STATE OF NEW YORK

S. 4008--C A. 3008--C

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

AN ACT intentionally omitted (Part A); intentionally omitted (Part B); to amend part PP of chapter 54 of the laws of 2016, amending the public authorities law relating to the New York transit authority and the metropolitan transportation authority, in relation to extending provisions of law relating to certain tax increment financing provisions; to amend the public authorities law, in relation to contracts entered into by the metropolitan commuter transportation district; to amend the public authorities law, in relation to contracts for procurement for the New York city transit authority and to amend part OO of chapter 54 of the laws of 2016, amending the public authorities law relating to procurements by the New York City transit authority and the metropolitan transportation authority, in relation to extending certain metropolitan transportation authority procurement provisions (Part C); to amend part UUU of chapter 58 of the laws of 2020 amending the state finance law relating to providing funding for the Metropolitan Transportation Authority 2020-2024 capital program and paratransit operating expenses, in relation to funding for net paratransit operating expenses and in relation to the effectiveness thereof (Part D); intentionally omitted (Part E); intentionally omitted (Part F); to amend chapter 929 of the laws of 1986

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

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amending the tax law and other laws relating to the metropolitan transportation authority, in relation to extending certain provisions thereof applicable to the resolution of labor disputes (Part G); intentionally omitted (Part H); intentionally omitted (Part I); to amend part FF of chapter 55 of the laws of 2017 relating to motor vehicles equipped with autonomous vehicle technology, in relation to the effectiveness thereof (Part J); intentionally omitted (Part K); intentionally omitted (Part L); to amend the vehicle and traffic law, in relation to county clerk retention of fees (Part M); intentionally omitted (Part N); intentionally omitted (Part O); intentionally omitted (Part P); to amend the tax law, in relation to the metropolitan commuter transportation mobility tax rate; and providing for the repeal of certain provisions upon the expiration thereof (Part Q); to amend the racing, pari-mutuel wagering and breeding law, the state finance law and the public authorities law, in relation to the disposition of money from certain gaming activity (Part R); intentionally omitted (Part S); intentionally omitted (Part T); to amend chapter 495 of the laws of 2004, amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, in relation to the effectiveness thereof (Part U); intentionally omitted (Part V); intentionally omitted (Part W); to amend the public officers law, in relation to providing virtual meeting flexibility for public bodies serving individuals with disabilities (Part X); intentionally omitted (Part Y); intentionally omitted (Part Z); intentionally omitted (Part AA); to amend the public authorities law, in relation to requiring the dormitory authority to submit an annual report on the pilot program for the procurement of goods or services from, or for the construction, reconstruction, rehabilitation or improvement of facilities by small businesses and minority-owned and women-owned business enterprises; and to amend chapter 97 of the laws of 2019 amending the public authorities law relating to the award of contracts to small businesses, minority-owned business enterprises and women-owned business enterprises, in relation to extending the effectiveness thereof (Part BB); intentionally omitted (Part CC); to amend the New York state urban development corporation act, in relation to establishing a matching grant program for certain small businesses receiving funding under the federal small business innovation research program or the small business technology transfer program (Part DD); to amend the public authorities law, in relation to the Battery Park city authority (Part EE); to amend the state finance law, in relation to the excelsior linked deposit program (Part FF); to amend chapter 393 of the laws of 1994, amending the New York state urban development corporation act relating to the powers of the New York state urban development corporation to make loans, in relation to extending loan powers (Part GG); intentionally omitted (Part HH); intentionally omitted (Part II); to amend the New York state urban development corporation act, in relation to extending the authority of the New York state urban development corporation to administer the empire state economic development fund (Part JJ); intentionally omitted (Part KK); to amend part BB of chapter 58 of the laws of 2012, amending the public authorities law, relating to authorizing the dormitory authority to enter into certain design and construction management agreements, in relation to the effectiveness thereof (Part LL); to amend the vehicle and traffic law and the parks, recreation and historic preservation law, in relation to fees for the registration of snowmobiles and fees collected for the

snowmobile trail and maintenance fund (Part MM); intentionally omitted (Part NN); to amend the general municipal law, in relation to purchase contracts for New York State grown, harvested, or produced food and food products (Part OO); intentionally omitted (Part PP); intentionally omitted (Part QQ); to amend the environmental conservation law and chapter 55 of the laws of 2021 amending the environmental conservation law relating to establishing a deer hunting pilot program, in relation to extending provisions of the youth deer hunting program (Part RR); to amend the environmental conservation law, in relation to pesticide registration timetables and fees and to amend chapter 67 of the laws of 1992, amending the environmental conservation law relating to pesticide product registration timetables and fees, in relation to the effectiveness thereof (Part SS); to amend the county law, in relation to enacting the "Suffolk county water quality restoration act", authorizing the county of Suffolk to establish a water quality restoration fund, and authorizing the county of Suffolk to form a county-wide sewer and wastewater management district and extend the existing one-quarter of one percent sales tax utilized to finance the county drinking water protection program until 2060; to amend the local finance law, in relation to the period of probable usefulness of septic systems funded by programs established by the county of Suffolk; and to amend the tax law, in relation to the Suffolk county water quality restoration fund (Part TT); to amend the local finance law, in relation to providing a period of probable usefulness for lead service line replacement programs as a capital asset (Part UU); to authorize utility and cable television assessments that provide funds to the department of health from cable television assessment revenues and to the department of agriculture and markets, department of environmental conservation, department of state, and the office of parks, recreation and historic preservation from utility assessment revenues; and providing for the repeal of such provisions upon expiration thereof (Part VV); intentionally omitted (Part WW); intentionally omitted (Part XX); intentionally omitted (Part YY); in relation to authorizing the New York state energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY program, as well as climate change related expenses of the department of environmental conservation from an assessment on gas and electric corporations (Part ZZ); intentionally omitted (Part AAA); to amend the vehicle and traffic law, in relation to certain vehicle dealer registration certificates (Part BBB); to amend the public authorities law, in relation to requirements of the transportation authority regarding its capital program dashboard website, and to requirements of the metropolitan transportation authority regarding publishing certain financial reports on its website (Part CCC); to amend the labor law and the economic development law, in relation to establishing the New York youth jobs connector program; and requiring reporting from the office of strategic workforce development (Part DDD); to amend the waterfront commission act, in relation to the waterfront commission of New York harbor; and providing for the repeal of such provisions upon expiration thereof (Part EEE); to amend the executive law, in relation to the recommission of a statewide disparity study (Part FFF); to amend the economic development law and the New York state urban development corporation act, in relation to establishing a small business and entrepreneurs grant program; and providing for the repeal of such provisions upon expiration thereof (Part GGG); expanding eligibility

to the brownfield redevelopment tax credit to certain taxpayers (Part HHH); and to amend the general municipal law and the executive law, in relation to directing the state inspector general to appoint an independent monitor for the the Orange county industrial development agency; and providing for the repeal of such provisions upon the expiration thereof (Part III)

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

Section 1. This act enacts into law major components of legislation necessary to implement the state transportation, economic development and environmental conservation budget for the 2023-2024 state fiscal year. Each component is wholly contained within a Part identified as Parts A through III. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Intentionally Omitted

PART B

Intentionally Omitted

PART C

Section 1. Section 3 of part PP of chapter 54 of the laws of 2016, amending the public authorities law relating to the New York transit authority and the metropolitan transportation authority, as amended by section 1 of part J of chapter 58 of the laws of 2022, is amended to read as follows:

§ 3. This act shall take effect immediately; provided that the amendments to subdivision 1 of section 119-r of the general municipal law made by section two of this act shall expire and be deemed repealed April 1, [~~2023~~] **2024**, and provided further that such repeal shall not affect the validity or duration of any contract entered into before that date pursuant to paragraph f of such subdivision.

§ 2. Subdivision 6 of section 1209 of the public authorities law, as amended by section 1 of subpart C of part ZZZ of chapter 59 of the laws of 2019, is amended to read as follows:

6. The provisions of subdivisions one, two, three and four of this section shall not be applicable to any procurement by the authority commenced during the period from the effective date of this subdivision until December thirty-first, nineteen hundred ninety-one or during the period from December sixteenth, nineteen hundred ninety-three until June thirtieth, two thousand [~~twenty-three~~] **twenty-eight**; and the provisions

of subdivisions seven, eight, nine, ten, eleven, twelve and thirteen of this section shall only apply to procurements by the authority commenced during such periods. The provisions of such subdivisions one, two, three and four shall apply to procurements by the authority commenced during the period from December thirty-first, nineteen hundred ninety-one until December sixteenth, nineteen hundred ninety-three, and to procurements by the authority commenced on and after July first, two thousand [~~twenty-three~~] **twenty-eight**. Notwithstanding the foregoing, the provisions of such subdivisions one, two, three and four shall apply to (i) the award of any contract of the authority if the bid documents for such contract so provide and such bid documents are issued within sixty days of the effective date of this subdivision or within sixty days of December sixteenth, nineteen hundred ninety-three, or (ii) for a period of one hundred eighty days after the effective date of this subdivision, or for a period of one hundred eighty days after December sixteenth, nineteen hundred ninety-three, the award of any contract for which an invitation to bid, solicitation, request for proposal, or any similar document has been issued by the authority prior to the effective date of this subdivision or during the period from January first, nineteen hundred ninety-two until December fifteenth, nineteen hundred ninety-three.

§ 3. Subdivision 1 of section 1265-a of the public authorities law, as amended by section 1-a of subpart C of part ZZZ of chapter 59 of the laws of 2019, is amended to read as follows:

1. The provisions of this section shall only apply to procurements by the authority commenced during the period from April first, nineteen hundred eighty-seven until December thirty-first, nineteen hundred ninety-one, and during the period from December sixteenth, nineteen hundred ninety-three until June thirtieth, two thousand [~~twenty-three~~] **twenty-eight**; provided, however, that the provisions of this section shall not apply to (i) the award of any contract of the authority if the bid documents for such contract so provide and such bid documents are issued within sixty days of the effective date of this section or within sixty days of December sixteenth, nineteen hundred ninety-three, or (ii) for a period of one hundred eighty days after the effective date of this section or for a period of one hundred eighty days after December sixteenth, nineteen hundred ninety-three, the award of any contract for which an invitation to bid, solicitation, request for proposal, or any similar document has been issued by the authority prior to the effective date of this section or during the period from January first, nineteen hundred ninety-two until December sixteenth, nineteen hundred ninety-three.

§ 4. Section 15 of part OO of chapter 54 of the laws of 2016, amending the public authorities law relating to procurements by the New York City transit authority and the metropolitan transportation authority, as amended by section 1 of part YY of chapter 55 of the laws of 2021, is amended to read as follows:

§ 15. This act shall take effect immediately, and shall expire and be deemed repealed [~~April 1, 2024~~] **June 30, 2028**.

§ 5. This act shall take effect immediately.

PART D

Section 1. Section 5 of part UUU of chapter 58 of the laws of 2020, amending the state finance law relating to providing funding for the Metropolitan Transportation Authority 2020-2024 capital program and paratransit operating expenses, is amended to read as follows:

§ 5. (a) Starting July 1, 2020, the city will fund a fifty percent share of the net paratransit operating expenses of the MTA, provided that such contribution shall not exceed $215 million in 2020, $277 million in 2021, $290 million in 2022, and $310 million in 2023. Net paratransit operating expenses shall be calculated monthly by the MTA and will consist of the total paratransit operating expenses of the program minus the six percent of the urban tax dedicated to paratransit services as of the date of this act and minus any money collected as passenger fares from paratransit operations.

(b) Notwithstanding subdivision (a) of this section, during the period from July first, two thousand twenty-three through June thirtieth, two thousand twenty-five, the city of New York shall fund eighty percent of the net paratransit operating expenses of the metropolitan transportation authority, provided that such contribution shall not exceed (1) for the twelve month period ending June thirtieth, two thousand twenty-four, the sum of: (i) fifty percent of the net paratransit operating expenses for such twelve month period; and (ii) one hundred sixty-five million dollars; and (2) for the twelve month period ending June thirtieth, two thousand twenty-five, the sum of: (i) fifty percent of the net paratransit operating expenses for such twelve month period; and (ii) one hundred sixty-five million dollars. Net paratransit operating expenses shall be calculated monthly by the MTA and will consist of the total paratransit operating expenses of the program minus the six percent of the urban tax dedicated to paratransit services as of the effective date of this subdivision and minus any money collected as passenger fares from paratransit operations.

§ 2. Subdivision (a) of section 7 of part UUU of chapter 58 of the laws of 2020, amending the state finance law relating to providing funding for the Metropolitan Transportation Authority 2020-2024 capital program and paratransit operating expenses, is amended to read as follows:

(a) Notwithstanding any provision of law to the contrary, in the event the city fails to certify to the state comptroller and the New York state director of the budget that the city has paid in full any payment required by section six of this act, the New York state director of the budget shall direct the state comptroller to transfer, collect, or deposit funds in accordance with subdivision (b) of this section in an amount equal to the unpaid balance of any payment required by section six of this act, and any such deposits shall be counted against the city's [~~fifty percent share of the~~] **funding obligation for** net paratransit operating expenses of the MTA pursuant to section five of this act. Such direction shall be pursuant to a written plan or plans filed with the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee.

§ 3. Section 9 of part UUU of chapter 58 of the laws of 2020, amending the state finance law relating to providing funding for the Metropolitan Transportation Authority 2020-2024 capital program and paratransit operating expenses, is amended to read as follows:

§ 9. This act shall take effect immediately; provided that sections five through seven of this act shall expire and be deemed repealed June 30, [~~2024~~] **2030**; and provided further that such repeal shall not affect or otherwise reduce amounts owed to the metropolitan transportation authority paratransit assistance fund to meet the city's share of the net paratransit operating expenses of the MTA for services provided prior to June 30, [~~2024~~] **2030**.

§ 4. This act shall take effect immediately; provided, however, that the amendments to sections 5 and 7 of part UUU of chapter 58 of the laws of 2020, made by sections one and two of this act, shall not affect the expiration and repeal of such part and shall be deemed repealed therewith.

PART E

Intentionally Omitted

PART F

Intentionally Omitted

PART G

Section 1. Section 45 of chapter 929 of the laws of 1986 amending the tax law and other laws relating to the metropolitan transportation authority, as amended by chapter 120 of the laws of 2021, is amended to read as follows:

§ 45. This act shall take effect immediately; except that: (a) paragraph (d) of subdivision 3 of section 1263 of the public authorities law, as added by section twenty-six of this act, shall be deemed to have been in full force and effect on and after August 5, 1986; (b) sections thirty-three and thirty-four of this act shall not apply to a certified or recognized public employee organization which represents any public employees described in subdivision 16 of section 1204 of the public authorities law and such sections shall expire on July 1, [~~2023~~] 2025 and nothing contained within these sections shall be construed to divest the public employment relations board or any court of competent jurisdiction of the full power or authority to enforce any order made by the board or such court prior to the effective date of this act; (c) the provisions of section thirty-five of this act shall expire on March 31, 1987; and (d) provided, however, the commissioner of taxation and finance shall have the power to enforce the provisions of sections two through nine of this act beyond December 31, 1990 to enable such commissioner to collect any liabilities incurred prior to January 1, 1991.

§ 2. This act shall take effect immediately.

PART H

Intentionally Omitted

PART I

Intentionally Omitted

PART J

Section 1. Section 3 of part FF of chapter 55 of the laws of 2017, relating to motor vehicles equipped with autonomous vehicle technology,

as amended by section 1 of part GG of chapter 58 of the laws of 2021, is amended to read as follows:

§ 3. This act shall take effect April 1, 2017; provided, however, that section one of this act shall expire and be deemed repealed April 1, [~~2023~~] **2024**.

§ 2. 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 K

Intentionally Omitted

PART L

Intentionally Omitted

PART M

Section 1. Subdivisions 3 and 3-a of section 205 of the vehicle and traffic law, subdivision 3 as amended by section 3 of part G of chapter 59 of the laws of 2008, and subdivision 3-a as added by section 1 of part F of chapter 58 of the laws of 2012, are amended to read as follows:

3. Each such county clerk shall retain from fees collected for any motor vehicle related service described in subdivision one of this section processed by such county clerk an amount based on a percentage of gross receipts collected. For purposes of this section, the term "gross receipts" shall include all fines, fees and penalties collected pursuant to this chapter by a county clerk acting as agent of the commissioner, but shall not include any state or local sales or compensating use taxes imposed under or pursuant to the authority of articles twenty-eight and twenty-nine of the tax law and collected by such clerk on behalf of the commissioner of taxation and finance. The retention percentage shall be [~~12.7~~] **10.75** percent [~~and shall take effect April first, nineteen hundred ninety-nine; provided, however, the retention percentage shall be thirty percent of the thirty dollar fee established in paragraph (e) of subdivision two of section four hundred ninety-one and paragraph f-one of subdivision two of section five hundred three of this chapter~~].

3-a. In addition to the fees retained pursuant to subdivision three of this section, each county clerk acting as the agent of the commissioner pursuant to subdivision one of this section shall retain [~~four percent~~] **a percentage** of "enhanced internet and electronic partner revenue" collected by the commissioner. For the purposes of this subdivision, "enhanced internet and electronic partner revenue" shall mean the amount of gross receipts attributable to all transactions conducted on the internet by residents of such county and by designated partners of the department on behalf of such residents for the current calendar year [~~that exceeds the amount of such revenue collected by the commissioner during calendar year two thousand eleven~~]. The commissioner shall certify the amounts to be retained by each county clerk pursuant to this subdivision. [~~Provided, however, that if the aggregate amount of fees retained by county clerks pursuant to this subdivision in calendar years two thousand twelve and two thousand thirteen combined exceeds eighty-~~

~~eight million five hundred thousand dollars, then the percentage of fees to be retained thereafter shall be reduced to a percentage that, if applied to the fees collected during calendar years two thousand twelve and two thousand thirteen combined, would have resulted in an aggregate retention of eighty-eight million five hundred thousand dollars or 2.5 percent of enhanced internet and electronic partner revenue, whichever is higher. If the aggregate amount of fees retained by county clerks pursuant to this subdivision in calendar years two thousand twelve and two thousand thirteen combined is less than eighty-eight million five hundred thousand dollars, then the percentage of fees to be retained thereafter shall be increased to a percentage that, if applied to the fees collected during calendar years two thousand twelve and two thousand thirteen combined, would have resulted in an aggregate retention of eighty-eight million five hundred thousand dollars, or six percent of enhanced internet and electronic partner revenue, whichever is less. On and after April first, two thousand sixteen, the percent of enhanced internet and electronic partner revenue to be retained by county clerks shall be the average of the annual percentages that were in effect between April first, two thousand twelve and March thirty-first, two thousand sixteen.~~] **The retention percentage shall be 10.75 percent.**

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

PART N

Intentionally Omitted

PART O

Intentionally Omitted

PART P

Intentionally Omitted

PART Q

Section 1. Paragraph 1 of subsection (a) of section 801 of the tax law, as amended by section 1 of part N of chapter 59 of the laws of 2012, is amended to read as follows:

(1) **(A)** For employers who engage in business within the MCTD, **in the counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester,** the tax is imposed at a rate of [~~(A)~~] **(i)** eleven hundredths (.11) percent of the payroll expense for employers with payroll expense no greater than three hundred seventy-five thousand dollars in any calendar quarter, [~~(B)~~] **(ii)** twenty-three hundredths (.23) percent of the payroll expense for employers with payroll expense greater than three hundred seventy-five thousand dollars and no greater than four hundred thirty-seven thousand five hundred dollars in any calendar quarter, and [~~(C)~~] **(iii)** thirty-four hundredths (.34) percent of the payroll expense for employers with payroll expense in excess of four hundred thirty-seven thousand five hundred dollars in any calendar quarter. If the employer is a professional employer organization, as defined in section nine hundred sixteen of the labor law, the employer's tax shall

be calculated by determining the payroll expense attributable to each client who has entered into a professional employer agreement with such organization and the payroll expense attributable to such organization itself, multiplying each of those payroll expense amounts by the applicable rate set forth in this paragraph and adding those products together.

(B) For employers who engage in business within the MCTD, in the counties of Bronx, Kings, New York, Queens, and Richmond, the tax is imposed at a rate of (i) eleven hundredths (.11) percent of the payroll expense for employers with payroll expense no greater than three hundred seventy-five thousand dollars in any calendar quarter, (ii) twenty-three hundredths (.23) percent of the payroll expense for employers with payroll expense greater than three hundred seventy-five thousand dollars and no greater than four hundred thirty-seven thousand five hundred dollars in any calendar quarter, and (iii) sixty hundredths (.60) percent of the payroll expense for employers with payroll expense in excess of four hundred thirty-seven thousand five hundred dollars in any calendar quarter. If the employer is a professional employer organization, as defined in section nine hundred sixteen of the labor law, the employer's tax shall be calculated by determining the payroll expense attributable to each client who has entered into a professional employer agreement with such organization and the payroll expense attributable to such organization itself, multiplying each of those payroll expense amounts by the applicable rate set forth in this paragraph and adding those products together.

§ 2. Paragraph 2 of subsection (a) of section 801 of the tax law, as amended by section 1 of part N of chapter 59 of the laws of 2012, is amended to read as follows:

(2) **(A)** For individuals, the tax is imposed at a rate of thirty-four hundredths (.34) percent of the net earnings from self-employment of individuals that are attributable to the MCTD if such earnings attributable to the MCTD**, in the counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester,** exceed fifty thousand dollars for the tax year.

(B) For individuals, the tax is imposed at a rate of forty-seven hundredths (.47) percent of the net earnings from self-employment of individuals that are attributable to the MCTD, in the counties of Bronx, Kings, New York, Queens, and Richmond, if such earnings attributable to the MCTD exceed fifty thousand dollars for the tax year.

§ 3. Subparagraph (B) of paragraph 2 of subsection (a) of section 801 of the tax law, as amended by section two of this act, is amended to read as follows:

(B) For individuals, the tax is imposed at a rate of [~~forty-seven~~] **sixty** hundredths [~~(.47)~~] **(.60)** percent of the net earnings from self-employment of individuals that are attributable to the MCTD, in the counties of Bronx, Kings, New York, Queens, and Richmond, if such earnings attributable to the MCTD exceed fifty thousand dollars for the tax year.

§ 4. This act shall take effect immediately; provided, however, that:

(a) (i) section one of this act shall apply to tax quarters beginning on or after July 1, 2023;

(ii) section two of this act shall apply to taxable years beginning on or after January 1, 2023 and before January 1, 2024; and

(iii) section three of this act shall apply to taxable years beginning on or after January 1, 2024; and

(b) section two of this act shall expire and be deemed repealed January 1, 2024, when upon such date the provisions of section three of this act shall take effect.

PART R

Section 1. Subdivisions 1 and 2 of section 1352 of the racing, pari-mutuel wagering and breeding law, as added by chapter 174 of the laws of 2013, are amended to read as follows:

1. **(a)** The commission shall pay into an account, to be known as the commercial gaming revenue fund as established pursuant to section ninety-seven-nnnn of the state finance law, under the joint custody of the comptroller and the commissioner of taxation and finance, all taxes and fees imposed by this article **paid by a gaming facility licensed under title two of this article or title two-A of this article located within zone two**; any interest and penalties imposed by the commission relating to those taxes; the appropriate percentage of the value of expired gaming related obligations; all penalties levied and collected by the commission; and the appropriate funds, cash or prizes forfeited from gambling activity.

(b) For any gaming facility that does not qualify under subdivision two of section thirteen hundred twenty-one-a of this article, is licensed under title two-A of this article, and is located within New York City, revenues shall be distributed in the following manner:

(i) fifty percent of the taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes shall be deposited to a sole custody fund established under the gaming commission, and paid monthly, without appropriation, directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law; and

(ii) fifty percent of the taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes shall be deposited into the commercial gaming revenue fund established under section ninety-seven-nnnn of the state finance law by the commission and shall be appropriated or transferred only for elementary and secondary education or real property tax relief.

(c) For any gaming facility that does not qualify under subdivision two of section thirteen hundred twenty-one-a of this article, is licensed under title two-A of this article, and located within zone one but not located within New York City, revenues shall be distributed in the following manner:

(i) forty percent of the taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes shall be deposited to a sole custody fund established under the gaming commission, and paid monthly, without appropriation, directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law;

(ii) forty percent of the taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes shall be deposited into the commercial gaming revenue fund established under section ninety-seven-nnnn of the state finance law by the commission and shall be appropriated or transferred only for elementary and secondary education or real property tax relief from the commercial gaming revenue fund;

(iii) five percent of the taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes, shall be deposited into the commercial gaming revenue fund established under section ninety-seven-nnnn of the state finance law by the commission and shall be allocated to the host county for the purpose of real property tax relief or for education assistance;

(iv) ten percent of the taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes shall be deposited into the commercial gaming revenue fund established under section ninety-seven-nnnn of the state finance law by the commission and shall be allocated to the host municipality for the purpose of real property tax relief or education assistance; and

(v) five percent of the taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes, shall be deposited into the commercial gaming revenue fund established under section ninety-seven-nnnn of the state finance law by the commission and shall be allocated among counties within the region, as defined by section one thousand three hundred ten of this article, for the purpose of real property tax relief or education assistance. Such distribution from the commercial gaming revenue fund established under section ninety-seven-nnnn of the state finance law shall be made among the counties on a per capita basis, subtracting the population of host municipality and county.

(d) For any gaming facility that qualifies under subdivision two of section thirteen hundred twenty-one-a of this article, is licensed under title two-A of this article, and is located within zone one but not located within New York City, revenues shall be distributed in the following manner:

(i) Eighty percent of all deposits in a state fiscal year resulting from taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes shall be directed to the commercial gaming revenue fund until the total of such deposits for the state fiscal year is equal to the education aid hold harmless amount. The education aid hold harmless amount shall be equal to the greater of (A) the revenue received from the facility for education aid deposits into the state lottery fund as a video lottery gaming licensee pursuant to section sixteen hundred seventeen-a of the tax law for the twelve months immediately preceding the date on which such facility began operations as a commercial casino pursuant to title two-A of this article, or (B) the revenue received from the facility for education aid deposits into the state lottery fund as a video lottery gaming licensee pursuant to section sixteen hundred seventeen-a of the tax law for state fiscal year two thousand twenty-two. For the first fiscal year of gaming facility operations, the hold harmless amount shall reflect a pro-rata amount based on the opening date of the gaming facility. Notwithstanding section ninety-seven-nnnn of the state finance law, such deposits into the commercial gaming revenue fund shall be available exclusively for elementary and secondary education. Should these deposits resulting from taxes imposed pursuant to subdivision one-a of section thirteen hundred fifty-one of this article on the operations of a qualifying gaming facility at the conclusion of a given state fiscal year be less than the total required under this paragraph, such gaming facility shall remit the necessary payment accounting for the difference to the commission for deposit into the commercial gaming revenue fund no later than the next occurring May first.

(ii) Twenty percent of all deposits in a state fiscal year resulting from taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes, shall be distributed in the same manner as subparagraphs (iii), (iv), and (v) of paragraph (c) of this subdivision.

(iii) Once the deposits from a qualifying gaming facility as prescribed in subparagraph (i) of this paragraph exceed the education aid hold harmless amount as determined in subparagraph (i) of this paragraph in a given state fiscal year, eighty percent of all subsequent deposits in such state fiscal year from taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes shall be deposited to a sole custody fund established under the gaming commission, and paid monthly, without appropriation, directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law and the remaining twenty percent shall continue to be distributed in the same manner as subparagraphs (iii), (iv), and (v) of paragraph (c) of this subdivision; provided however, that once the dollar amount paid directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law matches the same dollar amount paid pursuant to the education aid hold harmless amount as determined in subparagraph (i) of this paragraph in a given state fiscal year, twenty percent of any excess dollar amounts shall be distributed in the same manner as subparagraphs (iii), (iv), and (v) of paragraph (c) of this subdivision, forty percent of any excess dollar amounts shall be deposited to a sole custody fund established under the gaming commission, and paid monthly, without appropriation, directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law, and forty percent of any excess dollar amounts shall be deposited by the commission into the commercial gaming revenue fund established under section ninety-seven-nnnn of the state finance law for the sole purposes of education aid.

(e) For any gaming facility that qualifies under subdivision two of section thirteen hundred twenty-one-a of this article, is licensed under title two-A of this article, and is located within New York City, revenues shall be distributed in the following manner:

(i) Eighty percent of all deposits in a state fiscal year resulting from taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes, shall be deposited in the same manner as in subparagraph (i) of paragraph (d) of this subdivision. For the first fiscal year of gaming facility operations, the hold harmless amount shall reflect a pro-rata amount based on the opening date of the gaming facility.

(ii) Twenty percent of all deposits in a state fiscal year resulting from taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes, shall be deposited to a sole custody fund established under the gaming commission, and paid monthly, without appropriation, directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law until the applicable education aid hold harmless amount as prescribed in subparagraph (i) of paragraph (d) of this subdivision has been met.

(iii) Once the deposits from a qualifying gaming facility as prescribed in subparagraph (i) of this paragraph exceed the education

aid hold harmless amount as determined in subparagraph (i) of paragraph (d) of this subdivision in a given state fiscal year, all subsequent deposits in such state fiscal year from taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes, shall be deposited to a sole custody fund established under the gaming commission, and paid monthly, without appropriation, directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law; provided however, that once the dollar amount paid directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law matches the same dollar amount paid pursuant to the education aid hold harmless amount as determined in subparagraph (i) of paragraph (d) of this subdivision in a given state fiscal year, fifty percent of any excess dollar amounts shall be deposited to a sole custody fund established under the gaming commission, and paid monthly, without appropriation, directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law, and fifty percent of any excess dollar amounts shall be deposited by the commission into the commercial gaming revenue fund established under section ninety-seven-nnnn of the state finance law for the sole purposes of education aid.

(f) For a municipality that was appropriated video lottery terminal aid in the year two thousand twenty-three pursuant to section fifty-four-l of the state finance law, the gaming facility licensed under title two-A of this article that was previously authorized to operate video lottery gaming pursuant to section one thousand six hundred seventeen-a of the tax law must hold the municipality harmless so that the host municipality does not receive less money in any state fiscal year under the provisions of subparagraph (ii) of paragraph (d) of this subdivision than such host municipality received in annual video lottery terminal aid in the year two thousand twenty-three. The provisions of this paragraph shall apply as of the first full state fiscal year in which video lottery terminal aid is not received by the municipality and gaming facility operations have commenced.

2. The commission shall require at least monthly deposits by the licensee of any payments pursuant to section one thousand three hundred fifty-one of this article, at such times, under such conditions, and in such depositories as shall be prescribed by the state comptroller. The deposits shall be deposited to the credit of the commercial gaming revenue fund as established by section ninety-seven-nnnn of the state finance law or to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law, according to the requirements of subdivision one of this section. The commission may require a monthly report and reconciliation statement to be filed with it on or before the tenth day of each month, with respect to gross revenues and deposits received and made, respectively, during the preceding month.

§ 1-a. Subdivision 3 of section 1321-e of the racing, pari-mutuel wagering and breeding law, as added by section 7 of part RR of chapter 56 of the laws of 2022, is amended to read as follows:

3. The board shall determine a licensing fee to be paid by a licensee within thirty days after the [~~award~~] selection of the license [~~which shall be deposited into the commercial gaming revenue fund~~], provided however that no licensing fee shall be less than five hundred million

dollars. The license shall set forth the conditions to be satisfied by the licensee before the gaming facility shall be opened to the public. All revenues collected from license fees from gaming facilities located within zone one shall be deposited to a sole custody fund established under the gaming commission, and paid monthly, without appropriation, directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law. All revenues collected from license fees from gaming facilities located within zone two shall be deposited to the commercial gaming revenue fund established under section ninety-seven-nnnn of the state finance law. The commission shall set any renewal fee for such license based on the cost of fees associated with the evaluation of a licensee under this article which shall be deposited into the commercial gaming fund. Such renewal fee shall be exclusive of any subsequent licensing fees under this section.

§ 2. Subdivision 2 of section 97-nnnn of the state finance law, as added by chapter 174 of the laws of 2013, is amended and a new subdivision 6 is added to read as follows:

2. Such account shall consist of all revenues [~~from all taxes and fees imposed by article thirteen of the racing, pari-mutuel wagering and breeding law; any interest and penalties imposed by the New York state~~] received from the gaming commission [~~relating to those taxes; the percentage of the value of expired gaming related obligations; and all penalties levied and collected by the commission. Additionally, the state gaming commission shall pay into the account any appropriate funds, cash or prizes forfeited from gambling activity~~] pursuant to paragraphs (a), (b), (c), (d) and (e) of subdivision one of section thirteen hundred fifty-two of the racing, pari-mutuel wagering and breeding law.

6. Notwithstanding any provision of this section to the contrary, any money deposited into this fund pursuant to section thirteen hundred fifty-two of the racing, pari-mutuel wagering and breeding law shall be distributed as specified in that section.

§ 3. The public authorities law is amended by adding a new section 1270-j to read as follows:

§ 1270-j. Metropolitan transportation authority commercial gaming revenue fund. 1. The authority shall establish a fund to be known as the "metropolitan transportation authority commercial gaming revenue fund" which shall be kept separate from and shall not be commingled with any other moneys of the authority.

2. The gaming commission shall deposit into the metropolitan transportation authority commercial gaming revenue fund, without appropriation, the revenue including taxes collected in accordance with the relevant provisions of paragraphs (b), (c), (d) and (e) of subdivision one of section thirteen hundred fifty-two of the racing, pari-mutuel wagering and breeding law and licensing fees collected in accordance with the relevant provisions of subdivision three of section thirteen hundred twenty-one-e of the racing, pari-mutuel wagering and breeding law.

3. Moneys in the fund may be used by the authority for payment of operating costs of or for the authority, the New York city transit authority and their subsidiaries as the authority shall determine, including debt service. Monies in the fund shall not be pledged to secure bonds, notes or other obligations of the authority, the New York city transit authority and their subsidiaries.

4. Nothing contained in this section shall be deemed to restrict the right of the State to amend, repeal, modify or otherwise alter statutes

imposing or relating to the taxes, interest and penalties, fees and charges producing revenues for deposit in the metropolitan transportation authority commercial gaming revenue fund or, if applicable, any appropriations relating thereto.

§ 4. Subdivision 2 of section 1321-a of the racing, pari-mutuel wagering and breeding law, as added by section 7 of part RR of chapter 56 of the laws of 2022, is amended to read as follows:

2. If any of the three additional gaming facility licenses are awarded to an entity that was licensed for video lottery gaming pursuant to section sixteen hundred seventeen-a of the tax law as of January first two thousand twenty-two[~~, the education aid for the state resulting from taxes imposed pursuant to subdivision one-a of section thirteen hundred fifty-one of this article on the gaming facility operations of any such entity in a given state fiscal year shall be no less than the total of education aid deposits into the state lottery fund from the video lottery gaming operations of such entity for the full twelve month period immediately preceding its opening date as a gaming facility, provided however, that the twelve month period education aid total shall not be less than the education aid total from the video lottery gaming operations of such entity for state fiscal year two thousand twenty-two. Should the education aid for the state resulting from taxes imposed pursuant to subdivision one-a of section thirteen hundred fifty-one of this article on the gaming facility operations of such entity at the conclusion of a given state fiscal year be less than the total required under this subdivision, such entity shall remit the necessary payment to the commission for deposit into the commercial gaming revenue fund no later than the next occurring May first. Notwithstanding section ninety-seven-nnnn of the state finance law, such payment into the commercial gaming revenue fund shall be available only for elementary and secondary education.~~], a hold harmless provision shall apply. For the purposes of this section, video lottery gaming operations of an entity shall include any hosted video lottery devices.

§ 5. This act shall take effect immediately.

PART S

Intentionally Omitted

PART T

Intentionally Omitted

PART U

Section 1. Section 4 of chapter 495 of the laws of 2004, amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, as amended by section 4 of part T of chapter 58 of the laws of 2022, is amended to read as follows:

§ 4. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, that this act shall remain in effect until July 1, [~~2023~~] 2024 when upon such date the provisions of this act shall expire and be deemed repealed; provided, further, that a

displaced worker shall be eligible for continuation assistance retroactive to July 1, 2004.

§ 2. This act shall take effect immediately.

PART V

Intentionally Omitted

PART W

Intentionally Omitted

PART X

Section 1. Paragraph (c) of subdivision 2 of section 103-a of the public officers law, as added by section 2 of part WW of chapter 56 of the laws of 2022, is amended to read as follows:

(c) members of the public body shall be physically present at any such meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances, as set forth in the resolution and written procedures adopted pursuant to paragraphs (a) and (b) of this subdivision, including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting . Notwithstanding the in person quorum requirements set forth in this subdivision, the public body may determine, through its written procedures governing member and public attendance established pursuant to and consistent with this section, to allow for any member who has a disability as defined in section two hundred ninety-two of the executive law, where such disability renders such member unable to participate in-person at any such meeting location where the public can attend, to be considered present for purposes of fulfilling the quorum requirements for such public body at any meetings conducted through videoconferencing pursuant to this section, provided, however, that the remaining criteria set forth in this subdivision are otherwise met; and provided, further, that the public body maintains at least one physical location where the public can attend such meeting;

§ 2. This act shall take effect immediately; provided, however, that the amendments to section 103-a of the public officers law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART Y

Intentionally Omitted

PART Z

Intentionally Omitted

PART AA

Intentionally Omitted

PART BB

Section 1. Subdivision 29 of section 1678 of the public authorities law is amended by adding a new closing paragraph to read as follows:

The authority shall submit a report, no later than September thirtieth, two thousand twenty-four, and annually thereafter, to the governor, the temporary president of the senate and the speaker of the assembly regarding procurements made pursuant to this subdivision. Such report shall include a description of each procurement made pursuant to this subdivision, information regarding the procurement process for each such procurement contract, including the list of responding entities that demonstrated the capability to meet the specifications and terms of the procurement made pursuant to this subdivision if such procurement did not use lowest responsible bidding, the project identification number and a description for each such project, the completion date or projected completion date as applicable for each such project, the status of each such project, the total cost or projected cost and cost modifications of each such project procured pursuant to this subdivision, indication of whether the party awarded a contract pursuant to this subdivision served as a general contractor or subcontractor in fulfilling the contract, and the total dollar value of monies paid to minority-owned and women-owned business enterprises pursuant to this subdivision itemized by year and including the total dollar values for the five years preceding the respective annual report's release date. For annual reports any new procurements and changes during the period covered by the report shall be identified separately.

§ 2. Section 2 of chapter 97 of the laws of 2019 amending the public authorities law, in relation to the award of contracts to small businesses, minority-owned business enterprises and women-owned business enterprises, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire July 1, [~~2023~~] **2027** when upon such date the provisions of this act shall be deemed repealed.

§ 3. This act shall take effect immediately; provided, however, that the amendments to subdivision 29 of section 1678 of the public authorities law made by section one of this act shall not affect the expiration of such subdivision and shall be deemed repealed therewith.

PART CC

Intentionally Omitted

PART DD

Section 1. Section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding a new section 52-a to read as follows:

§ 52-a. Small business innovation research and small business technology transfer matching grant program. 1. The corporation, subject to available appropriations and in consultation with the department of economic development's division for small business, shall establish a matching grant program to provide funds to small businesses who have

been awarded phase one or phase two grants under the federal small business innovation research program or the small business technology transfer program. Such grants shall be awarded based on a company's potential for commercialization and job growth. As used in this section, "small business" shall have the same meaning as provided for in section one hundred thirty-one of the economic development law.

2. The funding amounts for such grant program shall be as follows:

(a) For small businesses that have been awarded phase one funding under the federal small business innovation research program or the small business technology transfer program, the amount shall be up to one hundred thousand dollars.

(b) For small businesses that have been awarded phase two funding under the federal small business innovation research program or the small business technology transfer program, the amount shall be up to two hundred thousand dollars.

(c) For small businesses that have been awarded phase three status under the federal small business innovation research program or the small business technology transfer program, such businesses shall be provided access to technical assistance and outreach support through relevant programs of the corporation or the division of economic development best suited to foster such businesses continued success and growth, including but not limited to the manufacturing extension program, centers for advanced technology program, centers of excellence program, the state small business credit initiative program, certified innovation hot spots program, certified business incubator program, entrepreneurial assistance centers, business competitions and accelerators supported by the corporation or department of economic development, and venture capital investments administered by the corporation or department of economic development.

3. Small businesses applying to the federal small business innovation research program or the small business technology transfer program may apply to the corporation for a commitment letter that may be included in their application to the federal programs named herein to demonstrate contingent state support and therefore increase their likelihood of receiving federal small business innovation research and small business technology transfer matching grant program funding. State matching grants shall only be provided to small businesses that are selected for an award through the federal small business innovation research program or the small business technology transfer program.

4. Such funds awarded pursuant to this section shall be used to expedite commercialization and generally used to cover expenses not allowed under the federal small business innovation research program or the small business technology transfer program, including but not limited to business planning, commercialization, patents and marketing studies in sales efforts. Additionally, the corporation shall offer grantees assistance with accessing existing resources offered through the corporation or the department of economic development that cover areas such as business planning inclusive of business financial planning, commercialization, intellectual property and patents, mentoring, international trade and export development, and marketing studies in sales efforts support to ensure the most efficient use of funds awarded through this program.

5. Such funds shall be awarded on condition that the small business recipient remains headquartered and operates or manufactures in the state for at least two years following the successful commercialization of the business's product or products. Any small business that has

received funding under this program that is not headquartered and operates or manufactures in the state for at least two years following the successful commercialization of the business's product or products shall return all grant awards to the state. If the small business ceases operations before five years after the commercialization of its product or products, such business shall be eligible for a waiver of this clawback provision, as determined by the corporation, in consultation with the department of economic development's division for small business.

6. The corporation, in consultation with the department of economic development's division for small business, shall establish the form and manner in which applications for grant awards shall be submitted and shall establish rules, regulations, or guidelines for the grant program. The corporation shall endeavor to advance applicants that can demonstrate the degree to which their small business or product advances a green and sustainable economy, or supports traditionally disadvantaged populations.

The corporation shall review each application for compliance with the eligibility criteria and other requirements set forth in the program's rules, regulations, or guidelines established by the commissioner. The corporation may approve or reject each application or may return an application for modifications, if necessary.

7. The corporation, beginning on June first, two thousand twenty-four, and annually thereafter, provided program funds remain, shall submit a report to the governor, the temporary president of the senate, and the speaker of the assembly. Such annual report shall include, but need not be limited to: the number of applicants by stage; the number of applicants approved to receive grants; the total amount of grants awarded and the average amount of such grants awarded; and such other information as the corporation determines necessary and appropriate. Such report shall be included on the corporation's website and any other publicly accessible state databases that list economic development programs, as determined by the corporation.

§ 2. This act shall take effect immediately.

PART EE

Section 1. Paragraph (f) of subdivision 1 of section 1977-a of the public authorities law, as added by chapter 628 of the laws of 2019, is amended to read as follows:

(f) Additional authorizations. For the purpose of financing capital costs in connection with a program of infrastructure construction, improvements and other capital expenditures for the project area, the authority may, in addition to the authorizations contained elsewhere in this title, borrow money by issuing bonds and notes in an aggregate principal amount not exceeding one billion five hundred million dollars, plus a principal amount of bonds or notes issued (i) to fund any related debt service reserve fund, (ii) to provide capitalized interest, and (iii) to provide for fees and other charges and expenses including any underwriters' discounts, related to the issuance of such bonds or notes, all as determined by the authority, excluding bonds and notes issued to refund outstanding bonds and notes issued pursuant to this section.

§ 2. This act shall take effect immediately.

PART FF

Section 1. Section 217 of the state finance law, as amended by section 1 of part H of chapter 60 of the laws of 2011, is amended to read as follows:

§ 217. Linked loans. Linked loans shall be made by lenders pursuant to the program only to eligible businesses in connection with eligible projects. A linked loan shall be limited to a maximum amount of [~~two~~] **four** million dollars. An eligible business may receive more than one linked loan. During the life of the linked loan program, the total amount of money that a business can borrow from the linked program is [~~two~~] **six** million dollars. The credit decision for making a linked loan shall be made solely by the lender. Notwithstanding the length of the term of a linked loan, the linked deposit relating to the linked loan shall be for a period of not more than four years.

§ 2. The act shall take effect immediately.

PART GG

Section 1. Section 2 of chapter 393 of the laws of 1994, amending the New York state urban development corporation act, relating to the powers of the New York state urban development corporation to make loans, as amended by section 1 of part Y of chapter 58 of the laws of 2022, is amended to read as follows:

§ 2. This act shall take effect immediately provided, however, that section one of this act shall expire on July 1, [~~2023~~] **2024**, at which time the provisions of subdivision 26 of section 5 of the New York state urban development corporation act shall be deemed repealed; provided, however, that neither the expiration nor the repeal of such subdivision as provided for herein shall be deemed to affect or impair in any manner any loan made pursuant to the authority of such subdivision prior to such expiration and repeal.

§ 2. This act shall take effect immediately.

PART HH

Intentionally Omitted

PART II

Intentionally Omitted

PART JJ

Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development corporation act, as amended by section 1 of part Z of chapter 58 of the laws of 2022, is amended to read as follows:

3. The provisions of this section shall expire, notwithstanding any inconsistent provision of subdivision 4 of section 469 of chapter 309 of the laws of 1996 or of any other law, on July 1, [~~2023~~] **2024**.

§ 2. This act shall take effect immediately.

PART KK

Intentionally Omitted

PART LL

Section 1. Section 2 of part BB of chapter 58 of the laws of 2012 amending the public authorities law, relating to authorizing the dormitory authority to enter into certain design and construction management agreements, as amended by section 1 of part II of chapter 58 of the laws of 2021, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed April 1, [~~2023~~] 2025.

§ 2. The dormitory authority of the state of New York shall provide a report providing information regarding any project undertaken pursuant to a design and construction management agreement, as authorized by part BB of chapter 58 of the laws of 2012, between the dormitory authority of the state of New York and the department of environmental conservation and/or the office of parks, recreation and historic preservation to the governor, the temporary president of the senate and speaker of the assembly. Such report shall include but not be limited to a description of each such project, the project identification number of each such project, if applicable, the projected date of completion, the status of the project, the total cost or projected cost of each such project, and the location, including the names of any county, town, village or city, where each such project is located or proposed. In addition, such a report shall be provided to the aforementioned parties by the first day of March of each year that the authority to enter into such agreements pursuant to part BB of chapter 58 of the laws of 2012 is in effect.

§ 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 MM

Section 1. Subdivision 4-a of section 2222 of the vehicle and traffic law, as amended by chapter 609 of the laws of 2005, is amended to read as follows:

4-a. Additional fee. In addition to the other fees provided for in paragraphs (a), (b) and (c) of subdivision four of this section the commissioner shall, upon application in such cases for the registration of a snowmobile or the renewal thereof, collect the annual [~~ninety~~] one hundred twenty-five dollar fee for residents and [~~ninety~~] one hundred twenty-five dollar fee for nonresidents [~~and~~] or a [~~thirty-five~~] fifty-five dollar fee for residents and [~~thirty-five~~] fifty-five dollar fee for nonresidents who provide proof, at the time of registration, that such individual is a member of an organized New York state snowmobile club that is a member of the New York state snowmobile association or is a member of an organized New York state snowmobile club that is a trail maintenance entity and a member of the New York state snowmobile association which are imposed by section 21.07 of the parks, recreation and historic preservation law. In the event that an individual seeking snowmobile club membership is unable, for any reason, to secure such club membership, he or she may contact the New York state snowmobile association, who shall secure such membership for such person. This fee shall also be collected from dealers at the time of original registration and at the time of each renewal. The commissioner shall effectuate regulations regarding what is required as proof of membership in an organized New York state snowmobile club that is a trail maintenance entity and a member of the New York state snowmobile association for the purposes of this subdivision.

§ 2. Section 21.07 of the parks, recreation and historic preservation law, as amended by chapter 609 of the laws of 2005, is amended to read as follows:

§ 21.07 Fee for snowmobile trail development and maintenance. 1. A fee of [~~ninety~~] **one hundred twenty-five** dollars is hereby imposed upon the resident, and [~~ninety~~] **one hundred twenty-five** dollars upon the nonresident, owner of a snowmobile for the snowmobile trail development and maintenance fund to be paid to the commissioner of motor vehicles upon the registration thereof in addition to the registration fee required by the vehicle and traffic law, the payment of which fee hereby imposed shall be a condition precedent to such individual resident, individual nonresident or dealer registration.

2. Notwithstanding the fee as established in subdivision one of this section, an individual resident or nonresident registering a snowmobile who provides proof at the time of registration, that such individual is a member of an organized New York state snowmobile club that is a member of the New York state snowmobile association or is a member of an organized New York state snowmobile club that is a trail maintenance entity and a member of the New York state snowmobile association, shall pay [~~thirty-five~~] **fifty-five** dollars for each snowmobile for the snowmobile trail development and maintenance fund in addition to the registration required by the vehicle and traffic law. In the event that an individual seeking snowmobile club membership is unable, for any reason, to secure such club membership, he or she may contact the New York state snowmobile association, who shall secure such membership for such person.

§ 3. This act shall take effect one year after it shall have become a law.

PART NN

Intentionally Omitted

PART OO

Section 1. Subdivision 9 of section 103 of the general municipal law, as amended by chapter 90 of the laws of 2017, subparagraph (ii) of paragraph (a) as amended by section 1 of part JJ of chapter 58 of the laws of 2020, is amended to read as follows:

9. **(a)** Notwithstanding the foregoing provisions of this section to the contrary, a board of education, on behalf of its school district, or a board of cooperative educational services, may separately purchase eggs, livestock, fish, dairy products (excluding milk), juice, grains, and species of fresh fruit and vegetables [~~directly from New York State producers or growers, or associations of producers and growers~~]**, grown, produced or harvested, in New York State**, provided that[~~:~~

~~(a) (i) such association of producers or growers is comprised of ten or fewer owners of farms who also operate such farms and who have combined to fill the order of a school district or board of cooperative educational services as herein authorized, provided however, that a school district or board of cooperative educational services may apply to the commissioner of education for permission to purchase from an association of more than ten owners of such farms when no other producers or growers have offered to sell to such school or board of cooperative educational services; or~~

~~(ii) such association of producers or growers is comprised of owners of farms who also operate such farms and have combined to fill the order of a school district or board of cooperative educational services, and where~~] such order is for one hundred **fifty** thousand dollars or less as herein authorized, provided however, that a school district or board of cooperative educational services may apply to the commissioner of education for permission to purchase orders of more than one hundred **fifty** thousand dollars from an association of owners of such farms when no other producers or growers have offered to sell to such school[~~;~~

~~(b) the amount that may be expended by a school district in any fiscal year for such purchases shall not exceed an amount equal to twenty cents multiplied by the total number of days in the school year multiplied by the total enrollment of such school district;~~

~~(b-1) the amount that may be expended by a board of cooperative educational services in any fiscal year for such purchases shall not exceed an amount equal to twenty cents multiplied by the total number of days in the school year multiplied by the number of students receiving services by such board of cooperative educational services at facilities operated by a board of cooperative educational services;~~

~~(c) all~~]**.**

(b) All such purchases shall be administered pursuant to regulations promulgated by the commissioner of education. Such regulations shall: be developed in consultation with the commissioner of agriculture and markets to accommodate and promote the provisions of the farm-to-school program established pursuant to subdivision five-b of section sixteen of the agriculture and markets law and subdivision thirty-one of section three hundred five of the education law as added by chapter two of the laws of two thousand two; ensure that the prices paid by a district or board of cooperative educational services for any items so purchased do not exceed the prices of comparable local farm products that are available to districts through their usual purchases of such items; ensure that all producers and growers who desire to sell to school districts or boards of cooperative educational services can readily access information in accordance with the farm-to-school law; include provisions for situations when more than one producer or grower seeks to sell the same product to a district or board of cooperative educational services to ensure that all such producers or growers have an equitable opportunity to do so in a manner similar to the usual purchasing practices of such districts or boards of cooperative educational services; [~~develop guidelines for approval of purchases of items from associations of more than ten growers and producers;~~] and, to the maximum extent practicable, minimize additional paperwork, recordkeeping and other similar requirements on both growers and producers and school districts.

§ 2. Subdivision 10 of section 103 of the general municipal law, as added by chapter 848 of the laws of 1983, is amended to read as follows:

10. Notwithstanding the foregoing provisions of this section to the contrary, a board of education may, on behalf of its school district, separately purchase milk **produced in New York State**, directly from licensed milk processors [~~employing less than forty people~~] pursuant to the provisions of this subdivision. The amount that may be expended by a school district in any fiscal year pursuant to this section shall not exceed an amount equal to twenty-five cents multiplied by the total number of days in the school year multiplied by the total enrollment of such school district. All purchases made pursuant to this subdivision shall be administered pursuant to regulations promulgated by the commissioner of education. The regulations promulgated by the commissioner of

education shall ensure that the prices paid by a school district for items purchased pursuant to this subdivision do not exceed the market value of such items and that all licensed processors who desire to sell to a school district pursuant to this subdivision have equal opportunities to do so.

§ 3. This act shall take effect immediately.

PART PP

Intentionally Omitted

PART QQ

Intentionally Omitted

PART RR

Section 1. The section heading of section 11-0935 of the environmental conservation law, as added by section 1 of part ZZ of chapter 55 of the laws of 2021, is amended to read as follows:

Deer hunting [~~pilot~~] program.

§ 2. Section 2 of part ZZ of chapter 55 of the laws of 2021 amending the environmental conservation law relating to establishing a deer hunting pilot program is amended to read as follows:

§ 2. This act shall take effect June 1, 2021 and shall expire and be deemed repealed December 31, [~~2023~~] **2025**.

§ 3. This act shall take effect immediately; provided, however that the amendments to section 11-0935 of the environmental conservation law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART SS

Section 1. Section 33-0705 of the environmental conservation law, as amended by section 1 of item NN of subpart B of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

§ 33-0705. Fee for registration.

The applicant for registration shall pay a fee as follows:

a. [~~On or before July 1, 2023, six~~] **Six** hundred dollars for each pesticide proposed to be registered, provided that the applicant has submitted to the department proof in the form of a federal income tax return for the previous year showing gross annual sales, for federal income tax purposes, of three million five hundred thousand dollars or less; **and**

b. [~~On or before July 1, 2023, for~~] **For** all others, six hundred twenty dollars for each pesticide proposed to be registered[~~;~~

~~c. After July 1, 2023, fifty dollars for each pesticide proposed to be registered~~].

§ 2. Section 9 of chapter 67 of the laws of 1992, amending the environmental conservation law relating to pesticide product registration timetables and fees, as amended by section 2 of item NN of subpart B of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

§ 9. This act shall take effect April 1, 1992 provided, however, that section three of this act shall take effect July 1, 1993 [~~and shall expire and be deemed repealed on July 1, 2023~~].

§ 3. This act shall take effect July 1, 2023.

PART TT

Section 1. Short title. This act shall be known and may be cited as the "Suffolk county water quality restoration act".

§ 2. Legislative intent. The county of Suffolk ("county"), with a population of one million five hundred thousand persons, has in excess of three hundred eighty thousand existing onsite wastewater disposal systems, comprised mostly of cesspools and septic systems, with two hundred nine thousand of these onsite systems in environmentally sensitive areas which could benefit from nitrogen-reducing technologies. The United States Environmental Protection Agency recognizes Long Island as having a sole source aquifer system for its drinking water supply. Suffolk county has an imminent need to preserve this valuable water resource by reducing the amount of nitrogen discharged into the groundwater by onsite systems. The full water cycle is impacted by increasing quantities of nutrients, pathogens, pesticides, volatile organic contaminants and saltwater intrusion, as well as a number of emerging threats such as prescription drugs and sea level rise.

The Suffolk county subwatersheds wastewater plan ("SWP"), certified by the department of environmental conservation as a Nine Elements Watershed (9E) plan, has documented the devastating effects of high levels of nitrogen pollution, not only on the drinking water quality, but also on coastal ecosystems, dissolved oxygen, water clarity, eelgrass, wetlands, shellfish, coastal resilience and in triggering harmful algal blooms. The SWP is a long-term plan to address the need for wastewater treatment infrastructure throughout the county comprehensively over a period of fifty years. The SWP delineates the source and concentration of nitrogen loading in one hundred ninety-one subwatersheds throughout the county, and establishes nitrogen reduction goals for each watershed.

For many areas of the county, installing or connecting sewers is not a practical or cost-effective method of treating wastewater. For that reason, the SWP prescribes a hybrid approach that relies on sewering where feasible, and the replacement of cesspools and septic systems with innovative/alternative onsite wastewater treatment systems. The consolidation of any or all of the twenty-seven county sewer districts, as well as unsewered areas of the county, into a county-wide wastewater management district, the establishment of a water quality restoration fund, and a county board of trustees to monitor progress and the allocation of resources consistent with the goals of the SWP would allow for the implementation of a much needed integrated long-term wastewater solution for the county through comprehensive planning and management to improve water quality.

The purpose of this act is to create a water quality restoration fund to finance projects for the protection, preservation, and rehabilitation of groundwater and surface waters as recommended by the SWP. This act would allow the funding of projects that will mitigate wastewater pollutants utilizing the best available technology consistent with the SWP. The water quality restoration fund would be financed with a dedicated and recurring revenue source by the enactment of an additional sales and

compensating use tax at the rate of one-eighth of one percent until 2060. Such tax would be enacted pursuant to a mandatory referendum.

This act shall also provide Suffolk county with the authority to create a county-wide wastewater management district through the consolidation of existing county sewer districts with currently unsewered areas of the county. A county-wide wastewater management district will provide an integrated and efficient approach to managing wastewater services across the county; allow the county to enhance and expand its incentive program to property owners to upgrade their wastewater treatment systems; to manage, monitor and enforce nitrogen reduction programs throughout the county; complete additional sewer extension projects; improve the economic wellbeing of communities; and provide an opportunity to consolidate and streamline the county's existing sewer district system and normalize the inequitable rate structure that has long existed.

In addition, this act will extend the existing one-quarter of one percent sales tax utilized to finance the county drinking water protection program until 2060.

§ 3. The county law is amended by adding a new section 256-b to read as follows:

§ 256-b. Suffolk county wastewater management district. 1. (a) Notwithstanding the provisions of any general, special or local law to the contrary, including this article, the county legislature of Suffolk county is hereby authorized to establish by resolution a Suffolk county wastewater management district, hereinafter referred to in this section as the "district", which shall include all powers of a sewer district and a wastewater disposal district as provided in section two hundred fifty of this article and as set forth in this subdivision, pursuant to the procedure contained in this section.

(b) In addition to the powers provided in section two hundred fifty of this article, the district shall have the power, as determined by the county legislature, to: (i) consolidate all of the original county sewer districts within the county as well as unsewered areas of the county, under the jurisdiction of the district; (ii) establish one or more zones of assessment within the district, coterminous with the territorial boundaries of the existing county sewer districts, consolidated pursuant to this section, the method of wastewater collection, treatment and disposal, existing or proposed, or both, and make changes to such zones of assessments; (iii) acquire interests in real property which may be completed by the transfer of property of original county sewer districts to the district, necessary for the installation and maintenance of district facilities; (iv) prioritize district projects in accordance with the Suffolk county subwatershed wastewater plan (SWP) adopted by the county legislature, and any amendments thereto; (v) receive funds from the Suffolk county water quality restoration fund, as established by section one thousand two hundred ten-F of the tax law, and distribute grant proceeds within the district in accordance with the goals established in the Suffolk county subwatershed wastewater plan; (vi) assume and pay any remaining indebtedness of each original county sewer district; (vii) within the zones of assessment, establish and provide for the collection of charges, rates, taxes or assessments to provide for the costs of operation, expenses, the sums sufficient to pay the annual installment of principal of, and interest on, obligations for improvements of the district, maintenance and improvements of the district, including but not limited to: (A) special assessment as defined in subdivision fifteen of section one hundred two of the real

property tax law; (B) special ad valorem levy as defined in subdivision fourteen of section one hundred two of the real property tax law; (C) sewer rent as provided under article fourteen-F of the general municipal law; (viii) distribute grant proceeds within the district in accordance with the goals established in the SWP; and (ix) adopt, amend and repeal, from time to time, rules and regulations for the operation of a county district. Nothing in this section shall be construed to permit the collection of charges, rates, taxes, or assessments authorized by this section outside of the established zones of assessment within the unsewered portions of the district or within town or village sewer districts.

2. Boundaries. The boundaries of the district upon formation shall include the boundaries of all county sewer districts consolidated into the district and all unsewered areas of the county. Until such time as a town or village sewer district is consolidated into the district as set forth in subdivision ten of this section, the boundaries of the district shall not include territorial boundaries of town or village sewer districts located wholly or in part in the county of Suffolk.

3. County agency review and report. The county legislature may direct the county agency, appointed or established pursuant to section two hundred fifty-one of this article, to, or the county agency on its own motion may, review and report thereon to the county legislature on the creation of the district and the merger therewith of any or all existing county sewer districts in accordance with this section and such other details as may be directed by the county legislature consistent with this article. When the agency has caused such report to be prepared, it shall transmit it to the county legislature. Upon receipt of the report, the county legislature shall call a public hearing pursuant to subdivision five of this section to create a Suffolk county wastewater management district in accordance with this section. Such report shall be filed in the office of the clerk of the legislature of Suffolk county.

4. Resolution. The county legislature of Suffolk county may adopt a resolution calling a public hearing upon the proposed creation of the district.

5. Notice. The clerk of the county legislature shall give notice of the hearing described in subdivision four of this section in such newspapers and within such time period as set forth in section two hundred fifty-four of this article. Such notice shall specify the time, date and location of such hearing and, in general terms, describe the proposed establishment of the district and the proposed basis of the future assessment of all costs of operation, maintenance and improvements of the district.

6. Hearing and resolution to establish. The county legislature shall meet at the time, date and location specified in such notice and hear all persons interested in the subject matter thereof concerning the same. If the county legislature determines that it is in the public interest to establish the district as specified in such notice, it shall further determine by resolution: (i) whether all property and property owners within the proposed district are benefited thereby; and (ii) whether all of the property and property owners benefited are included within the limits of the proposed district, the county legislature may adopt a resolution, subject to a permissive referendum, establishing the district.

7. Notice of adoption of resolution. Within ten days after the adoption by the county legislature of the resolution to establish the district described in subdivision six of this section, the county legislature shall give notice thereof, at the expense of the county, by the

publication of a notice in such newspapers and within such time period as set forth in section one hundred one of this chapter. Such notice shall set forth the date of adoption of the resolution and contain an abstract of such resolution, describing, in general terms, the district, the basis for the future assessment of all costs of operation, maintenance and improvements, and that such resolution was adopted subject to a permissive referendum.

8. Assessments, levies and charges. After the establishment of the district in accordance with this section, the county is hereby authorized by resolution approved by majority vote of the total membership of the county legislature to assess, levy and collect upon each lot or parcel of land within the zones of assessment established by this section: (a) special assessments as that term is defined in subdivision fifteen of section one hundred two of the real property tax law; (b) special ad valorem levy as that term is defined in subdivision fourteen of section one hundred two of the real property tax law; and (c) sewer rents as provided by article fourteen-F of the general municipal law. Such costs and expenses may include, but shall not be limited to, the amount of money required to pay the annual expenses of maintenance, operation, personnel services of the district and the sums sufficient to pay the annual installment of principal of, and interest on, obligations for improvements of the district. Such sums so levied shall be collected by the local tax collectors or receivers of taxes and assessments and shall be paid over to the chief fiscal officer of the county, in the same manner and at the same time as taxes levied for general county purposes. The chief fiscal officer shall keep a separate account of such moneys and they shall be used only for purposes set forth in this section, and in addition, all monies collected from each zone of assessment established or amended in accordance with this section shall be further segregated and shall not be commingled with monies of other zones of assessment except upon approval by resolution of the county legislature upon recommendation of the board of trustees established in accordance with the Suffolk county water quality restoration act. Nothing in this section shall be construed to permit the collection of charges, rates, taxes, or assessments authorized by this section outside of the established zones of assessment within the unsewered portions of the district or within town or village sewer districts.

8-a. Recording determination. The clerk of the county legislature shall within ten days after the effective date of the resolution creating the district cause a certified copy to be recorded in the office of the clerk of the county and when so recorded such order shall be presumptive evidence of the regularity of the proceedings for the creation of the district and of all other action taken by the county legislature pursuant to this section. A certified copy shall also be filed in the office of the state department of audit and control in Albany, New York.

9. Other laws. All provisions of the real property tax law and the Suffolk county tax act, as the same may be amended from time to time, not inconsistent with the provisions of this article, relating to the assessing, levy and collection and enforcement of special assessments, ad valorem levies and sewer rents in the county shall apply and be of equal force and applicability to special assessments, ad valorem levies and sewer rents authorized pursuant to this section. Nothing in this section shall be construed to permit the collection of charges, rates, taxes, or assessments authorized by this section outside of the estab-

lished zones of assessment within the unsewered portions of the district or within town or village sewer districts.

10. Towns and villages. This section shall not be construed as merging the sewer districts of towns and villages within the county of Suffolk into the district created by this section, provided, however, that the merger of any town or village sewer district, or village sewerage system, with the district shall be upon petition of a town or village, in accordance with section two hundred seventy-seven of this article, and, upon the adoption of an order as set forth therein, the town or village sewer district, or village sewerage system, if so determined by the county legislature of Suffolk, shall be merged into and consolidated with the district, and the boundaries of the district shall be deemed extended.

11. Water quality restoration fund. (a) Notwithstanding any provision of law to the contrary, the county of Suffolk shall deposit the net collections from the sales and compensating use tax authorized by section one thousand two hundred ten-F of the tax law into the Suffolk county water quality restoration fund established in accordance herewith, and shall utilize all monies transferred from the fund consistent with this section. Nothing contained in this section shall be construed to prevent the financing in whole or in part, pursuant to the local finance law, of any project authorized pursuant to this section. Monies from the fund may be utilized to repay any indebtedness or obligations incurred pursuant to the local finance law consistent with effectuating the purposes of this section. Where Suffolk county finances a project, in whole, or in part, pursuant to the local finance law, the resolution authorizing such indebtedness shall be accompanied by a report from the county executive demonstrating how said indebtedness will be repaid by the fund. Said report shall include an estimate of projected revenues of the fund during the period of indebtedness. The report shall also provide an accounting of all other indebtedness incurred against the fund to be repaid for the same period. The county legislature shall make findings by resolution that there will be sufficient revenue to repay such indebtedness in its entirety from the fund before authorizing such indebtedness. Monies in said fund may be appropriated from or expended in any fiscal year to implement the powers set forth in this section and to repay any indebtedness or obligations incurred pursuant to the local finance law for the purposes authorized pursuant to this section.

(b) (i) Water quality improvement projects shall be eligible for funding pursuant to this section. For purposes of this section, "water quality improvement projects" shall mean the planning, design, construction, acquisition, enlargement, extension, or alteration of a county, town or village wastewater treatment facility, including individual hookups, or an individual septic system, including an alternative wastewater treatment facility or an individual septic system with active treatment, to treat, neutralize, stabilize, eliminate or partially eliminate sewage or reduce pollutants, including permanent or pilot demonstration wastewater treatment projects, or equipment or furnishings thereof. In the case of individual septic system projects, the funding of the operation and maintenance of such projects shall be included in the definition of "water quality improvement projects". Such projects shall have as their purpose the remediation of existing water quality to meet specific water quality standards consistent with the SWP. Projects consistent with or listed in the SWP that are part of a plan adopted by a local government resulting in a net nitrogen reduction shall be eligi-

ble for consideration by the board of trustees, established in accordance with subparagraph (i) of paragraph (c) of this subdivision.

(ii) Of the annual collections of the fund, administration of the county wastewater management district shall not exceed ten percent. Not less than seventy-five percent of the remaining annual funds after administration shall be used toward funding individual septic systems projects. In addition to water quality improvement projects, other eligible expenditures from the fund shall include the preparation of an annual SWP implementation action plan to protect, preserve, and rehabilitate groundwater, surface water, and drinking water.

(iii) Other than for the payment of indebtedness or obligations incurred as set forth in paragraph (a) of this subdivision, and except for the preparation of the SWP implementation plan itself, no monies may be expended until the SWP implementation plan has been prepared and approved as provided for in this section.

(c) (i) Within the local law, ordinance or resolution establishing the Suffolk county water quality restoration fund, pursuant to section one thousand two hundred ten-F of the tax law, the county shall establish a board of trustees of twenty-one members to prepare, review and approve the SWP implementation plan for submission to the county executive and county legislature and shall specify the powers and duties of the board of trustees, including the procedures for appointment of a chairperson. Such approval shall be in addition to all other approvals required by law. The board of trustees shall consist of: (A) a representative from the department of environmental conservation; (B) a representative from the East End supervisors and mayors association; (C) a representative of the Suffolk town supervisors association; (D) a representative of the Suffolk County Village Officials Association; (E) a town representative from the State Central Pine Barrens Joint Planning and Policy Commission to be designated by the commission; (F) a municipal representative from the Peconic Estuary Partnership; (G) a municipal representative from the State South Shore Estuary Reserve; (H) a municipal representative from the Long Island Sound Estuary; (I) a representative of the Long Island Federation of Labor; (J) a representative of Building and Construction Trades Council of Nassau & Suffolk counties; (K) a representative from a regional environmental organization; (L) the chair of the Suffolk county planning commission; (M) the county executive or designee; (N) the presiding officer of the county legislature or designee; (O) the minority leader of the county legislature or designee; (P) the county department of public works commissioner or designee; (Q) the county department of health services commissioner or designee; (R) a representative from a regional economic development organization; (S) a representative from the liquid waste industry; (T) a representative from the Suffolk County Alliance of Chambers, Inc.; and (U) a representative from the Long Island Contractors Association.

(ii) The powers and duties of the board of trustees shall oversee the annual audit pursuant to paragraph (e) of this subdivision, making prudent recommendations for resource allocations for county-approved alternative wastewater treatment technologies not contemplated in the Suffolk county subwatersheds wastewater plan and long-term progress monitoring of the implementation of the Suffolk county subwatersheds wastewater plan regarding achievements of nitrogen load reductions and ecological endpoints.

(d) Annual SWP implementation plan. The board of trustees shall prepare, review and approve and submit to the county executive the SWP implementation plan within one year of the effective date of this

section, and in every five years thereafter in a like manner. The board of trustees shall conduct a public hearing on said plan before its adoption or subsequent amendment. Said plan shall list every water quality restoration project which the county plans to undertake pursuant to the fund and shall state how such project would improve existing water quality. Funds may only be expended pursuant to this section for projects which have been included in said plan. Said plan shall be consistent with state, federal, county, and local government land use and wastewater management plans. After submission and approval by the county executive, such plan shall be submitted to the county legislature. Upon review, the county legislature shall determine, by local law, whether to approve the proposed plan, if the plan is denied, the plan shall be remanded to the board of trustees for further study. Such plan shall not become effective until approved by local law. Projects may be added or removed from the currently effective SWP implementation plan in a like manner.

(e) Annual audit. The county shall annually commission an independent audit of the fund. The audit shall be conducted by an independent certified public accountant or an independent public accountant. Said audit shall be performed by a certified public accountant or an independent public accountant other than the one that performs the general audit of the county's finances. Such audit shall be an examination of the fund and shall determine whether the fund has been administered consistent with the provisions of this section and all other applicable provisions of state law. Said audit shall be initiated within sixty days of the close of the fiscal year of the county and shall be completed within one hundred twenty days of the close of the fiscal year. A copy of the audit shall be submitted annually to the state comptroller and the county comptroller. A copy of the audit shall be made available to the public within thirty days of its completion. A notice of the completion of the audit shall be published in the official newspaper of the county and shall also be posted on the internet website for the county. The cost of the audit may be a charge to the fund.

(f) Annual report. In addition to any other report required by this section, the board of trustees, through its chairperson, shall deliver annually a report to the county legislature. Such report shall be presented by May fifteenth of each year. The report shall describe in detail the projects undertaken, the monies expended, and the administrative activities of the water quality fund and district established in accordance with this section, during the prior year. At the conclusion of the report, the chairperson of the board of trustees shall be prepared to answer the questions of the county legislature with respect to the projects undertaken, the monies expended, and the administrative activities during the past year.

§ 4. Paragraph a of section 11.00 of the local finance law is amended by adding a new subdivision 110 to read as follows:

110. Septic systems. The acquisition, construction, or reconstruction of or addition to septic systems funded by programs established by the county of Suffolk, twenty-five years.

§ 4-a. Subdivisions (a) and (d) of section 1210-A of the tax law, as amended by chapter 683 of the laws of 2007, are amended to read as follows:

(a) In addition to the taxes imposed by section twelve hundred ten or any other provision of this article, the county of Suffolk is hereby authorized and empowered to adopt and amend a local law, ordinance or resolution imposing within the territorial limits of said county an

additional sales and compensating use tax at the rate of one-quarter of one percent for the period beginning December first, nineteen hundred eighty-four and ending November thirtieth, two thousand [~~thirty~~] **sixty**, which tax shall be identical to the tax imposed by said county pursuant to section twelve hundred ten of this article. Except as hereinafter provided, all provisions of this article, including the definition and exemption provisions and the provisions relating to the administration, collection and distribution by the commissioner, shall apply for purposes of the tax imposed by this section in the same manner and with the same force and effect as if the language of this article had been incorporated in full in this section and had expressly referred to the tax imposed by this section; provided, however, that any provision relating to a maximum rate shall be calculated without reference to the additional sales and compensating use tax herein authorized. For purposes of part IV of this article, relating to the disposition of revenues resulting from taxes collected and administered by the commissioner, the additional sales and compensating use tax herein provided shall be deemed to be imposed under the authority of section twelve hundred ten of this article and all provisions relating to the deposit, administration and disposition of taxes, penalties and interest relating to a tax imposed by a county under the authority of section twelve hundred ten of this article shall, except as otherwise specifically provided in this section, apply to the additional sales and compensating use tax imposed pursuant to this section.

(d) Notwithstanding any other provision of this article to the contrary, the net collections from the tax imposed pursuant to subdivision (a) of this section for the period beginning December first, nineteen hundred eighty-eight and ending November thirtieth, two thousand [~~thirty~~] **sixty** shall, upon payment to the county of Suffolk, be deposited in a special fund, to be designated as a drinking water protection reserve fund, to be created by said county therefor separate and apart from any other funds and accounts of the county. Moneys in such fund shall be deposited in one or more of the banks or trust companies designated, in the manner provided by law, as a depository of the funds of such county. Pending expenditure from such fund, moneys therein may be invested in the manner provided in section eleven of the general municipal law. Any interest earned or capital gain realized on the moneys so deposited or invested shall accrue to and become part of such fund. Moneys in said fund may be appropriated from and transferred to or expended in any fiscal year only for the purposes of making payments pursuant to subdivisions (b) and (c) of this section for the period beginning December first, nineteen hundred eighty-eight, to the extent that moneys in said fund are remaining, and if authorized by local law, for the following purposes:

(i) for the purposes of specific environmental protection (acquisition of: farmland development rights; open space, wetlands, woodlands, pine barrens and other lands for passive recreational uses; lands for hamlet greens, hamlet parks, pocket parks, historic parks, cultural parks and other lands for active/parkland recreational uses; lands necessary for maintaining and protecting the quality of surface water, groundwater and coastal resources);

(ii) for a water quality protection and restoration program or programs and land stewardship initiatives;

(iii) for the purposes of county-wide property tax protection; and

(iv) for the purpose of sewer taxpayer protection.

Notwithstanding any special or local law, resolution or charter provision to the contrary, moneys in said fund which have not been appropriated from and transferred to or expended in any fiscal year for the purposes of making payments pursuant to subdivisions (b) and (c) of this section, may alternatively be appropriated for the purposes of paying debt service on any new indebtedness incurred after the effective date of the chapter of the laws of two thousand one that enacted this paragraph pursuant to the local finance law in order to effectuate the purposes described in paragraph (i) or (ii) of this subdivision. For the purpose of allocating moneys in said fund pursuant to local law among the purposes described in paragraphs (i), (ii), (iii) and (iv) of this subdivision, moneys applied to the payment of debt service under the authority of the previous sentence shall be considered by said county to have been expended for the purposes for which such indebtedness was incurred.

§ 4-b. The tax law is amended by adding a new section 1210-F to read as follows:

§ 1210-F. Sales and compensating use tax for purposes of the Suffolk county water quality restoration fund. (a) In addition to the taxes imposed by section twelve hundred ten, section twelve hundred ten-A, or any other provision of this article, the county of Suffolk is hereby authorized and empowered to adopt and amend a local law, ordinance or resolution, subject to a mandatory referendum, in accordance with the provisions set forth in section twenty-three of the municipal home rule law, imposing within the territorial limits of said county an additional sales and compensating use tax at the rate of one-eighth of one percent for the period beginning March first, two thousand twenty-four and ending February twenty-ninth, two thousand sixty, which tax shall be identical to the tax imposed by said county pursuant to section twelve hundred ten of this article. Provided, however, that such local law, ordinance or resolution shall not take effect unless such county complies with the provisions of subdivisions (d) and (e) of section twelve hundred ten of this subpart and provides notice to the commissioner in accordance with the provisions of subdivision (d) of such section of the approval of such resolution by the electors. Except as hereinafter provided, all provisions of this article, including the definition and exemption provisions and the provisions relating to the administration, collection and distribution by the commissioner, shall apply for purposes of the tax imposed by this section in the same manner and with the same force and effect as if the language of this article had been incorporated in full in this section and had expressly referred to the tax imposed by this section; provided, however, that any provision relating to a maximum rate shall be calculated without reference to the additional sales and compensating use tax herein authorized. For purposes of part IV of this article, relating to the disposition of revenues resulting from taxes collected and administered by the commissioner, the additional sales and compensating use tax herein provided shall be deemed to be imposed under the authority of section twelve hundred ten of this article and all provisions relating to the deposit, administration and disposition of taxes, penalties and interest relating to a tax imposed by a county under the authority of section twelve hundred ten of this article shall, except as otherwise specifically provided in this section, apply to the additional sales and compensating use tax imposed pursuant to this section.

(b) Notwithstanding any other provision of this article to the contrary, the net collections from the tax imposed pursuant to subdivision (a)

of this section for the period beginning March first, two thousand twenty-four and ending February twenty-ninth, two thousand sixty shall, upon payment to the county of Suffolk, be deposited in a special fund, to be designated as the water quality restoration fund to be created by said county therefor separate and apart from any other funds and accounts of the county. Moneys in such fund shall be deposited and secured in the manner provided by section ten of the general municipal law and in no event shall moneys deposited be transferred to any other account. In addition to the net collections from the tax, deposits into the fund may include revenues of Suffolk county from whatever source and may include the acceptance of gifts. Pending expenditure from such fund, moneys therein may be invested in the manner provided in section eleven of the general municipal law. Any interest earned or capital gain realized on the moneys so deposited or invested shall accrue to and become part of such fund. Moneys in said fund may be appropriated from and transferred to or expended in any fiscal year only for the purposes authorized by subdivision eleven of section two hundred fifty-six-b of the county law.

§ 5. This act shall take effect immediately.

PART UU

Section 1. Paragraph (a) of section 11.00 of the local finance law is amended by adding a new subdivision 109 to read as follows:

109. Lead service line replacement programs established by a municipality, school district or district corporation, including, but not limited to programs that inventory, design and replace publicly owned and privately owned lead service lines within an established water system, thirty years. As used in this subdivision, "lead service line" means a service line made in whole or in part of lead, which connects a water main to a building inlet. A lead service line may be owned by the water system, a property owner, or both. A lead gooseneck, pigtail, or connector shall be eligible for replacement regardless of the service line material to which a lead gooseneck, pigtail, or connector is attached. Gooseneck, pigtail, or connector means a short section of piping, typically not exceeding two feet, which can be bent and used for connections between rigid service piping. A galvanized iron or steel service line is considered a lead service line if it ever was or is currently downstream of any lead service line or service line of unknown material.

§ 2. This act shall take effect immediately.

PART VV

Section 1. Expenditures of moneys appropriated in a chapter of the laws of 2023 to the department of agriculture and markets from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the department of agriculture and markets' participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2024, the commissioner of the department of agriculture and markets shall submit an accounting of such expenses, including, but not

limited to, expenses in the 2023-2024 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 2. Expenditures of moneys appropriated in a chapter of the laws of 2023 to the department of state from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the activities of the department of state's utility intervention unit pursuant to subdivision 4 of section 94-a of the executive law, including, but not limited to participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, and expenses related to the activities of the major renewable energy development program established by section 94-c of the executive law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2024, the secretary of state shall submit an accounting of such expenses, including, but not limited to, expenses in the 2023-2024 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 3. Expenditures of moneys appropriated in a chapter of the laws of 2023 to the office of parks, recreation and historic preservation from the special revenue funds-other/state operations, miscellaneous special revenue fund-339, public service account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the office of parks, recreation and historic preservation's participation in general ratemaking proceedings pursuant to section 65 of the public service law or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2024, the commissioner of the office of parks, recreation and historic preservation shall submit an accounting of such expenses, including, but not limited to, expenses in the 2023-2024 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the chair's review pursuant to the provisions of section 18-a of the public service law.

§ 4. Expenditures of moneys appropriated in a chapter of the laws of 2023 to the department of environmental conservation from the special revenue funds-other/state operations, environmental conservation special revenue fund-301, utility environmental regulation account shall be subject to the provisions of this section. Notwithstanding any other provision of law to the contrary, direct and indirect expenses relating to the department of environmental conservation's participation in state energy policy proceedings, or certification proceedings pursuant to article 7 or 10 of the public service law, shall be deemed expenses of the department of public service within the meaning of section 18-a of the public service law. No later than August 15, 2024, the commissioner of the department of environmental conservation shall submit an accounting of such expenses, including, but not limited to, expenses in the 2023-2024 state fiscal year for personal and non-personal services and fringe benefits, to the chair of the public service commission for the

chair's review pursuant to the provisions of section 18-a of the public service law.

§ 5. Notwithstanding any other law, rule or regulation to the contrary, expenses of the department of health public service education program incurred pursuant to appropriations from the cable television account of the state miscellaneous special revenue funds shall be deemed expenses of the department of public service. No later than August 15, 2024, the commissioner of the department of health shall submit an accounting of expenses in the 2023-2024 state fiscal year to the chair of the public service commission for the chair's review pursuant to the provisions of section 217 of the public service law.

§ 6. Any expense deemed to be expenses of the department of public service pursuant to sections one through four of this act shall not be recovered through assessments imposed upon telephone corporations as defined in subdivision 17 of section 2 of the public service law.

§ 7. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2023 and shall expire and be deemed repealed April 1, 2024.

PART WW

Intentionally Omitted

PART XX

Intentionally Omitted

PART YY

Intentionally Omitted

PART ZZ

Section 1. Expenditures of moneys by the New York state energy research and development authority for services and expenses of the energy research, development and demonstration program, including grants, the energy policy and planning program, and the Fuel NY program shall be subject to the provisions of this section. Notwithstanding the provisions of subdivision 4-a of section 18-a of the public service law, all moneys committed or expended in an amount not to exceed $28,725,000 shall be reimbursed by assessment against gas corporations, as defined in subdivision 11 of section 2 of the public service law and electric corporations as defined in subdivision 13 of section 2 of the public service law, where such gas corporations and electric corporations have gross revenues from intrastate utility operations in excess of $500,000 in the preceding calendar year, and the total amount assessed shall be allocated to each electric corporation and gas corporation in proportion to its intrastate electricity and gas revenues in the calendar year 2021. Such amounts shall be excluded from the general assessment provisions of subdivision 2 of section 18-a of the public service law. The chair of the public service commission shall bill such gas and/or electric corporations for such amounts on or before August 10, 2023 and such amounts shall be paid to the New York state energy research and

development authority on or before September 10, 2023. Upon receipt, the New York state energy research and development authority shall deposit such funds in the energy research and development operating fund established pursuant to section 1859 of the public authorities law. The New York state energy research and development authority is authorized and directed to: (1) transfer up to $4 million to the state general fund for climate change related services and expenses of the department of environmental conservation from the funds received; and (2) commencing in 2016, provide to the chair of the public service commission and the director of the budget and the chairs and secretaries of the legislative fiscal committees, on or before August first of each year, an itemized record, certified by the president and chief executive officer of the authority, or his or her designee, detailing any and all expenditures and commitments ascribable to moneys received as a result of this assessment by the chair of the department of public service pursuant to section 18-a of the public service law. This itemized record shall include an itemized breakdown of the programs being funded by this section and the amount committed to each program. The authority shall not commit for any expenditure, any moneys derived from the assessment provided for in this section, until the chair of such authority shall have submitted, and the director of the budget shall have approved, a comprehensive financial plan encompassing all moneys available to and all anticipated commitments and expenditures by such authority from any source for the operations of such authority. Copies of the approved comprehensive financial plan shall be immediately submitted by the chair to the chairs and secretaries of the legislative fiscal committees. Any such amount not committed by such authority to contracts or contracts to be awarded or otherwise expended by the authority during the fiscal year shall be refunded by such authority on a pro-rata basis to such gas and/or electric corporations, in a manner to be determined by the department of public service, and any refund amounts must be explicitly lined out in the itemized record described above.

§ 2. 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 AAA

Intentionally Omitted

PART BBB

Section 1. Paragraph f of subdivision 7 of section 415 of the vehicle and traffic law is amended by adding a new subparagraph (iv) to read as follows:

(iv) Notwithstanding any other provision of this paragraph or any provision of paragraph (bb) of subdivision two of section four hundred sixty-three of this title, the commissioner may issue or renew any certificate of registration to a franchisor, manufacturer, distributor, distributor branch or factory branch, as such terms are defined in section four hundred sixty-two of this title, or to any subsidiary, affiliate or controlled entity thereof, that manufactures or assembles buses exclusively; provided, however, that such certificate shall be issued exclusively for the sale of buses to public transportation providers; and provided further, however, that such franchisor, manufacturer, distributor, distributor branch or factory branch, or any subsid-

iary, affiliate or controlled entity thereof: (1) is a manufacturer that manufactures or assembles exclusively buses, or is a subsidiary, affiliate, or controlled entity of such a manufacturer; and (2) sells such buses under such certificate of registration solely to public transportation providers. For purposes of this subparagraph, the term "public transportation provider" shall mean public transportation systems eligible to receive operating assistance under the provisions of section eighteen-b of the transportation law, and the term "public transportation system" shall mean: (A) any public benefit corporation constituting a transportation authority, or a subsidiary thereof, or any public transportation corporation constituted as an instrumentality of the state, or a subsidiary thereof, directly or through a contract with another entity, that provides mass transportation services to the general public; or (B) any Indian tribe or any county, city, town or village that provides mass transportation services to the general public directly or through a contract with another entity pursuant to section one hundred nineteen-r of the general municipal law.

§ 2. This act shall take effect immediately.

PART CCC

Section 1. The closing paragraph of paragraph (d) of subdivision 2-a of section 1269-b of the public authorities law, as added by section 1 of part LLL of chapter 58 of the laws of 2022, is amended and a new paragraph (f) is added to read as follows:

The status of projects shall be provided and state the current phase of the project, such as planning, design, construction or completion, and shall state how far the project has progressed as measured in percentage by expenditure. The dashboard shall measure progress based on original budgets at the time of project commitment when scope and budget are defined. At a minimum, all changes to planned budgets of greater than ten percent, significant project scope or a three month or more change in schedule shall be provided in narrative form and describe the reason for each change or amendment. The dashboard shall include a glossary or data dictionary which contains plain language descriptions of the data, including individual project data, and any other information provided on the dashboard. The authority shall provide a definition of resiliency in the glossary or data dictionary. The dashboard shall be updated, at a minimum, on a quarterly basis, and all data fields available on the dashboard shall be made available for download on the authority's website in a single tabular data file in a common, machine readable format. Capital dashboard data shall also be made available on the data.ny.gov website or such other successor website maintained by, or on behalf of, the state, as deemed appropriate by the New York state office of information technology services under executive order number ninety-five of two thousand thirteen, or any successor agency or order.

(f) The authority shall create and maintain a separate section on its capital program dashboard website for projects related to accessibility or resiliency. Information on this website shall be updated quarterly. For the purposes of this subdivision, "accessibility" shall mean projects regarding elevators, escalators, or other projects related to compliance with the federal Americans with Disabilities Act of 1990, as amended, and corresponding guidelines, and "resiliency" shall have the same meaning as defined by the authority in its twenty-year needs assessment as required by subdivision c of section twelve hundred sixty-nine-c of this title.

§ 2. Section 1276-b of the public authorities law is amended by adding two new subdivisions 6 and 7 to read as follows:

6. The authority shall publish all data pertaining to each authority's budget and financial plans as required by this section in a common, machine readable format on the authority's website as defined by executive order number ninety-five of two thousand thirteen, "Using Technology to Promote Transparency, Improve Government Performance and Enhance Citizen Engagement" or any successor order. Such data shall include, but not be limited to:

(a) estimates of projected operating revenues and expenses, including monthly projections for the current fiscal year of all revenues and expenses;

(b) quarterly revenue and expense targets;

(c) staffing for the authority and each of its agencies;

(d) a comparison of actual revenues and expenses, actual staffing and actual utilization to planned or projected levels for each of the authority's agencies that operate transportation systems;

(e) the status of each gap-closing initiative with a projected value greater than one million dollars in any given fiscal year; and

(f) the status of capital projects by capital element, including but not limited to commitments, expenditures and completions; and material variances from the plan, cost overruns and delays.

7. The data required to be published pursuant to this section shall be made in a single tabular data file in a common, machine readable format and shall be accessible on the authority's website and the website data.ny.gov or such other successor website maintained by, or on behalf of, the state, as deemed appropriate by the New York state office of information technology services under executive order number ninety-five of two thousand thirteen, or any successor agency or order.

§ 3. Section 1279-f of the public authorities law is amended by adding two new subdivisions 4 and 5 to read as follows:

4. Within one year of the effective date of this subdivision, the authority shall publish a report detailing the steps it has taken to implement the recommendations of the audit and the reviews, and provide estimates of the recurring and non-recurring cost savings and efficiencies that have been realized or are anticipated from implementing such recommendations. The authority shall also review its two thousand twenty to two thousand twenty-four capital plan for cost overages and duplication and include its findings in the report. The authority shall publish an additional updated report no later than July first, two thousand twenty-five.

5. To the extent practicable, the findings and recommendations made pursuant to this section and to section twelve hundred seventy-nine-g of this title shall be incorporated into any twenty-year capital needs assessment submitted prior to January first, two thousand twenty-five to the metropolitan transportation authority capital program review board pursuant to subdivision c of section twelve hundred sixty-nine-c of this title.

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

PART DDD

Section 1. The labor law is amended by adding a new article 35 to read as follows:

ARTICLE 35
NEW YORK YOUTH JOBS CONNECTOR PROGRAM

Section 1005. Administration and services.
1006. Funding.
1007. Public outreach.
1008. Annual report.

§ 1005. Administration and services. 1. There is hereby established within the department a New York youth jobs connector program to connect unemployed and underemployed individuals between the ages of sixteen and twenty-four years with targeted educational, occupational, and training services to help prepare such individuals for employment and improve opportunities for such individuals to become employed. The New York youth jobs connector program shall be responsible for facilitating the coordination and delivery of existing programs and resources throughout the state which are designed to assist individuals identified in this article with opportunities for employment, skills development, job training, and the other related services described in subdivision two of this section.

2. The department shall coordinate with the office of strategic workforce development, the department of education, the state university of New York, the city university of New York, the office of temporary and disability assistance, the office of children and family services, the urban development corporation and its subsidiaries, and any other relevant agency or entity, to carry out the purposes of this article and leverage existing funds and programs for unemployed and underemployed youth consistent with the purposes described herein. Services provided by such programs may include, but are not limited to, high school equivalency, basic education, job skills training, English-as-a-second language, job readiness training, job placement services, case management, career counseling and assessment, pre-apprenticeships and apprenticeships, pre-vocational skills training, employability planning, supportive services, proactive outreach to unemployed and underemployed youths, skills and vocational programs leading to career pathways and gainful employment, and the development or promulgation of other resources and programs to assist youths between the ages of sixteen and twenty-four years, particularly at-risk youths in such category.

§ 1006. Funding. The department shall identify and leverage any available funds as necessary, including any private funds provided for the purpose of supporting this article, which may be used to subsidize the New York youth jobs connector program. The department may further identify any private or not-for-profit entities which currently provide job placement or training services, or other services described in section one thousand five of this article, whether as the entity's primary purpose or coincidental to such entities' operations. Such entities may include, but not be limited to, boys and girls clubs, local or statewide affiliated young persons' organizations, and employer associations. The department may, to the extent practicable, contract with such entities for the explicit purpose of using their membership or staff to directly seek out and notify unemployed youths between the ages of sixteen and twenty-four years about the New York youth jobs connector program and the services offered thereunder.

§ 1007. Public outreach. 1. The department shall engage in outreach efforts to raise awareness about the New York youth jobs connector program and the services offered thereunder. Such outreach may include, but not be limited to:

(a) brochures and posters to be distributed to school districts, boards of cooperative educational services, public libraries, community colleges, trade schools, agricultural and technical colleges, and other public institutions of higher education;

(b) use of social media, internet, radio, newspapers, and print advertising;

(c) participation in, or organization of program and job fairs;

(d) posting easily accessible hyperlinks to such information on the department's website;

(e) collaboration with employment agencies or unions; and

(f) recruitment of individuals to serve as visible public ambassadors to promote the program.

2. The department, in consultation with the office of information technology services, shall create publicly accessible online surveys to assess the goals, eligibility, and job readiness of individuals served by the program to match such individuals with a subset of relevant programs and services for consideration. Such surveys shall be made available on the department's website. The department shall also publish an informational webpage to provide details on the program and outreach events as well as information on and a hyperlink to the online surveys.

§ 1008. Annual report. Not later than two years after the effective date of this article, and annually thereafter, the commissioner shall prepare and submit a report to the governor, the temporary president of the senate, and the speaker of the assembly on the efficacy and progress made by the New York youth jobs connector program. In preparing the report, the commissioner may seek and include input from relevant stakeholders, including participating youths, schools, programs, and employers. The report shall also include recommendations on further improvements concerning outreach efforts to spread awareness of the program.

§ 2. The economic development law is amended by adding a new section 100-b to read as follows:

§ 100-b. Comprehensive report on the activities of the office of strategic workforce development. Beginning on February first, two thousand twenty-four, and every February first thereafter, the department shall prepare a comprehensive annual report on the activities and efficacy of the office of strategic workforce development. In preparing the report, the department shall coordinate with the department of labor, the department of education, the state university of New York, the city university of New York, the office of temporary and disability assistance, the office of children and family services, the urban development corporation and its subsidiaries, and any other relevant agency or entity. Such report shall include, but need not be limited to: aggregate totals for each economic development program administered directly by the office of strategic workforce development, and aggregate totals for related programs in other agencies wherein such program funds are appropriated within the office of strategic workforce development, the number of awards made since the last report as well as the number of awards made to date, the number of business partners secured through such awards, the dollar total of such awards, regional distribution of such awards, the identified statewide and regional priority sectors as identified by the urban development corporation with input from the regional economic development councils including a description of each such sector, the number of trainees assisted through such awards, leveraged matching funds associated with awards, program participation rates, industry trends, and any other information deemed necessary by the commissioner. The department shall prominently post the comprehensive

economic development report on its website no later than February first of each year.

§ 3. The opening paragraph of subdivision 15 of section 21 of the labor law, as amended by chapter 40 of the laws of 2018, is amended and a new subdivision 16 is added to read as follows:

Shall establish and maintain an online database to catalogue and make available information on workforce development funding programs [~~and may publish any analysis conducted by the department on such data~~]. Such catalogue shall be updated no less than annually. For purposes of this subdivision, the term "workforce development funding program" shall mean a program that funds or provides targeted educational, occupational or training services for the purpose of effecting the employability of the participant, provides training or employment services, supports an economic development activity by enhancing the skills of the state's workforce, prepares individuals for employment, improves opportunities for individuals to become employed, or promotes understanding of the state labor force market through statistical studies, including but not limited to programs that fund or provide English as a second language and adult literacy. For each workforce development funding program, the online database shall include, but not be limited to, the following information for each funding program:

16. Beginning on December first, two thousand twenty-four, and every December first thereafter, the department shall prepare a report of the catalogue of workforce development funding programs established pursuant to subdivision fifteen of this section comprised of analysis conducted by the agency or entity responsible for each workforce development funding program on the outcomes and effectiveness of such funding programs and the number of persons served by such funding. Such analysis must be submitted to the department by a date specified by the department each year. Such report shall be submitted to the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate and the minority leader of the assembly and shall be made publicly available on the department's website.

§ 4. This act shall take effect immediately; provided, however, that section one of this act shall take effect on the sixtieth day after it shall have become a law. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART EEE

Section 1. Section 6 of chapter 882 of the laws of 1953, constituting the waterfront commission act, is amended to read as follows:

§ 6. Commission established for New York state. A. Unless [~~and until~~] the state of New Jersey concurs with the provisions of the compact contained in [~~section one~~] parts I, II and III of this act [~~shall have been concurred in by the state of New Jersey~~], and the consent of congress has been given thereto[~~, and the commission, provided for thereby, established~~]:

1. [~~The~~] Notwithstanding any law, rule, or regulation to the contrary, the provisions of such compact and [~~sections two, three, four and five~~] parts I, II and III of this act shall apply to and be in full force and effect within the state of New York, except as limited by this section, and any violation of such compact or section shall be a violation of the

laws of the state of New York, provided, however, that (with respect to the definitions contained in such compact):

(a) "The port of New York district" shall mean only that portion of the district within the state of New York;

(b) The "commission", hereinafter referred to in this section as the "New York commission", shall mean and consist of the member appointed by the governor of this state by and with the advice and consent of the senate, and [~~he~~] such member shall possess and exercise all the powers and duties of the commission set forth in [~~section one~~] parts I, II and III of this act and any other powers and duties conferred herein;

(c) The powers and duties of any other officer or agency of this state prescribed by [~~section one or otherwise by~~] parts I, II and III of this act shall be effective as if the provisions of the compact were effective as a law of this state; and

(d) The New York commission shall not be deemed to be a body corporate and politic and shall be in the executive department of this state and may request, receive, and utilize facilities, resources and data of any department, division, board, bureau, commission, agency or public authority of the state or any political subdivision thereof as it may reasonably request to carry out properly its powers and duties pursuant to this section; and

(e) A commissioner serving on the waterfront commission of New York harbor who was appointed by the governor of New York to such position, may serve as acting commissioner of the New York commission until such time as a commissioner is appointed by the governor, with the advice and consent of the senate, pursuant to this subdivision.

2. The New York commission is authorized to cooperate with a similar [~~commission of~~] entity established in the state of New Jersey, to exchange information on any matter pertinent to the purposes of this act, and to enter into reciprocal agreements for the accomplishment of such purposes, including but not limited to the following objectives:

(a) To provide for the reciprocal recognition of any license issued or registration made by either commission;

(b) To give reciprocal effect to any revocation, suspension or reprimand with respect to any licensee, and any reprimand or removal from a longshoremen's register;

(c) To provide that any act or omission by a licensee or registrant in either state which would be a basis for disciplinary action against such licensee or registrant if it occurred in the state in which the license was issued or the person registered shall be the basis for disciplinary action in both states;

(d) To provide that longshoremen registered in either state, who perform work or who apply for work at an employment information center within the other state shall be deemed to have performed work or to have applied for work in the state in which they are registered.

3. Notwithstanding any other provision of law, the officers, employees and agents of the commission established by this section may be appointed or employed without regard to their state of residence. Such commission may appoint or employ the same person to a similar office or employment in this state as [~~he~~] such person holds in a similar [~~commission or agency of~~] entity established in the state of New Jersey.

B. Notwithstanding any other provision of this act, for the purpose of providing for the commission's expenses of administration [~~during the remainder of the calendar year following the effective date of this act, and~~] until June thirtieth, [~~nineteen hundred fifty-four~~] two thousand twenty-four the assessment for such expense shall be at the rate [~~of one~~

~~and one-half per cent~~] set by the New York commission, not to exceed the average rate of assessment by the waterfront commission of New York harbor, over the time period from two thousand sixteen until two thousand twenty-three. Such assessment shall be made, collected and enforced in accordance with [~~article thirteen of the compact and section two~~] parts I, II and III of this act.

C. Nothing in this section shall be read to confer any powers to the governor or legislature of the state of New Jersey on a New York commission established under paragraph one of subdivision A of this section. References in parts I, II and III of this act to the legislatures of New York and New Jersey shall mean only the legislature of New York, and references to the governors of New York and New Jersey shall mean only the governor of New York, as those powers relate to a New York commission, operating solely within the state of New York.

D. No provision shall be applied to the New York commission under this section unless such provision shall have been previously adopted by New York and New Jersey, with the consent of congress, and applied to the waterfront commission of New York harbor between January first, nineteen hundred fifty-four, and April thirtieth, two thousand twenty-three.

E. All rules and regulations of the waterfront commission of New York harbor, established by the state of New York and by the state of New Jersey shall continue in effect as the rules and regulations of the New York commission until amended, supplemented, or rescinded by the New York commission pursuant to the state administrative procedure act. Previously promulgated regulations inconsistent with the provisions of this act shall be deemed void.

§ 2. This act shall take effect immediately, and shall expire June 30, 2024 when upon such date the provisions of this act shall be deemed repealed.

PART FFF

Section 1. Section 312-a of the executive law, as amended by chapter 96 of the laws of 2019, is amended to read as follows:

§ 312-a. Study of minority and women-owned business enterprises. 1. The director of the division of minority and women-owned business development is authorized and directed to recommission a statewide disparity study regarding the participation of minority and women-owned business enterprises in state contracts since the amendment of this article to be delivered to the governor and legislature no later than August fifteenth, two thousand [~~twenty-three~~] twenty-four. The study shall be prepared by an entity independent of the department and selected through a request for proposal process. The purpose of such study is:

(a) to determine whether there is a disparity between the number of qualified minority and women-owned businesses ready, willing and able to perform state contracts for commodities, services and construction, and the number of such contractors actually engaged to perform such contracts, and to determine what changes, if any, should be made to state policies affecting minority and women-owned business enterprises;

(b) to determine whether there is a disparity between the number of qualified minorities and women ready, willing and able, with respect to labor markets, qualifications and other relevant factors, to participate in contractor employment, management level bodies, including boards of directors, and as senior executive officers within contracting entities and the number of such group members actually employed or affiliated with state contractors in the aforementioned capacities, and to deter-

mine what changes, if any, should be made to state policies affecting minority and women group populations with regard to state contractors' employment and appointment practices relative to diverse group members. Such study shall include, but not be limited to, an analysis of the history of minority and women-owned business enterprise programs and their effectiveness as a means of securing and ensuring participation by minorities and women, and a disparity analysis by market area and region of the state. Such study shall distinguish between minority males, minority females and non-minority females in the statistical analysis; and

(c) such study shall also include an analysis of the utilization on state agency contracts of businesses owned by an Indian nation or tribe, as such term is defined in section two of the Indian law, whether a disparity exists between availability of such businesses to participate on state agency contracts and utilization, and, if so, the feasibility of authorizing an Indian nation or tribe owned businesses to become certified as a participant in the minority and women-owned business enterprise program.

2. The director of the division of minority and women's business development is directed to transmit the disparity study to the governor and the legislature not later than August fifteenth, two thousand [~~twenty-three~~] **twenty-four**, and to post the study on the website of the department of economic development.

§ 2. This act shall take effect immediately; provided, however, that the amendments to section 312-a of the executive law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART GGG

Section 1. Subdivision 1 of section 211 of the economic development law, as added by chapter 398 of the laws of 2018, is amended to read as follows:

1. The department shall establish and support, within available appropriations, entrepreneurship assistance centers at career education agencies**, municipal agencies,** and not-for-profit corporations including, but not limited to, local development corporations, chambers of commerce, community-based business outreach centers and other community-based organizations. The purpose of such centers shall be to train minority group members, women, individuals with a disability, dislocated workers and veterans in the principles and practice of entrepreneurship in order to prepare such persons to pursue self-employment opportunities and to pursue a **designation as a** minority business enterprise or a women-owned business enterprise. Such centers shall provide for training in all aspects of business development and small business management as defined by the commissioner. For purposes of this section, "career education agency" shall mean a community college or board of cooperative educational services operating within the state.

§ 2. Section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding a new section 16-hh to read as follows:

§ 16-hh. Small business and entrepreneurs grant program. 1. The corporation shall establish and support, within available appropriations, the small business and entrepreneurs grant program, as a two-year pilot initiative of the corporation, to award grants of up to twenty-five thousand dollars, but no less than five thousand dollars, to entrepre-

neurs and small business owners to cover start up costs of a new small business, or to support or expand an existing small business in New York state. The corporation shall establish criteria for selection and designation of awardees which shall include, without limitation, the following requirements:

(a) any applicant for a grant under this program shall have successfully completed a training program at an entrepreneurship assistance center established pursuant to section 211 of the economic development law;

(b) an entrepreneur or small business owner shall not be eligible for more than one award under this program for the same small business; and

(c) the recipient of the grant shall agree to maintain the operations of the small business for which the grant was approved physically located in the state for at least two years after receipt of the grant, to the extent the business remains operational. Provided however that if within two years of receiving the grant, such business is found to have moved its operations outside the state, the department may seek to recapture the funds or a portion thereof.

2. The corporation may promulgate guidelines necessary to effectuate the purposes of this section including, but not limited to, guidelines setting forth procedures for submission and processing of grant applications.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law and shall expire 2 years after such effective date when upon such date the provisions of this act shall be deemed repealed.

PART HHH

Section 1. Notwithstanding any provision of law to the contrary, for the purposes of the site preparation credit component of the brownfield redevelopment tax credit pursuant to section 21 of the tax law, as added by chapter 1 of the laws of 2003, a taxpayer can claim a site preparation credit with respect to a site's qualification for a certificate of completion in the taxable year following the taxable year where the certificate of completion was issued by the commissioner of environmental conservation pursuant to section 27-1419 of the environmental conservation law, where the taxpayer did not own the qualified site during the taxable year in which the certificate of completion was issued, but became the owner of the qualified site and paid the site preparation costs relevant to the credit claim in the taxable year after the certificate of completion was issued.

§ 2. A taxpayer that pays site preparation costs for the qualified site cannot claim a site preparation credit if the taxpayer has been identified by the administrator of the New York environmental protection and spill compensation fund as a person responsible for the cleanup and removal costs for the discharge of petroleum at or emanating from the qualified site where it has not resolved an outstanding claim at such site pursuant to article twelve of the navigation law or if the taxpayer has been identified by the department of environmental conservation as a responsible party for the disposal of hazardous waste at the qualified site.

§ 3. This act shall take effect immediately and shall apply to site preparation credit components of brownfield redevelopment tax credit claims filed for taxable years beginning on or after January 1, 2014 and before January 1, 2023.

PART III

Section 1. Section 912 of the general municipal law, as added by chapter 390 of the laws of 1972, is amended to read as follows:

§ 912. Orange county industrial development agency. 1. For the benefit of the county of Orange and the inhabitants thereof, an industrial development agency, to be known as the ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for the accomplishment of any or all of the purposes specified in title one of this article [~~eighteen-A of this chapter~~]. It shall constitute a body corporate and politic, and be perpetual in duration. It shall have the powers and duties now or hereafter conferred by title one of this article [~~eighteen-A of this chapter~~] upon industrial development agencies. It shall be organized in a manner prescribed by and be subject to the provisions of title one of this article [~~eighteen-A of this chapter~~]. Its members shall be appointed by the governing body of the county of Orange. The agency, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of title one of this article [~~eighteen-A of this chapter~~].

2. For purposes of this section, "financial assistance" shall mean any financial assistance offered by the Orange county industrial development agency for any project, including but not limited to, a payment in lieu of taxes agreement, an agreement to waive sales tax, or an agreement to waive mortgage recording taxes.

3. (a) In accordance with the powers of the office of the state inspector general established by subdivision eight of section fifty-four of the executive law, the state inspector general shall appoint an independent monitor to carry out the provisions of this section including but not limited to providing guidance and technical assistance related to the policies, practices, programs and decisions of the Orange county industrial development agency, including but not limited to decisions, actions and policies related to contracts and financial assistance agreements. The state inspector general shall appoint such monitor within ninety days of the effective date of this subdivision or as soon thereafter as is practicable. After such appointment, the inspector general may only remove the monitor for violations of law.

(b) The reasonable and necessary expenses incurred by the monitor while performing his or her official duties shall be paid by the industrial development agency. Notwithstanding any other provision of law, while acting within the scope of his or her authority, the monitor shall not be subject to any liability resulting from carrying out any of the powers expressly given in this section, and the monitor shall be entitled to defense and indemnification by the industrial development agency.

(c) The monitor shall be entitled to attend all meetings of the industrial development agency, including executive sessions; provided however, such monitor shall not be considered for purposes of establishing a quorum of the board, provided further that the monitor may be excused from executive sessions when proposed, pending or current litigation involving the monitor or the office of the state inspector general are being discussed. The industrial development agency shall cooperate with any monitor with access, within forty-eight hours of such request from the monitor, to any necessary documents and records of the industrial development agency including but not limited to databases and planning documents, financial assistance agreements, and contracts consistent with all applicable state and federal statutes. The monitor shall

provide a copy of such request for any document or record to the industrial development agency board.

(d) The board shall provide the monitor with copies of any meeting agendas and all resolutions and motions on such agenda for each board meeting no later than seventy-two hours prior to such board meeting. If a proposed resolution or motion is for the purpose of approving a contract or any financial assistance for a project, the board clerk shall provide the monitor with copies of the proposed contract or financial assistance language at least seven days prior to such meeting.

(e) In the event the monitor is not provided with copies of proposed resolutions or motions seventy-two hours prior to a board meeting or in the case of a proposed motion or resolution for the purpose of approving a contract or financial assistance, seven days prior to the next board meeting, the monitor may, at their discretion, remove an item including board resolutions or motions, from consideration by the board at such meeting. Upon failure of the board to provide proposed resolutions or motions as required by this section, the monitor shall provide notice of failure to the board. An item removed from consideration by the monitor may not be reconsidered by the board until the next board meeting.

(f) The monitor shall have the power to review any modification to the industrial development agency's uniform tax exemption policy required by section eight hundred seventy-four of this article, contract or financial assistance proposed for consideration by the industrial development agency proposed by the board on or after the effective date of this subdivision; provided however, that all such proposed modifications to the industrial development agency's uniform tax exemption policy required by section eight hundred seventy-four of this article, contracts or agreements shall be provided by the industrial development agency board to the monitor at least seven days prior to adoption.

(i) At least seventy-two hours prior to adoption by the board, the monitor shall advise the board or employees of the industrial development agency, in writing, of the existence of violations of the industrial development agency's uniform tax exemption policy required by section eight hundred seventy-four of this article, actual or potential conflicts of interest, or violations of law arising from a proposed contract or financial assistance agreement that the industrial development agency shall consider before entering into any such contract or agreement.

(ii) The board shall document for its own records the existence and resolution of any actual or potential conflict of interest or other violation identified by the monitor.

(iii) No such contract or agreement may be approved or entered into by the industrial development agency unless such actual or potential conflict of interest or violation has been resolved to the satisfaction of the monitor.

(iv) At least seventy-two hours prior to adoption by the board, the monitor shall advise the board or employees, in writing, of its disapproval of any changes to the industrial development agency's uniform tax exemption policy; provided additionally, that within thirty days after their appointment, the monitor shall advise such board or employees, in writing, of its disapproval of any changes to the industrial development agency's uniform tax exemption policy made by the board that were made on or after the effective date of this subdivision until such monitor's appointment. Any such change to the uniform tax exemption policy disapproved by the monitor shall not be effective, and may not be reconsidered by the board for at least ten days or until the next board meeting;

provided, however, that any change to the uniform tax exemption policy that was made by the board on or after the effective date of this subdivision until such monitor's appointment that is disapproved by the monitor shall not affect the validity of any prior agreement entered into prior to the monitor's appointment.

(v) At least seventy-two hours prior to adoption by the board, the monitor shall advise the board or employees, in writing, of its disapproval of any proposed contract or agreement with a project applying for financial assistance that would permit a deviation from the industrial development agency's uniform tax exemption policy required by section eight hundred seventy-four of this article. Any such proposed contract or financial assistance agreement that would permit a deviation from such policy shall not be effective, and may not be reconsidered by the board for at least ten days or until the next board meeting.

(vi) The monitor shall have seventy-two hours after any contract or financial assistance is approved to review such financial assistance or contract, and if a violation of policy related to the industrial development agency's uniform tax exemption policy required by section eight hundred seventy-four of this article, a conflict of interest, or a violation of law is identified during such time period, the monitor shall notify the industrial development agency in writing. Any such contract or financial assistance so identified by the monitor shall not be legally binding or effective, and may not be reconsidered by the board for at least ten days or until the next board meeting.

(g) The board, in consultation with the monitor, shall adopt a conflict of interest policy, or revise an existing conflict of interest policy, that complies with all existing applicable laws, rules and regulations, including article eighteen of this chapter. The conflict of interest policy shall include, but not be limited to:

(i) a definition of the circumstances that constitute a conflict of interest;

(ii) procedures for identifying, disclosing and resolving a conflict of interest to the board;

(iii) a requirement that the person with the conflict of interest not be present at or participate in board deliberations or votes on the matter giving rise to such conflict, provided that nothing in this paragraph shall prohibit the board from requesting that the person with the conflict of interest present information as background or answer questions at a board meeting prior to the commencement of deliberations or voting thereto;

(iv) a prohibition against any attempt by the person with the conflict to influence improperly the deliberation or voting on the matter giving rise to such conflict;

(v) compliance with all applicable state laws and regulations; and

(vi) a requirement that the existence and resolution of the conflict be documented in the board's records, including in the minutes of any meeting at which the conflict was discussed or voted upon.

(h) The monitor may advise the board and any industrial development agency officers, employees or agents to undergo any training as deemed necessary.

4. The monitor shall undertake an enhanced review of the budget decisions and financial assistance agreements of the industrial development agency.

(a) The board shall annually submit the industrial development agency's proposed budget for the next succeeding fiscal year to the monitor no later than forty-five days prior to its adoption. The monitor shall

review the budget to ensure that it, to the greatest extent possible, is consistent with purposes and necessary activities of the Orange county industrial development agency, and that it does not substantially conflict with the long term economic interests of Orange county and its constituents.

(b) The board shall provide quarterly reports to the monitor and annual reports to the state inspector general on the operational status of the industrial development agency. In addition, the monitor shall provide semi-annual reports to the state inspector general, the governor, the temporary president of the senate, and the speaker of the assembly on the fiscal and operational status of the industrial development agency. Such semi-annual report shall include a summary of all the contracts that the board entered into throughout the year. All reports shall be subject to review by the comptroller.

(c) The monitor shall advise the board in the development and revision of the industrial development agency's goals, implementation of its priorities and budgetary recommendations.

(d) The monitor may recommend, and the board may consider by vote of a resolution at the next scheduled meeting of the board, cost saving measures including, but not limited to, shared service agreements.

5. Nothing in this section shall be construed to abrogate the duties and responsibilities of the board consistent with applicable state law and regulations.

§ 2. Section 54 of the executive law is amended by adding a new subdivision 8 to read as follows:

8. Appoint an independent monitor to provide guidance and technical assistance related to the policies, practices, programs and decisions of the Orange county industrial development agency, as authorized in subdivisions two, three, four and five of section nine hundred twelve of the general municipal law.

§ 3. This act shall take effect immediately; provided however, that subdivisions two, three, four and five of section 912 of the general municipal law, as added by section one of this act, and subdivision 8 of section 54 of the executive law, as added by section two of this act, shall expire and be deemed repealed three years after such effective date.

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

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