellaneous special
54 revenue fund, hazard mitigation revolving loan account.

55 Transportation:

1 1. \$20,000,000 from the general fund to the mass transportation oper-
2 ating assistance fund, public transportation systems operating assist-
3 ance account (21401), of which \$12,000,000 constitutes the base need for
4 operations.

5 2. \$727,500,000 from the general fund to the dedicated highway and
6 bridge trust fund (30050).

7 3. \$244,250,000 from the general fund to the MTA financial assistance
8 fund, mobility tax trust account (23651).

9 4. \$5,000,000 from the miscellaneous special revenue fund, transporta-
10 tion regulation account (22067) to the dedicated highway and bridge
11 trust fund (30050), for disbursements made from such fund for motor
12 carrier safety that are in excess of the amounts deposited in the dedi-
13 cated highway and bridge trust fund (30050) for such purpose pursuant to
14 section 94 of the transportation law.

15 5. \$477,000 from the miscellaneous special revenue fund, traffic adju-
16 dication account (22055), to the general fund.

17 6. \$5,000,000 from the miscellaneous special revenue fund, transporta-
18 tion regulation account (22067) to the general fund, for disbursements
19 made from such fund for motor carrier safety that are in excess of the
20 amounts deposited in the general fund for such purpose pursuant to
21 section 94 of the transportation law.

22 Miscellaneous:

23 1. \$250,000,000 from the general fund to any funds or accounts for the
24 purpose of reimbursing certain outstanding accounts receivable balances.

25 2. \$500,000,000 from the general fund to the debt reduction reserve
26 fund (40000).

27 3. \$450,000,000 from the New York state storm recovery capital fund
28 (33000) to the revenue bond tax fund (40152).

29 4. \$15,500,000 from the general fund, community projects account GG
30 (10256), to the general fund, state purposes account (10050).

31 5. \$100,000,000 from any special revenue federal fund to the general
32 fund, state purposes account (10050).

33 6. \$8,250,000,000 from the special revenue federal fund, ARPA-Fiscal
34 Recovery Fund (25546) to the general fund, state purposes account
35 (10050) to cover eligible costs incurred by the state.

36 § 3. Notwithstanding any law to the contrary, and in accordance with
37 section 4 of the state finance law, the comptroller is hereby authorized
38 and directed to transfer, on or before March 31, 2024:

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

45 2. Upon request of the commissioner of agriculture and markets, up to
46 \$3,000,000 from any special revenue fund or enterprise fund within the
47 department of agriculture and markets to the general fund, to pay appro-
48 priate administrative expenses.

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

54 4. Upon request of the commissioner of the division of housing and
55 community renewal, up to \$5,500,000 may be transferred from any miscel-

1 laneous special revenue fund account, to any miscellaneous special
2 revenue fund.

3 5. Upon request of the commissioner of health up to \$13,694,000 from
4 revenues credited to any of the department of health's special revenue
5 funds, to the miscellaneous special revenue fund, administration account
6 (21982).

7 6. Upon the request of the attorney general, up to \$4,000,000 from
8 revenues credited to the federal health and human services fund, federal
9 health and human services account (25117) or the miscellaneous special
10 revenue fund, recoveries and revenue account (22041), to the miscella-
11 neous special revenue fund, litigation settlement and civil recovery
12 account (22117).

13 § 4. On or before March 31, 2024, the comptroller is hereby authorized
14 and directed to deposit earnings that would otherwise accrue to the
15 general fund that are attributable to the operation of section 98-a of
16 the state finance law, to the agencies internal service fund, banking
17 services account (55057), for the purpose of meeting direct payments
18 from such account.

19 § 5. Notwithstanding any law to the contrary, upon the direction of
20 the director of the budget and upon requisition by the state university
21 of New York, the dormitory authority of the state of New York is
22 directed to transfer, up to \$22,000,000 in revenues generated from the
23 sale of notes or bonds, the state university income fund general revenue
24 account (22653) for reimbursement of bondable equipment for further
25 transfer to the state's general fund.

26 § 6. Notwithstanding any law to the contrary, and in accordance with
27 section 4 of the state finance law, the comptroller is hereby authorized
28 and directed to transfer, upon request of the director of the budget and
29 upon consultation with the state university chancellor or his or her
30 designee, on or before March 31, 2024, up to \$16,000,000 from the state
31 university income fund general revenue account (22653) to the state
32 general fund for debt service costs related to campus supported capital
33 project costs for the NY-SUNY 2020 challenge grant program at the
34 University at Buffalo.

35 § 7. Notwithstanding any law to the contrary, and in accordance with
36 section 4 of the state finance law, the comptroller is hereby authorized
37 and directed to transfer, upon request of the director of the budget and
38 upon consultation with the state university chancellor or his or her
39 designee, on or before March 31, 2024, up to \$6,500,000 from the state
40 university income fund general revenue account (22653) to the state
41 general fund for debt service costs related to campus supported capital
42 project costs for the NY-SUNY 2020 challenge grant program at the
43 University at Albany.

44 § 8. Notwithstanding any law to the contrary, the state university
45 chancellor or his or her designee is authorized and directed to transfer
46 estimated tuition revenue balances from the state university collection
47 fund (61000) to the state university income fund, state university
48 general revenue offset account (22655) on or before March 31, 2024.

49 § 9. Notwithstanding any law to the contrary, and in accordance with
50 section 4 of the state finance law, the comptroller is hereby authorized
51 and directed to transfer, upon request of the director of the budget, up
52 to \$1,226,598,500 from the general fund to the state university income
53 fund, state university general revenue offset account (22655) during the
54 period of July 1, 2023 through June 30, 2024 to support operations at
55 the state university.

1 § 10. Notwithstanding any law to the contrary, and in accordance with
2 section 4 of the state finance law, the comptroller is hereby authorized
3 and directed to transfer, upon request of the director of the budget, up
4 to \$62,340,000 from the general fund to the state university income
5 fund, state university general revenue offset account (22655) during the
6 period of July 1, 2023 to June 30, 2024 for general fund operating
7 support pursuant to subparagraph (4-b) of paragraph h of subdivision 2
8 of section three hundred fifty-five of the education law.

9 § 11. Notwithstanding any law to the contrary, and in accordance with
10 section 4 of the state finance law, the comptroller is hereby authorized
11 and directed to transfer, upon request of the director of the budget, up
12 to \$20,000,000 from the general fund to the state university income
13 fund, state university general revenue offset account (22655) during the
14 period of July 1, 2023 to June 30, 2024 to fully fund the tuition credit
15 pursuant to subdivision two of section six hundred sixty-nine-h of the
16 education law.

17 § 12. Notwithstanding any law to the contrary, and in accordance with
18 section 4 of the state finance law, the comptroller is hereby authorized
19 and directed to transfer, upon request of the state university chancel-
20 lor or his or her designee, up to \$55,000,000 from the state university
21 income fund, state university hospitals income reimbursable account
22 (22656), for services and expenses of hospital operations and capital
23 expenditures at the state university hospitals; and the state university
24 income fund, Long Island veterans' home account (22652) to the state
25 university capital projects fund (32400) on or before June 30, 2024.

26 § 13. Notwithstanding any law to the contrary, and in accordance with
27 section 4 of the state finance law, the comptroller, after consultation
28 with the state university chancellor or his or her designee, is hereby
29 authorized and directed to transfer moneys, in the first instance, from
30 the state university collection fund, Stony Brook hospital collection
31 account (61006), Brooklyn hospital collection account (61007), and Syra-
32 cuse hospital collection account (61008) to the state university income
33 fund, state university hospitals income reimbursable account (22656) in
34 the event insufficient funds are available in the state university
35 income fund, state university hospitals income reimbursable account
36 (22656) to permit the full transfer of moneys authorized for transfer,
37 to the general fund for payment of debt service related to the SUNY
38 hospitals. Notwithstanding any law to the contrary, the comptroller is
39 also hereby authorized and directed, after consultation with the state
40 university chancellor or his or her designee, to transfer moneys from
41 the state university income fund to the state university income fund,
42 state university hospitals income reimbursable account (22656) in the
43 event insufficient funds are available in the state university income
44 fund, state university hospitals income reimbursable account (22656) to
45 pay hospital operating costs or to permit the full transfer of moneys
46 authorized for transfer, to the general fund for payment of debt service
47 related to the SUNY hospitals on or before March 31, 2024.

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

§ 15. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to \$700 million from the unencumbered balance of any special revenue fund or account, agency fund or account, internal service fund or account, enterprise fund or account, or any combination of such funds and accounts, to the general fund. The amounts transferred pursuant to this authorization shall be in addition to any other transfers expressly authorized in the 2023-24 budget. Transfers from federal funds, debt service funds, capital projects funds, the community projects fund, or funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

§ 16. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to \$100 million from any non-general fund or account, or combination of funds and accounts, to the miscellaneous special revenue fund, technology financing account (22207), the miscellaneous capital projects fund, the federal capital projects account (31350), information technology capital financing account (32215), or the centralized technology services account (55069), for the purpose of consolidating technology procurement and services. The amounts transferred to the miscellaneous special revenue fund, technology financing account (22207) pursuant to this authorization shall be equal to or less than the amount of such monies intended to support information technology costs which are attributable, according to a plan, to such account made in pursuance to an appropriation by law. Transfers to the technology financing account shall be completed from amounts collected by non-general funds or accounts pursuant to a fund deposit schedule or permanent statute, and shall be transferred to the technology financing account pursuant to a schedule agreed upon by the affected agency commissioner. Transfers from funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

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

§ 18. Notwithstanding any provision of law to the contrary, as deemed feasible and advisable by its trustees, the power authority of the state of New York is authorized and directed to transfer to the state treasury

1 to the credit of the general fund up to \$20,000,000 for the state fiscal
2 year commencing April 1, 2023, the proceeds of which will be utilized to
3 support energy-related state activities.

4 § 19. Notwithstanding any provision of law, rule or regulation to the
5 contrary, the New York state energy research and development authority
6 is authorized and directed to contribute \$913,000 to the state treasury
7 to the credit of the general fund on or before March 31, 2024.

8 § 20. Notwithstanding any provision of law, rule or regulation to the
9 contrary, the New York state energy research and development authority
10 is authorized and directed to transfer five million dollars to the cred-
11 it of the Environmental Protection Fund on or before March 31, 2024 from
12 proceeds collected by the authority from the auction or sale of carbon
13 dioxide emission allowances allocated by the department of environmental
14 conservation.

15 § 21. Subdivision 5 of section 97-rrr of the state finance law, as
16 amended by section 21 of part FFF of chapter 56 of the laws of 2022, is
17 amended to read as follows:

18 5. Notwithstanding the provisions of section one hundred seventy-one-a
19 of the tax law, as separately amended by chapters four hundred eighty-
20 one and four hundred eighty-four of the laws of nineteen hundred eight-
21 y-one, and notwithstanding the provisions of chapter ninety-four of the
22 laws of two thousand eleven, or any other provisions of law to the
23 contrary, during the fiscal year beginning April first, two thousand
24 [~~twenty-two~~] twenty-three, the state comptroller is hereby authorized
25 and directed to deposit to the fund created pursuant to this section
26 from amounts collected pursuant to article twenty-two of the tax law and
27 pursuant to a schedule submitted by the director of the budget, up to
28 [~~\$1,830,985,000~~] \$1,716,913,000 as may be certified in such schedule as
29 necessary to meet the purposes of such fund for the fiscal year begin-
30 ning April first, two thousand [~~twenty-two~~] twenty-three.

31 § 22. Notwithstanding any law to the contrary, the comptroller is
32 hereby authorized and directed to transfer, upon request of the director
33 of the budget, on or before March 31, 2024, the following amounts from
34 the following special revenue accounts to the capital projects fund
35 (30000), for the purposes of reimbursement to such fund for expenses
36 related to the maintenance and preservation of state assets:

37 1. \$43,000 from the miscellaneous special revenue fund, administrative
38 program account (21982).

39 2. \$1,478,000 from the miscellaneous special revenue fund, helen hayes
40 hospital account (22140).

41 3. \$456,000 from the miscellaneous special revenue fund, New York city
42 veterans' home account (22141).

43 4. \$570,000 from the miscellaneous special revenue fund, New York
44 state home for veterans' and their dependents at oxford account (22142).

45 5. \$170,000 from the miscellaneous special revenue fund, western New
46 York veterans' home account (22143).

47 6. \$323,000 from the miscellaneous special revenue fund, New York
48 state for veterans in the lower-hudson valley account (22144).

49 7. \$2,550,000 from the miscellaneous special revenue fund, patron
50 services account (22163).

51 8. \$9,016,000 from the miscellaneous special revenue fund, state
52 university general income reimbursable account (22653).

53 9. \$142,782,000 from the miscellaneous special revenue fund, state
54 university revenue offset account (22655).

55 10. \$51,897,000 from the state university dormitory income fund, state
56 university dormitory income fund (40350).

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

§ 23. Section 60 of part FFF of chapter 56 of the laws of 2022 providing for the administration of certain funds and accounts related to the 2022-2023 budget, is amended to read as follows:

§ 60. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2022; provided, however, that the provisions of sections one, one-a, two, three, four, five, six, seven, eight, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty[~~7~~] and twenty-two[~~, and twenty-three~~] of this act shall expire March 31, 2023 when upon such [~~date~~] dates the provisions of such sections shall be deemed repealed; provided, further, that the amendments to section 89-h of the state finance law made by section twenty-eight of this act shall not affect the repeal of such section and shall be deemed repealed therewith; and provided, further, that section twenty-eight-a of this act shall expire March 31, 2027.

§ 24. Subdivision 5 of section 183 of the military law, as amended by section 2 of part 0 of chapter 55 of the laws of 2018, is amended to read as follows:

5. All moneys paid as rent as provided in this section, together with all sums paid to cover expenses of heating and lighting, shall be transmitted by the officer in charge and control of the armory through the adjutant general to the state treasury for deposit to the [~~agencies enterprise fund~~] miscellaneous special revenue fund - 339 armory rental account.

§ 25. Subdivision 2 of section 92-cc of the state finance law, as amended by section 26 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

2. Such fund shall have a maximum balance not to exceed [~~fifteen~~] twenty per centum of the aggregate amount projected to be disbursed from the [~~general fund~~] state operating funds during [~~the fiscal year immediately following~~] the then-current fiscal year as estimated in the enacted budget financial plan. At the request of the director of the budget, the state comptroller shall transfer monies to the rainy day reserve fund up to and including an amount equivalent to [~~three~~] ten per centum of the aggregate amount projected to be disbursed from the [~~general fund~~] state operating funds during the then-current fiscal year as estimated in the enacted budget financial plan, unless such transfer would increase the rainy day reserve fund to an amount in excess of [~~fifteen~~] twenty per centum of the aggregate amount projected to be disbursed from the [~~general fund~~] state operating funds during the [~~fiscal year immediately following the~~] then-current fiscal year as estimated in the enacted budget financial plan, in which event such transfer shall be limited to such amount as will increase the rainy day reserve fund to such [~~fifteen~~] twenty per centum limitation.

§ 26. Notwithstanding any other law, rule, or regulation to the contrary, the state comptroller is hereby authorized and directed to use any balance remaining in the mental health services fund debt service appropriation, after payment by the state comptroller of all obligations required pursuant to any lease, sublease, or other financing arrangement between the dormitory authority of the state of New York as successor to the New York state medical care facilities finance agency, and the facilities development corporation pursuant to chapter 83 of the laws of 1995 and the department of mental hygiene for the purpose of making payments to the dormitory authority of the state of New York for the amount of the earnings for the investment of monies deposited in the

1 mental health services fund that such agency determines will or may have
2 to be rebated to the federal government pursuant to the provisions of
3 the internal revenue code of 1986, as amended, in order to enable such
4 agency to maintain the exemption from federal income taxation on the
5 interest paid to the holders of such agency's mental services facilities
6 improvement revenue bonds. Annually on or before each June 30th, such
7 agency shall certify to the state comptroller its determination of the
8 amounts received in the mental health services fund as a result of the
9 investment of monies deposited therein that will or may have to be
10 rebated to the federal government pursuant to the provisions of the
11 internal revenue code of 1986, as amended.

12 § 27. Subdivision 1 of section 16 of part D of chapter 389 of the laws
13 of 1997, relating to the financing of the correctional facilities
14 improvement fund and the youth facility improvement fund, as amended by
15 section 30 of part FFF of chapter 56 of the laws of 2022, is amended to
16 read as follows:

17 1. Subject to the provisions of chapter 59 of the laws of 2000, but
18 notwithstanding the provisions of section 18 of section 1 of chapter 174
19 of the laws of 1968, the New York state urban development corporation is
20 hereby authorized to issue bonds, notes and other obligations in an
21 aggregate principal amount not to exceed [~~nine billion five hundred two~~
22 ~~million seven hundred thirty-nine thousand dollars \$9,502,739,000~~] nine
23 billion eight hundred sixty-five million eight hundred fifty-nine thou-
24 sand dollars \$9,865,859,000, and shall include all bonds, notes and
25 other obligations issued pursuant to chapter 56 of the laws of 1983, as
26 amended or supplemented. The proceeds of such bonds, notes or other
27 obligations shall be paid to the state, for deposit in the correctional
28 facilities capital improvement fund to pay for all or any portion of the
29 amount or amounts paid by the state from appropriations or reappropri-
30 ations made to the department of corrections and community supervision
31 from the correctional facilities capital improvement fund for capital
32 projects. The aggregate amount of bonds, notes or other obligations
33 authorized to be issued pursuant to this section shall exclude bonds,
34 notes or other obligations issued to refund or otherwise repay bonds,
35 notes or other obligations theretofore issued, the proceeds of which
36 were paid to the state for all or a portion of the amounts expended by
37 the state from appropriations or reappropriations made to the department
38 of corrections and community supervision; provided, however, that upon
39 any such refunding or repayment the total aggregate principal amount of
40 outstanding bonds, notes or other obligations may be greater than [~~nine~~
41 ~~billion five hundred two million seven hundred thirty-nine thousand~~
42 ~~dollars \$9,502,739,000~~] nine billion eight hundred sixty-five million
43 eight hundred fifty-nine thousand dollars \$9,865,859,000, only if the
44 present value of the aggregate debt service of the refunding or repay-
45 ment bonds, notes or other obligations to be issued shall not exceed the
46 present value of the aggregate debt service of the bonds, notes or other
47 obligations so to be refunded or repaid. For the purposes hereof, the
48 present value of the aggregate debt service of the refunding or repay-
49 ment bonds, notes or other obligations and of the aggregate debt service
50 of the bonds, notes or other obligations so refunded or repaid, shall be
51 calculated by utilizing the effective interest rate of the refunding or
52 repayment bonds, notes or other obligations, which shall be that rate
53 arrived at by doubling the semi-annual interest rate (compounded semi-
54 annually) necessary to discount the debt service payments on the refund-
55 ing or repayment bonds, notes or other obligations from the payment
56 dates thereof to the date of issue of the refunding or repayment bonds,

1 notes or other obligations and to the price bid including estimated
2 accrued interest or proceeds received by the corporation including esti-
3 mated accrued interest from the sale thereof.

4 § 28. Subdivision (a) of section 27 of part Y of chapter 61 of the
5 laws of 2005, relating to providing for the administration of certain
6 funds and accounts related to the 2005-2006 budget, as amended by
7 section 31 of part FFF of chapter 56 of the laws of 2022, is amended to
8 read as follows:

9 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
10 notwithstanding any provisions of law to the contrary, the urban devel-
11 opment corporation is hereby authorized to issue bonds or notes in one
12 or more series in an aggregate principal amount not to exceed [~~four~~
13 ~~hundred twenty-six million one hundred thousand dollars \$426,100,000~~]
14 five hundred thirty-eight million one hundred thousand dollars
15 \$538,100,000, excluding bonds issued to finance one or more debt service
16 reserve funds, to pay costs of issuance of such bonds, and bonds or
17 notes issued to refund or otherwise repay such bonds or notes previously
18 issued, for the purpose of financing capital projects including IT
19 initiatives for the division of state police, debt service and leases;
20 and to reimburse the state general fund for disbursements made therefor.
21 Such bonds and notes of such authorized issuer shall not be a debt of
22 the state, and the state shall not be liable thereon, nor shall they be
23 payable out of any funds other than those appropriated by the state to
24 such authorized issuer for debt service and related expenses pursuant to
25 any service contract executed pursuant to subdivision (b) of this
26 section and such bonds and notes shall contain on the face thereof a
27 statement to such effect. Except for purposes of complying with the
28 internal revenue code, any interest income earned on bond proceeds shall
29 only be used to pay debt service on such bonds.

30 § 29. Subdivision 3 of section 1285-p of the public authorities law,
31 as amended by section 32 of part FFF of chapter 56 of the laws of 2022,
32 is amended to read as follows:

33 3. The maximum amount of bonds that may be issued for the purpose of
34 financing environmental infrastructure projects authorized by this
35 section shall be [~~eight billion one hundred seventy-one million one~~
36 ~~hundred ten thousand dollars \$8,171,110,000~~] nine billion three hundred
37 eight million two hundred ten thousand dollars \$9,308,210,000, exclusive
38 of bonds issued to fund any debt service reserve funds, pay costs of
39 issuance of such bonds, and bonds or notes issued to refund or otherwise
40 repay bonds or notes previously issued. Such bonds and notes of the
41 corporation shall not be a debt of the state, and the state shall not be
42 liable thereon, nor shall they be payable out of any funds other than
43 those appropriated by the state to the corporation for debt service and
44 related expenses pursuant to any service contracts executed pursuant to
45 subdivision one of this section, and such bonds and notes shall contain
46 on the face thereof a statement to such effect.

47 § 30. Subdivision (a) of section 48 of part K of chapter 81 of the
48 laws of 2002, relating to providing for the administration of certain
49 funds and accounts related to the 2002-2003 budget, as amended by
50 section 33 of part FFF of chapter 56 of the laws of 2022, is amended to
51 read as follows:

52 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
53 notwithstanding the provisions of section 18 of the urban development
54 corporation act, the corporation is hereby authorized to issue bonds or
55 notes in one or more series in an aggregate principal amount not to
56 exceed [~~three hundred eighty-three million five hundred thousand dollars~~

1 ~~\$383,500,000~~ four hundred seventy-six million five hundred thousand
2 dollars \$476,500,000, excluding bonds issued to fund one or more debt
3 service reserve funds, to pay costs of issuance of such bonds, and bonds
4 or notes issued to refund or otherwise repay such bonds or notes previ-
5 ously issued, for the purpose of financing capital costs related to
6 homeland security and training facilities for the division of state
7 police, the division of military and naval affairs, and any other state
8 agency, including the reimbursement of any disbursements made from the
9 state capital projects fund, and is hereby authorized to issue bonds or
10 notes in one or more series in an aggregate principal amount not to
11 exceed ~~[one billion six hundred four million nine hundred eighty-six~~
12 ~~thousand dollars \$1,604,986,000]~~ one billion seven hundred ten million
13 eighty-six thousand dollars \$1,710,086,000, excluding bonds issued to
14 fund one or more debt service reserve funds, to pay costs of issuance of
15 such bonds, and bonds or notes issued to refund or otherwise repay such
16 bonds or notes previously issued, for the purpose of financing improve-
17 ments to State office buildings and other facilities located statewide,
18 including the reimbursement of any disbursements made from the state
19 capital projects fund. Such bonds and notes of the corporation shall not
20 be a debt of the state, and the state shall not be liable thereon, nor
21 shall they be payable out of any funds other than those appropriated by
22 the state to the corporation for debt service and related expenses
23 pursuant to any service contracts executed pursuant to subdivision (b)
24 of this section, and such bonds and notes shall contain on the face
25 thereof a statement to such effect.

26 § 31. Paragraph (c) of subdivision 19 of section 1680 of the public
27 authorities law, as amended by section 34 of part FFF of chapter 56 of
28 the laws of 2022, is amended to read as follows:

29 (c) Subject to the provisions of chapter fifty-nine of the laws of two
30 thousand, the dormitory authority shall not issue any bonds for state
31 university educational facilities purposes if the principal amount of
32 bonds to be issued when added to the aggregate principal amount of bonds
33 issued by the dormitory authority on and after July first, nineteen
34 hundred eighty-eight for state university educational facilities will
35 exceed ~~[sixteen billion six hundred eleven million five hundred sixty-~~
36 ~~four thousand dollars \$16,611,564,000]~~ seventeen billion nine hundred
37 thirty-seven million five hundred sixty-four thousand dollars
38 \$17,937,564,000; provided, however, that bonds issued or to be issued
39 shall be excluded from such limitation if: (1) such bonds are issued to
40 refund state university construction bonds and state university
41 construction notes previously issued by the housing finance agency; or
42 (2) such bonds are issued to refund bonds of the authority or other
43 obligations issued for state university educational facilities purposes
44 and the present value of the aggregate debt service on the refunding
45 bonds does not exceed the present value of the aggregate debt service on
46 the bonds refunded thereby; provided, further that upon certification by
47 the director of the budget that the issuance of refunding bonds or other
48 obligations issued between April first, nineteen hundred ninety-two and
49 March thirty-first, nineteen hundred ninety-three will generate long
50 term economic benefits to the state, as assessed on a present value
51 basis, such issuance will be deemed to have met the present value test
52 noted above. For purposes of this subdivision, the present value of the
53 aggregate debt service of the refunding bonds and the aggregate debt
54 service of the bonds refunded, shall be calculated by utilizing the true
55 interest cost of the refunding bonds, which shall be that rate arrived
56 at by doubling the semi-annual interest rate (compounded semi-annually)

1 necessary to discount the debt service payments on the refunding bonds
2 from the payment dates thereof to the date of issue of the refunding
3 bonds to the purchase price of the refunding bonds, including interest
4 accrued thereon prior to the issuance thereof. The maturity of such
5 bonds, other than bonds issued to refund outstanding bonds, shall not
6 exceed the weighted average economic life, as certified by the state
7 university construction fund, of the facilities in connection with which
8 the bonds are issued, and in any case not later than the earlier of
9 thirty years or the expiration of the term of any lease, sublease or
10 other agreement relating thereto; provided that no note, including
11 renewals thereof, shall mature later than five years after the date of
12 issuance of such note. The legislature reserves the right to amend or
13 repeal such limit, and the state of New York, the dormitory authority,
14 the state university of New York, and the state university construction
15 fund are prohibited from covenanting or making any other agreements with
16 or for the benefit of bondholders which might in any way affect such
17 right.

18 § 32. Paragraph (c) of subdivision 14 of section 1680 of the public
19 authorities law, as amended by section 35 of part FFF of chapter 56 of
20 the laws of 2022, is amended to read as follows:

21 (c) Subject to the provisions of chapter fifty-nine of the laws of two
22 thousand, (i) the dormitory authority shall not deliver a series of
23 bonds for city university community college facilities, except to refund
24 or to be substituted for or in lieu of other bonds in relation to city
25 university community college facilities pursuant to a resolution of the
26 dormitory authority adopted before July first, nineteen hundred eighty-
27 five or any resolution supplemental thereto, if the principal amount of
28 bonds so to be issued when added to all principal amounts of bonds
29 previously issued by the dormitory authority for city university commu-
30 nity college facilities, except to refund or to be substituted in lieu
31 of other bonds in relation to city university community college facili-
32 ties will exceed the sum of four hundred twenty-five million dollars and
33 (ii) the dormitory authority shall not deliver a series of bonds issued
34 for city university facilities, including community college facilities,
35 pursuant to a resolution of the dormitory authority adopted on or after
36 July first, nineteen hundred eighty-five, except to refund or to be
37 substituted for or in lieu of other bonds in relation to city university
38 facilities and except for bonds issued pursuant to a resolution supple-
39 mental to a resolution of the dormitory authority adopted prior to July
40 first, nineteen hundred eighty-five, if the principal amount of bonds so
41 to be issued when added to the principal amount of bonds previously
42 issued pursuant to any such resolution, except bonds issued to refund or
43 to be substituted for or in lieu of other bonds in relation to city
44 university facilities, will exceed [~~ten billion two hundred fifty-four~~
45 ~~million six hundred eighty-six thousand dollars \$10,254,686,000~~] ten
46 billion eight hundred seventy million six hundred fifty-two thousand
47 dollars \$10,870,652,000. The legislature reserves the right to amend or
48 repeal such limit, and the state of New York, the dormitory authority,
49 the city university, and the fund are prohibited from covenanting or
50 making any other agreements with or for the benefit of bondholders which
51 might in any way affect such right.

52 § 33. Subdivision 10-a of section 1680 of the public authorities law,
53 as amended by section 36 of part FFF of chapter 56 of the laws of 2022,
54 is amended to read as follows:

55 10-a. Subject to the provisions of chapter fifty-nine of the laws of
56 two thousand, but notwithstanding any other provision of the law to the

contrary, the maximum amount of bonds and notes to be issued after March thirty-first, two thousand two, on behalf of the state, in relation to any locally sponsored community college, shall be [~~one billion one hundred twenty-three million one hundred forty thousand dollars \$1,123,140,000~~] one billion two hundred twenty-seven million ninety-five thousand dollars \$1,227,095,000. Such amount shall be exclusive of bonds and notes issued to fund any reserve fund or funds, costs of issuance and to refund any outstanding bonds and notes, issued on behalf of the state, relating to a locally sponsored community college.

§ 34. Subdivision 1 of section 17 of part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, as amended by section 37 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed [~~nine hundred sixty-two million seven hundred fifteen thousand dollars \$962,715,000~~] one billion fourteen million seven hundred thirty-five thousand dollars \$1,014,735,000, which authorization increases the aggregate principal amount of bonds, notes and other obligations authorized by section 40 of chapter 309 of the laws of 1996, and shall include all bonds, notes and other obligations issued pursuant to chapter 211 of the laws of 1990, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the youth facilities improvement fund or the capital projects fund, to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the office of children and family services from the youth facilities improvement fund for capital projects. The aggregate amount of bonds, notes and other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the office of children and family services; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than [~~nine hundred sixty-two million seven hundred fifteen thousand dollars \$962,715,000~~] one billion fourteen million seven hundred thirty-five thousand dollars \$1,014,735,000, only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid includ-

ing estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

§ 35. Paragraph b of subdivision 2 of section 9-a of section 1 of chapter 392 of the laws of 1973, constituting the New York state medical care facilities finance agency act, as amended by section 38 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

b. The agency shall have power and is hereby authorized from time to time to issue negotiable bonds and notes in conformity with applicable provisions of the uniform commercial code in such principal amount as, in the opinion of the agency, shall be necessary, after taking into account other moneys which may be available for the purpose, to provide sufficient funds to the facilities development corporation, or any successor agency, for the financing or refinancing of or for the design, construction, acquisition, reconstruction, rehabilitation or improvement of mental health services facilities pursuant to paragraph a of this subdivision, the payment of interest on mental health services improvement bonds and mental health services improvement notes issued for such purposes, the establishment of reserves to secure such bonds and notes, the cost or premium of bond insurance or the costs of any financial mechanisms which may be used to reduce the debt service that would be payable by the agency on its mental health services facilities improvement bonds and notes and all other expenditures of the agency incident to and necessary or convenient to providing the facilities development corporation, or any successor agency, with funds for the financing or refinancing of or for any such design, construction, acquisition, reconstruction, rehabilitation or improvement and for the refunding of mental hygiene improvement bonds issued pursuant to section 47-b of the private housing finance law; provided, however, that the agency shall not issue mental health services facilities improvement bonds and mental health services facilities improvement notes in an aggregate principal amount exceeding [~~ten billion nine hundred forty-two million eight hundred thirty-three thousand dollars \$10,942,833,000~~] twelve billion four hundred nine million one hundred fifty-seven thousand dollars \$12,409,157,000, excluding mental health services facilities improvement bonds and mental health services facilities improvement notes issued to refund outstanding mental health services facilities improvement bonds and mental health services facilities improvement notes; provided, however, that upon any such refunding or repayment of mental health services facilities improvement bonds and/or mental health services facilities improvement notes the total aggregate principal amount of outstanding mental health services facilities improvement bonds and mental health facilities improvement notes may be greater than [~~ten billion nine hundred forty-two million eight hundred thirty-three thousand dollars \$10,942,833,000~~] twelve million four hundred nine million one hundred fifty-seven thousand dollars \$12,409,157,000, only if, except as hereinafter provided with respect to mental health services facilities bonds and mental health services facilities notes issued to refund mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law, the present value of the aggregate debt service of the refunding or repayment bonds to be issued shall not exceed the present value of the aggregate debt service of the bonds to be refunded or repaid. For purposes hereof, the present values of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective

1 interest rate of the refunding or repayment bonds, notes or other obli-
2 gations, which shall be that rate arrived at by doubling the semi-annual
3 interest rate (compounded semi-annually) necessary to discount the debt
4 service payments on the refunding or repayment bonds, notes or other
5 obligations from the payment dates thereof to the date of issue of the
6 refunding or repayment bonds, notes or other obligations and to the
7 price bid including estimated accrued interest or proceeds received by
8 the authority including estimated accrued interest from the sale there-
9 of. Such bonds, other than bonds issued to refund outstanding bonds,
10 shall be scheduled to mature over a term not to exceed the average
11 useful life, as certified by the facilities development corporation, of
12 the projects for which the bonds are issued, and in any case shall not
13 exceed thirty years and the maximum maturity of notes or any renewals
14 thereof shall not exceed five years from the date of the original issue
15 of such notes. Notwithstanding the provisions of this section, the agen-
16 cy shall have the power and is hereby authorized to issue mental health
17 services facilities improvement bonds and/or mental health services
18 facilities improvement notes to refund outstanding mental hygiene
19 improvement bonds authorized to be issued pursuant to the provisions of
20 section 47-b of the private housing finance law and the amount of bonds
21 issued or outstanding for such purposes shall not be included for
22 purposes of determining the amount of bonds issued pursuant to this
23 section. The director of the budget shall allocate the aggregate princi-
24 pal authorized to be issued by the agency among the office of mental
25 health, office for people with developmental disabilities, and the
26 office of addiction services and supports, in consultation with their
27 respective commissioners to finance bondable appropriations previously
28 approved by the legislature.

29 § 36. Subdivision (a) of section 28 of part Y of chapter 61 of the
30 laws of 2005, relating to providing for the administration of certain
31 funds and accounts related to the 2005-2006 budget, as amended by
32 section 39 of part FFF of chapter 56 of the laws of 2022, is amended to
33 read as follows:

34 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
35 notwithstanding any provisions of law to the contrary, one or more
36 authorized issuers as defined by section 68-a of the state finance law
37 are hereby authorized to issue bonds or notes in one or more series in
38 an aggregate principal amount not to exceed [~~one hundred ninety-seven~~
39 ~~million dollars \$197,000,000~~] two hundred forty-seven million dollars
40 \$247,000,000, excluding bonds issued to finance one or more debt service
41 reserve funds, to pay costs of issuance of such bonds, and bonds or
42 notes issued to refund or otherwise repay such bonds or notes previously
43 issued, for the purpose of financing capital projects for public
44 protection facilities in the Division of Military and Naval Affairs,
45 debt service and leases; and to reimburse the state general fund for
46 disbursements made therefor. Such bonds and notes of such authorized
47 issuer shall not be a debt of the state, and the state shall not be
48 liable thereon, nor shall they be payable out of any funds other than
49 those appropriated by the state to such authorized issuer for debt
50 service and related expenses pursuant to any service contract executed
51 pursuant to subdivision (b) of this section and such bonds and notes
52 shall contain on the face thereof a statement to such effect. Except for
53 purposes of complying with the internal revenue code, any interest
54 income earned on bond proceeds shall only be used to pay debt service on
55 such bonds.

§ 37. Section 53 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 40 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

§ 53. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the acquisition of equipment, including but not limited to the creation or modernization of information technology systems and related research and development equipment, health and safety equipment, heavy equipment and machinery, the creation or improvement of security systems, and laboratory equipment and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~three hundred ninety-three million dollars \$393,000,000~~] four hundred ninety-three million dollars \$493,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

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

§ 38. Subdivision (b) of section 11 of chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the

1 establishment of the dedicated highway and bridge trust fund, as amended
2 by section 41 of part FFF of chapter 56 of the laws of 2022, is amended
3 to read as follows:

4 (b) Any service contract or contracts for projects authorized pursuant
5 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
6 14-k of the transportation law, and entered into pursuant to subdivision
7 (a) of this section, shall provide for state commitments to provide
8 annually to the thruway authority a sum or sums, upon such terms and
9 conditions as shall be deemed appropriate by the director of the budget,
10 to fund, or fund the debt service requirements of any bonds or any obli-
11 gations of the thruway authority issued to fund or to reimburse the
12 state for funding such projects having a cost not in excess of [~~thirteen~~
13 ~~billion fifty-three million eight hundred eighty-one thousand dollars~~
14 ~~\$13,053,881,000~~] thirteen billion eight hundred forty-seven million two
15 hundred thirty-four thousand dollars \$13,847,234,000 cumulatively by the
16 end of fiscal year [~~2022-23~~] 2023-24. For purposes of this subdivision,
17 such projects shall be deemed to include capital grants to cities, towns
18 and villages for the reimbursement of eligible capital costs of local
19 highway and bridge projects within such municipality, where allocations
20 to cities, towns and villages are based on the total number of New York
21 or United States or interstate signed touring route miles for which such
22 municipality has capital maintenance responsibility, and where such
23 eligible capital costs include the costs of construction and repair of
24 highways, bridges, highway-railroad crossings, and other transportation
25 facilities for projects with a service life of ten years or more.

26 § 39. Subdivision 1 of section 1689-i of the public authorities law,
27 as amended by section 42 of part FFF of chapter 56 of the laws of 2022,
28 is amended to read as follows:

29 1. The dormitory authority is authorized to issue bonds, at the
30 request of the commissioner of education, to finance eligible library
31 construction projects pursuant to section two hundred seventy-three-a of
32 the education law, in amounts certified by such commissioner not to
33 exceed a total principal amount of [~~three hundred thirty-three million~~
34 ~~dollars \$333,000,000~~] three hundred forty-seven million dollars
35 \$347,000,000.

36 § 40. Section 44 of section 1 of chapter 174 of the laws of 1968,
37 constituting the New York state urban development corporation act, as
38 amended by section 43 of part FFF of chapter 56 of the laws of 2022, is
39 amended to read as follows:

40 § 44. Issuance of certain bonds or notes. 1. Notwithstanding the
41 provisions of any other law to the contrary, the dormitory authority and
42 the corporation are hereby authorized to issue bonds or notes in one or
43 more series for the purpose of funding project costs for the regional
44 economic development council initiative, the economic transformation
45 program, state university of New York college for nanoscale and science
46 engineering, projects within the city of Buffalo or surrounding envi-
47 rons, the New York works economic development fund, projects for the
48 retention of professional football in western New York, the empire state
49 economic development fund, the clarkson-trudeau partnership, the New
50 York genome center, the cornell university college of veterinary medi-
51 cine, the olympic regional development authority, projects at nano
52 Utica, onondaga county revitalization projects, Binghamton university
53 school of pharmacy, New York power electronics manufacturing consortium,
54 regional infrastructure projects, high tech innovation and economic
55 development infrastructure program, high technology manufacturing
56 projects in Chautauqua and Erie county, an industrial scale research and

1 development facility in Clinton county, upstate revitalization initi-
2 ative projects, downstate revitalization initiative, market New York
3 projects, fairground buildings, equipment or facilities used to house
4 and promote agriculture, the state fair, the empire state trail, the
5 moynihan station development project, the Kingsbridge armory project,
6 strategic economic development projects, the cultural, arts and public
7 spaces fund, water infrastructure in the city of Auburn and town of
8 Owasco, a life sciences laboratory public health initiative, not-for-
9 profit pounds, shelters and humane societies, arts and cultural facili-
10 ties improvement program, restore New York's communities initiative,
11 heavy equipment, economic development and infrastructure projects,
12 Roosevelt Island operating corporation capital projects, Lake Ontario
13 regional projects, Pennsylvania station and other transit projects,
14 athletic facilities for professional football in Orchard Park, New York
15 and other state costs associated with such projects. The aggregate prin-
16 cipal amount of bonds authorized to be issued pursuant to this section
17 shall not exceed [~~fourteen billion nine hundred sixty-eight million four~~
18 ~~hundred two thousand dollars \$14,968,402,000~~] sixteen billion nine
19 hundred seventy-two million six hundred two thousand dollars
20 \$16,972,602,000, excluding bonds issued to fund one or more debt service
21 reserve funds, to pay costs of issuance of such bonds, and bonds or
22 notes issued to refund or otherwise repay such bonds or notes previously
23 issued. Such bonds and notes of the dormitory authority and the corpo-
24 ration shall not be a debt of the state, and the state shall not be
25 liable thereon, nor shall they be payable out of any funds other than
26 those appropriated by the state to the dormitory authority and the
27 corporation for principal, interest, and related expenses pursuant to a
28 service contract and such bonds and notes shall contain on the face
29 thereof a statement to such effect. Except for purposes of complying
30 with the internal revenue code, any interest income earned on bond
31 proceeds shall only be used to pay debt service on such bonds.

32 2. Notwithstanding any other provision of law to the contrary, in
33 order to assist the dormitory authority and the corporation in undertak-
34 ing the financing for project costs for the regional economic develop-
35 ment council initiative, the economic transformation program, state
36 university of New York college for nanoscale and science engineering,
37 projects within the city of Buffalo or surrounding environs, the New
38 York works economic development fund, projects for the retention of
39 professional football in western New York, the empire state economic
40 development fund, the clarkson-trudeau partnership, the New York genome
41 center, the cornell university college of veterinary medicine, the olym-
42 pic regional development authority, projects at nano Utica, onondaga
43 county revitalization projects, Binghamton university school of pharma-
44 cy, New York power electronics manufacturing consortium, regional
45 infrastructure projects, New York State Capital Assistance Program for
46 Transportation, infrastructure, and economic development, high tech
47 innovation and economic development infrastructure program, high tech-
48 nology manufacturing projects in Chautauqua and Erie county, an indus-
49 trial scale research and development facility in Clinton county, upstate
50 revitalization initiative projects, downstate revitalization initiative,
51 market New York projects, fairground buildings, equipment or facilities
52 used to house and promote agriculture, the state fair, the empire state
53 trail, the moynihan station development project, the Kingsbridge armory
54 project, strategic economic development projects, the cultural, arts and
55 public spaces fund, water infrastructure in the city of Auburn and town
56 of Owasco, a life sciences laboratory public health initiative, not-for-

1 profit pounds, shelters and humane societies, arts and cultural facili-
2 ties improvement program, restore New York's communities initiative,
3 heavy equipment, economic development and infrastructure projects,
4 Roosevelt Island operating corporation capital projects, Lake Ontario
5 regional projects, Pennsylvania station and other transit projects,
6 athletic facilities for professional football in Orchard Park, New York
7 and other state costs associated with such projects the director of the
8 budget is hereby authorized to enter into one or more service contracts
9 with the dormitory authority and the corporation, none of which shall
10 exceed thirty years in duration, upon such terms and conditions as the
11 director of the budget and the dormitory authority and the corporation
12 agree, so as to annually provide to the dormitory authority and the
13 corporation, in the aggregate, a sum not to exceed the principal, inter-
14 est, and related expenses required for such bonds and notes. Any service
15 contract entered into pursuant to this section shall provide that the
16 obligation of the state to pay the amount therein provided shall not
17 constitute a debt of the state within the meaning of any constitutional
18 or statutory provision and shall be deemed executory only to the extent
19 of monies available and that no liability shall be incurred by the state
20 beyond the monies available for such purpose, subject to annual appro-
21 priation by the legislature. Any such contract or any payments made or
22 to be made thereunder may be assigned and pledged by the dormitory
23 authority and the corporation as security for its bonds and notes, as
24 authorized by this section.

25 § 41. Subdivision 1 of section 386-b of the public authorities law, as
26 amended by section 44 of part FFF of chapter 56 of the laws of 2022, is
27 amended to read as follows:

28 1. Notwithstanding any other provision of law to the contrary, the
29 authority, the dormitory authority and the urban development corporation
30 are hereby authorized to issue bonds or notes in one or more series for
31 the purpose of financing peace bridge projects and capital costs of
32 state and local highways, parkways, bridges, the New York state thruway,
33 Indian reservation roads, and facilities, and transportation infrastruc-
34 ture projects including aviation projects, non-MTA mass transit
35 projects, and rail service preservation projects, including work appur-
36 tenant and ancillary thereto. The aggregate principal amount of bonds
37 authorized to be issued pursuant to this section shall not exceed [~~ten~~
38 ~~billion one hundred forty seven million eight hundred sixty three thou-~~
39 ~~sand dollars \$10,147,863,000]~~ twelve billion three hundred eight million
40 three hundred eleven thousand dollars \$12,308,311,000, excluding bonds
41 issued to fund one or more debt service reserve funds, to pay costs of
42 issuance of such bonds, and to refund or otherwise repay such bonds or
43 notes previously issued. Such bonds and notes of the authority, the
44 dormitory authority and the urban development corporation shall not be a
45 debt of the state, and the state shall not be liable thereon, nor shall
46 they be payable out of any funds other than those appropriated by the
47 state to the authority, the dormitory authority and the urban develop-
48 ment corporation for principal, interest, and related expenses pursuant
49 to a service contract and such bonds and notes shall contain on the face
50 thereof a statement to such effect. Except for purposes of complying
51 with the internal revenue code, any interest income earned on bond
52 proceeds shall only be used to pay debt service on such bonds.

53 § 42. Paragraph (a) of subdivision 2 of section 47-e of the private
54 housing finance law, as amended by section 45 of part FFF of chapter 56
55 of the laws of 2022, is amended to read as follows:

(a) Subject to the provisions of chapter fifty-nine of the laws of two thousand, in order to enhance and encourage the promotion of housing programs and thereby achieve the stated purposes and objectives of such housing programs, the agency shall have the power and is hereby authorized from time to time to issue negotiable housing program bonds and notes in such principal amount as shall be necessary to provide sufficient funds for the repayment of amounts disbursed (and not previously reimbursed) pursuant to law or any prior year making capital appropriations or reappropriations for the purposes of the housing program; provided, however, that the agency may issue such bonds and notes in an aggregate principal amount not exceeding [~~thirteen billion eighty-two million eight hundred ninety-one thousand dollars \$13,082,891,000~~] thirteen billion seven hundred million seven hundred five thousand dollars \$13,700,705,000, plus a principal amount of bonds issued to fund the debt service reserve fund in accordance with the debt service reserve fund requirement established by the agency and to fund any other reserves that the agency reasonably deems necessary for the security or marketability of such bonds and to provide for the payment of fees and other charges and expenses, including underwriters' discount, trustee and rating agency fees, bond insurance, credit enhancement and liquidity enhancement related to the issuance of such bonds and notes. No reserve fund securing the housing program bonds shall be entitled or eligible to receive state funds apportioned or appropriated to maintain or restore such reserve fund at or to a particular level, except to the extent of any deficiency resulting directly or indirectly from a failure of the state to appropriate or pay the agreed amount under any of the contracts provided for in subdivision four of this section.

§ 43. Subdivision 1 of section 50 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 46 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs undertaken by or on behalf of the state education department, special act school districts, state-supported schools for the blind and deaf, approved private special education schools, non-public schools, community centers, day care facilities, residential camps, day camps, Native American Indian Nation schools, and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~three hundred one million seven hundred thousand dollars \$301,700,000~~] three hundred twenty-one million seven hundred ninety-nine thousand dollars \$321,799,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 44. Subdivision 1 of section 47 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 47 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the office of information technology services, department of law, and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~one billion one hundred fifty-two million five hundred sixty-six thousand dollars \$1,152,566,000~~] one billion two hundred eighty-eight million eight hundred fifty-two thousand dollars \$1,288,852,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

§ 45. Paragraph (b) of subdivision 1 of section 385 of the public authorities law, as amended by section 48 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

(b) The authority is hereby authorized, as additional corporate purposes thereof solely upon the request of the director of the budget:

(i) to issue special emergency highway and bridge trust fund bonds and notes for a term not to exceed thirty years and to incur obligations secured by the moneys appropriated from the dedicated highway and bridge trust fund established in section eighty-nine-b of the state finance law; (ii) to make available the proceeds in accordance with instructions provided by the director of the budget from the sale of such special emergency highway and bridge trust fund bonds, notes or other obligations, net of all costs to the authority in connection therewith, for the purposes of financing all or a portion of the costs of activities for which moneys in the dedicated highway and bridge trust fund established in section eighty-nine-b of the state finance law are authorized to be utilized or for the financing of disbursements made by the state for the activities authorized pursuant to section eighty-nine-b of the state finance law; and (iii) to enter into agreements with the commissioner of transportation pursuant to section ten-e of the highway law with respect to financing for any activities authorized pursuant to section eighty-nine-b of the state finance law, or agreements with the commissioner of transportation pursuant to sections ten-f and ten-g of the highway law in connection with activities on state highways pursuant to these sections, and (iv) to enter into service contracts, contracts, agreements, deeds and leases with the director of the budget or the commissioner of transportation and project sponsors and others to provide for the financing by the authority of activities authorized pursuant to section eighty-nine-b of the state finance law, and each of the director of the budget and the commissioner of transportation are

1 hereby authorized to enter into service contracts, contracts, agree-
2 ments, deeds and leases with the authority, project sponsors or others
3 to provide for such financing. The authority shall not issue any bonds
4 or notes in an amount in excess of [~~nineteen billion seven hundred~~
5 ~~seventy-six million nine hundred twenty thousand dollars~~
6 ~~\$19,776,920,000~~] twenty billion six hundred forty-eight million five
7 hundred seven thousand dollars \$20,648,507,000, plus a principal amount
8 of bonds or notes: (A) to fund capital reserve funds; (B) to provide
9 capitalized interest; and, (C) to fund other costs of issuance. In
10 computing for the purposes of this subdivision, the aggregate amount of
11 indebtedness evidenced by bonds and notes of the authority issued pursu-
12 ant to this section, as amended by a chapter of the laws of nineteen
13 hundred ninety-six, there shall be excluded the amount of bonds or notes
14 issued that would constitute interest under the United States Internal
15 Revenue Code of 1986, as amended, and the amount of indebtedness issued
16 to refund or otherwise repay bonds or notes.

17 § 46. Subdivision 1 of section 1680-r of the public authorities law,
18 as amended by section 50 of part FFF of chapter 56 of the laws of 2022,
19 is amended to read as follows:

20 1. Notwithstanding the provisions of any other law to the contrary,
21 the dormitory authority and the urban development corporation are hereby
22 authorized to issue bonds or notes in one or more series for the purpose
23 of funding project costs for the capital restructuring financing program
24 for health care and related facilities licensed pursuant to the public
25 health law or the mental hygiene law and other state costs associated
26 with such capital projects, the health care facility transformation
27 programs, the essential health care provider program, and other health
28 care capital project costs. The aggregate principal amount of bonds
29 authorized to be issued pursuant to this section shall not exceed [~~four~~
30 ~~billion six hundred fifty-three million dollars \$4,653,000,000~~] five
31 billion one hundred fifty-three million dollars \$5,153,000,000, exclud-
32 ing bonds issued to fund one or more debt service reserve funds, to pay
33 costs of issuance of such bonds, and bonds or notes issued to refund or
34 otherwise repay such bonds or notes previously issued. Such bonds and
35 notes of the dormitory authority and the urban development corporation
36 shall not be a debt of the state, and the state shall not be liable
37 thereon, nor shall they be payable out of any funds other than those
38 appropriated by the state to the dormitory authority and the urban
39 development corporation for principal, interest, and related expenses
40 pursuant to a service contract and such bonds and notes shall contain on
41 the face thereof a statement to such effect. Except for purposes of
42 complying with the internal revenue code, any interest income earned on
43 bond proceeds shall only be used to pay debt service on such bonds.

44 § 47. Subdivision 1 of section 1680-k of the public authorities law,
45 as amended by section 51 of part FFF of chapter 56 of the laws of 2022,
46 is amended to read as follows:

47 1. Subject to the provisions of chapter fifty-nine of the laws of two
48 thousand, but notwithstanding any provisions of law to the contrary, the
49 dormitory authority is hereby authorized to issue bonds or notes in one
50 or more series in an aggregate principal amount not to exceed [~~forty~~
51 ~~million eight hundred thirty thousand dollars (\$40,830,000)~~] forty
52 million nine hundred forty-five thousand dollars \$40,945,000, excluding
53 bonds issued to finance one or more debt service reserve funds, to pay
54 costs of issuance of such bonds, and bonds or notes issued to refund or
55 otherwise repay such bonds or notes previously issued, for the purpose
56 of financing the construction of the New York state agriculture and

1 markets food laboratory. Eligible project costs may include, but not be
2 limited to the cost of design, financing, site investigations, site
3 acquisition and preparation, demolition, construction, rehabilitation,
4 acquisition of machinery and equipment, and infrastructure improvements.
5 Such bonds and notes of such authorized issuers shall not be a debt of
6 the state, and the state shall not be liable thereon, nor shall they be
7 payable out of any funds other than those appropriated by the state to
8 such authorized issuers for debt service and related expenses pursuant
9 to any service contract executed pursuant to subdivision two of this
10 section and such bonds and notes shall contain on the face thereof a
11 statement to such effect. Except for purposes of complying with the
12 internal revenue code, any interest income earned on bond proceeds shall
13 only be used to pay debt service on such bonds.

14 § 48. Paragraph (b) of subdivision 1 of section 54-b of section 1 of
15 chapter 174 of the laws of 1968, constituting the New York state urban
16 development corporation act, as added by section 54 of part FFF of chap-
17 ter 56 of the laws of 2022, is amended to read as follows:

18 (b) Notwithstanding any other provision of law to the contrary,
19 including, specifically, the provisions of chapter 59 of the laws of
20 2000 and section sixty-seven-b of the state finance law, the dormitory
21 authority of the state of New York and the corporation are hereby
22 authorized to issue personal income tax revenue anticipation notes with
23 a maturity no later than March 31, ~~2023~~ 2024, in one or more series in
24 an aggregate principal amount for each fiscal year not to exceed three
25 billion dollars, and to pay costs of issuance of such notes, for the
26 purpose of temporarily financing budgetary needs of the state. Such
27 purpose shall constitute an authorized purpose under subdivision two of
28 section sixty-eight-a of the state finance law for all purposes of arti-
29 cle five-C of the state finance law with respect to the notes authorized
30 by this paragraph. Such notes shall not be renewed, extended or
31 refunded. For so long as any notes authorized by this paragraph shall be
32 outstanding, the restrictions, limitations and requirements contained in
33 article five-B of the state finance law shall not apply.

34 § 49. Paragraph (c) of subdivision 1 of section 55-b of section 1 of
35 chapter 174 of the laws of 1968, constituting the New York state urban
36 development corporation act, as added by section 55 of part FFF of chap-
37 ter 56 of the laws of 2022, is amended to read as follows:

38 (c) Notwithstanding any other provision of law to the contrary,
39 including, specifically, the provisions of chapter 59 of the laws of
40 2000 and section 67-b of the state finance law, the dormitory authority
41 of the state of New York and the urban development corporation are
42 authorized until March 31, ~~2023~~ 2024 to: (i) enter into one or more
43 line of credit facilities not in excess of two billion dollars in aggre-
44 gate principal amount; (ii) draw, at one or more times at the direction
45 of the director of the budget, upon such line of credit facilities and
46 provide to the state the amounts so drawn for the purpose of assisting
47 the state to temporarily finance its budgetary needs; provided, however,
48 that the total principal amounts of such draws for each fiscal year
49 shall not exceed two billion dollars; and (iii) secure repayment of all
50 draws under such line of credit facilities and the payment of related
51 expenses and fees, which repayment and payment obligations shall not
52 constitute a debt of the state within the meaning of any constitutional
53 or statutory provision and shall be deemed executory only to the extent
54 moneys are available and that no liability shall be incurred by the
55 state beyond the moneys available for such purpose, and that such
56 payment obligation is subject to annual appropriation by the legisla-

ture. Any line of credit facility agreements entered into by the dormitory authority of the state of New York and/or the urban development corporation with financial institutions pursuant to this section may contain such provisions that the dormitory authority of the state of New York and/or the urban development corporation deem necessary or desirable for the establishment of such credit facilities. The maximum term of any line of credit facility shall be one year from the date of incurrence; provided however that no draw on any such line of credit facility shall occur after March 31, ~~2023~~ 2024, and provided further that any such line of credit facility whose term extends beyond March 31, ~~2023~~ 2024 shall be supported by sufficient appropriation authority enacted by the legislature that provides for the repayment of all amounts drawn and remaining unpaid as of March 31, ~~2023~~ 2024, as well as the payment of related expenses and fees incurred and to become due and payable by the dormitory authority of the state of New York and/or the urban development corporation.

§ 50. Subdivision 2 of section 58 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as added by section 56 of part FFF of chapter 56 of the laws of 2022, is amended to read as follows:

2. Definitions. When used in this section:

(a) "Commission" shall mean the gateway development commission, a bi-state commission and a body corporate and politic established by the state of New Jersey and the state of New York, acting in the public interest and exercising essential governmental functions in accordance with the Gateway development commission act, and any successor thereto.

(b) "Federal transportation loan" shall mean one or more loans made to the commission to finance the Hudson tunnel project under or pursuant to any U.S. Department of Transportation program or act, including but not limited to the Railroad Rehabilitation & Improvement Financing Program or the Transportation Infrastructure Finance and Innovation Act, which loan or loans are related to the state capital commitment.

(c) "Gateway development commission act" shall mean chapter 108 of the laws of New York, 2019, as amended.

(d) "Gateway project" shall mean the Hudson tunnel project.

(e) "Hudson tunnel project" shall mean the project consisting of construction of a tunnel connecting the states of New York and New Jersey and the completion of certain ancillary facilities including construction of concrete casing at Hudson Yards in Manhattan, New York and the rehabilitation of the existing North River Tunnels.

(f) "State capital commitment" shall mean an aggregate principal amount not to exceed ~~[\$2,350,000,000]~~ \$2,850,000,000, plus any interest costs, including capitalized interest, and related expenses and fees payable by the state of New York to the commission under one or more service contracts or other agreements pursuant to this section, as well as any expenses of the state incurred in connection therewith.

(g) "Related expenses and fees" shall mean commitment fees and other ancillary costs, expenses and fees incurred, and to become due and payable, by the commission in connection with the Federal transportation loan.

§ 51. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2024 the following amounts from the following special revenue accounts or enterprise funds to the general fund, for the purposes of offsetting principal and interest costs, incurred by the state pursuant to section fifty-three of this act,

1 provided that the annual amount of the transfer shall be no more than
2 the principal and interest that would have otherwise been due to the
3 power authority of the state of New York, from any state agency, in a
4 given state fiscal year. Amounts pertaining to special revenue accounts
5 assigned to the state university of New York shall be considered inter-
6 changeable between the designated special revenue accounts as to meet
7 the requirements of this section and section fifty-three of this act:

8 1. \$15,000,000 from the miscellaneous special revenue fund, state
9 university general income reimbursable account (22653).

10 2. \$5,000,000 from the miscellaneous special revenue fund, state
11 university dormitory income reimbursable account (21937).

12 3. \$5,000,000 from the enterprise fund, city university senior college
13 operating fund (60851).

14 § 52. Section 59 of section 1 of chapter 174 of the laws of 1968,
15 constituting the New York state urban development corporation act, as
16 added by section 59 of part FFF of chapter 56 of the laws of 2022, is
17 amended to read as follows:

18 § 59. The dormitory authority of the state of New York, the New York
19 state urban development corporation, and the New York state thruway
20 authority are hereby authorized to issue bonds in one or more series
21 under either article 5-C or article 5-F of the state finance law for the
22 purpose of refunding obligations of the power authority of the state of
23 New York to fund energy efficiency projects at state agencies including,
24 but not limited to, the state university of New York, city university of
25 New York, the New York state office of general services, New York state
26 office of mental health, state education department, and New York state
27 department of agriculture and markets. The aggregate principal amount
28 of bonds authorized to be issued pursuant to this section shall not
29 exceed [~~two hundred million dollars (\$200,000,000)~~] four hundred seven-
30 ty-five million dollars (\$475,000,000), excluding bonds issued to pay
31 costs of issuance of such bonds and to refund or otherwise repay such
32 bonds. Such bonds issued by the dormitory authority of the state of New
33 York, the New York state urban development corporation, and New York
34 state thruway authority shall not be a debt of the state, and the state
35 shall not be liable thereon, nor shall they be payable out of any funds
36 other than those appropriated by the state under article 5-C or article
37 5-F of the state finance law, as applicable.

38 § 53. Subdivision 1 of section 386-a of the public authorities law, as
39 amended by section 49 of part FFF of chapter 56 of the laws of 2022, is
40 amended to read as follows:

41 1. Notwithstanding any other provision of law to the contrary, the
42 authority, the dormitory authority and the urban development corporation
43 are hereby authorized to issue bonds or notes in one or more series for
44 the purpose of assisting the metropolitan transportation authority in
45 the financing of transportation facilities as defined in subdivision
46 seventeen of section twelve hundred sixty-one of this chapter or other
47 capital projects. The aggregate principal amount of bonds authorized to
48 be issued pursuant to this section shall not exceed twelve billion five
49 hundred fifteen million eight hundred fifty-six thousand dollars
50 \$12,515,856,000, excluding bonds issued to fund one or more debt service
51 reserve funds, to pay costs of issuance of such bonds, and to refund or
52 otherwise repay such bonds or notes previously issued. Such bonds and
53 notes of the authority, the dormitory authority and the urban develop-
54 ment corporation shall not be a debt of the state, and the state shall
55 not be liable thereon, nor shall they be payable out of any funds other
56 than those appropriated by the state to the authority, the dormitory

1 authority and the urban development corporation for principal, interest,
2 and related expenses pursuant to a service contract and such bonds and
3 notes shall contain on the face thereof a statement to such effect.
4 Except for purposes of complying with the internal revenue code, any
5 interest income earned on bond proceeds shall only be used to pay debt
6 service on such bonds. Notwithstanding any other provision of law to
7 the contrary, including the limitations contained in subdivision four of
8 section sixty-seven-b of the state finance law, (A) any bonds and notes
9 issued prior to April first, two thousand ~~twenty-three~~ twenty-four
10 pursuant to this section may be issued with a maximum maturity of fifty
11 years, and (B) any bonds issued to refund such bonds and notes may be
12 issued with a maximum maturity of fifty years from the respective date
13 of original issuance of such bonds and notes.

14 § 54. Paragraph (b) of subdivision 4 of section 72 of the state
15 finance law, as amended by section 46 of part JJ of chapter 56 of the
16 laws of 2020, is amended to read as follows:

17 (b) On or before the beginning of each quarter, the director of the
18 budget may certify to the state comptroller the estimated amount of
19 monies that shall be reserved in the general debt service fund for the
20 payment of debt service and related expenses payable by such fund during
21 each month of the state fiscal year, excluding payments due from the
22 revenue bond tax fund. Such certificate may be periodically updated, as
23 necessary. Notwithstanding any provision of law to the contrary, the
24 state comptroller shall reserve in the general debt service fund the
25 amount of monies identified on such certificate as necessary for the
26 payment of debt service and related expenses during the current or next
27 succeeding quarter of the state fiscal year. Such monies reserved shall
28 not be available for any other purpose. Such certificate shall be
29 reported to the chairpersons of the Senate Finance Committee and the
30 Assembly Ways and Means Committee. ~~[The provisions of this paragraph~~
31 ~~shall expire June thirtieth, two thousand twenty-three.]~~

32 § 55. This act shall take effect immediately and shall be deemed to
33 have been in full force and effect on and after April 1, 2023; provided,
34 however, that the provisions of sections one, one-a, two, three, four,
35 five, six, seven, eight, thirteen, fourteen, fifteen, sixteen, seven-
36 teen, eighteen, nineteen, twenty and twenty-two, of this act shall
37 expire March 31, 2024 when upon such date the provisions of such
38 sections shall be deemed repealed.

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

48 § 3. This act shall take effect immediately provided, however, that
49 the applicable effective date of Parts A through CC of this act shall be
50 as specifically set forth in the last section of such Parts.