

STATE OF NEW YORK

S. 3005--A

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SENATE - ASSEMBLY

January 22, 2025

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

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

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

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 taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the expiration thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 55 of the laws of 2018, amending the criminal procedure law relating to the pre-criminal proceeding settlements in the City of New York, in relation to the effectiveness thereof (Part A); to amend the criminal procedure law, in relation to discovery reform (Part B); to amend the public officers law, in relation to residency requirements for certain positions as a correction officer; to amend the retirement and social security law, in relation to mandatory retirement for certain members or officers of the state police; to amend the executive law, in relation to eligibility for appointment as a sworn member of the state police; and to amend the civil service law, in relation to the requirements for appointment of police officers (Part C); to amend the penal law, in relation to establishing the crime of domestic violence (Part D); to

amend the correction law, in relation to merit time allowance and limited credit time allowance (Part E); to amend criminal procedure law, civil practice law and rules, general municipal law, the court of claims act, and the education law, in relation to eliminating the statute of limitations for sex trafficking cases (Part F); to amend the executive law, in relation to expanding support services for victims of financial abuse and homicide (Part G); to amend the executive law and the public health law, in relation to expanding protections and services to survivors of sexual assault (Part H); to amend the social services law, in relation to public assistance for survivors of gender-based violence; and to repeal subdivision four of section 349-a of the social services law relating thereto (Part I); to amend the state finance law and the executive law, in relation to a model gender-based violence and the workplace policy (Part J); to amend the general municipal law and the executive law, in relation to requiring municipal cybersecurity incident reporting and exempting such reports from freedom of information requirements (Part K); to amend the penal law, in relation to artificial intelligence-generated child sexual abuse material (Part L); to amend the penal law, in relation to including the patronization of a person who is mentally disabled in the offense of sex trafficking (Part M); to amend the penal law, in relation to transit crimes and prohibition orders relating to such crimes (Part N); to amend the penal law, in relation to the expanding the definition of building for the purpose of the offense of criminal trespass and burglary (Part O); to amend the penal law, in relation to establishing the crime of aggravated transportation offense (Part P); to amend chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part Q); to amend the public authorities law, in relation to the bonding limit of the New York city transitional finance authority (Part R); to amend the real property tax law and the administrative code of the city of New York, in relation to the industrial and commercial abatement program (Part S); to amend the civil practice law and rules and the state finance law, in relation to the rate of interest to be paid on judgment and accrued claims (Part T); to amend the civil service law, in relation to reimbursement for medicare premium charges (Part U); to amend the civil service law, in relation to extending the waiver of certain state civil service examination fees; and to amend part EE of chapter 55 of the laws of 2023, amending the civil service law relating to waiving state civil service examination fees between July 1, 2023 and December 31, 2025, in relation to the effectiveness thereof (Part V); to amend the state finance law, in relation to providing for an alternate payment election for certain employees (Part W); to amend the state technology law, in relation to cybersecurity awareness training for government employees (Part X); to amend chapter 60 of the laws of 2015, constituting the infrastructure investment act, in relation to construction manager as constructor contracts (Part Y); to amend the New York city public works investment act, in relation to authorizing the use of certain alternative project delivery methods (Part Z); to amend the workers' compensation law, in relation to medical providers entitled to render emergency care and treatment in cases of a workers' compensation injury (Part AA); to amend the workers' compensation law, in relation to specifying which providers are authorized to render certain medical care; and to repeal certain provisions of such law related thereto (Part BB); to amend the

workers' compensation law, in relation to temporary payment of compensation for medical treatment and care (Part CC); to amend the workers' compensation law and the insurance law, in relation to payments for covered medical and/or hospital services for or on behalf of an injured employee when the claim is controverted (Part DD); in relation to providing for the administration of certain funds and accounts related to the 2025-2026 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts, in relation to the effectiveness thereof, and in relation to interest owed on outstanding balances of debt; to amend part XX of chapter 56 of the laws of 2024, amending the state finance law and other laws relating to providing for the administration of certain funds and accounts related to the 2023-2024 budget, in relation to the effectiveness thereof; authorizing the comptroller to transfer up to \$25,000,000 from various state bond funds to the general debt service fund for the purposes of redeeming or defeasing outstanding state bonds; to amend the private housing finance law, in relation to housing program bonds and notes; to amend the public authorities law, in relation to the issuance of bonds and notes by the dedicated highway and bridge trust fund; to amend the public authorities law, in relation to the issuance of bonds and notes for city university facilities; to amend the public authorities law, in relation to the issuance of bonds for library construction projects; to amend the public authorities law, in relation to the issuance of bonds for state university educational facilities; to amend the public authorities law, in relation to the issuance of bonds and notes for locally sponsored community colleges; to amend chapter 392 of the laws of 1973, constituting the New York state medical care facilities finance agency act, in relation to the issuance of mental health services facilities improvement bonds and notes; to amend part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to the issuance of bonds and notes to finance capital costs related to homeland security; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds and notes for purposes of funding office of information technology services project costs; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of funds to the thruway authority; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds and notes to fund costs for statewide equipment; to amend the public authorities law, in relation to the issuance of bonds for purposes of financing environmental infrastructure projects; to amend part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of bonds and notes for the youth facilities improvement fund; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing peace bridge projects and capital costs of state and local highways; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds for economic development initiatives; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006

budget, in relation to the issuance of bonds and notes for the purpose of financing capital projects for the division of military and naval affairs and initiative of the state police; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing the construction of the New York state agriculture and markets food laboratory; to amend the public authorities law, in relation to authorization for the issuance of bonds for the capital restructuring financing program, the health care facility transformation programs, and the essential health care provider program; to amend the public authorities law, in relation to the issuance of bonds or notes for the purpose of assisting the metropolitan transportation authority in the financing of transportation facilities; to amend the public authorities law, in relation to bonds and notes for hazardous waste remediation; to amend part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of certain bonds and notes; to amend the public authorities law, in relation to funds for the department of health and financing through the dormitory authority; to amend the public health law, in relation to the department of health income fund; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of personal income tax revenue anticipation notes; to amend the state finance law, in relation to the issuance of bonds and notes for certain purposes; to amend the state finance law, in relation to refunding and redemption of bonds; to repeal certain provisions of the state finance law relating to the accident prevention course internet, and other technology pilot program fund, relating to the required contents of the budget and relating to the deposit of receipts derived from certain indirect cost assessments; and providing for the repeal of certain provisions upon expiration thereof (Part EE); to amend the administrative code of city of New York, in relation to amortization and valuation methods used for contributions to the New York city employees' retirement system, the New York city teachers' retirement system, and the board of education retirement system of such city (Part FF); to amend the correction law, in relation to addressing accountability within the department of corrections and community supervision (Part GG); to amend the correction law, in relation to the functions, powers and duties of the state commission of correction (Part HH); and in relation to authorizing the department of corrections and community supervision to close up to five correctional facilities in the 2025--2026 state fiscal year; and providing for the repeal of such provisions upon expiration thereof (Part II)

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

1 Section 1. This act enacts into law major components of legislation
2 necessary to implement the state public protection and general govern-
3 ment budget for the 2025-2026 state fiscal year. Each component is whol-
4 ly contained within a Part identified as Parts A through II. The effec-
5 tive date for each particular provision contained within such Part is
6 set forth in the last section of such Part. Any provision in any section
7 contained within a Part, including the effective date of the Part, which
8 makes a reference to a section "of this act", when used in connection

1 with that particular component, shall be deemed to mean and refer to the
2 corresponding section of the Part in which it is found. Section three of
3 this act sets forth the general effective date of this act.

4 PART A

5 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the
6 correction law relating to the psychological testing of candidates, as
7 amended by section 1 of part A of chapter 55 of the laws of 2023, is
8 amended to read as follows:

9 § 2. This act shall take effect on the one hundred eightieth day after
10 it shall have become a law and shall remain in effect until September 1,
11 [~~2025~~] 2027.

12 § 2. Section 3 of chapter 428 of the laws of 1999, amending the execu-
13 tive law and the criminal procedure law relating to expanding the
14 geographic area of employment of certain police officers, as amended by
15 section 2 of part A of chapter 55 of the laws of 2023, is amended to
16 read as follows:

17 § 3. This act shall take effect on the first day of November next
18 succeeding the date on which it shall have become a law, and shall
19 remain in effect until the first day of September, [~~2025~~] 2027, when it
20 shall expire and be deemed repealed.

21 § 3. Section 3 of chapter 886 of the laws of 1972, amending the
22 correction law and the penal law relating to prisoner furloughs in
23 certain cases and the crime of absconding therefrom, as amended by
24 section 3 of part A of chapter 55 of the laws of 2023, is amended to
25 read as follows:

26 § 3. This act shall take effect 60 days after it shall have become a
27 law and shall remain in effect until September 1, [~~2025~~] 2027.

28 § 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
29 50, 53 and 54 of the laws of 1987, the correction law, the penal law and
30 other chapters and laws relating to correctional facilities, as amended
31 by section 4 of part A of chapter 55 of the laws of 2023, is amended to
32 read as follows:

33 § 20. This act shall take effect immediately except that section thir-
34 teen of this act shall expire and be of no further force or effect on
35 and after September 1, [~~2025~~] 2027 and shall not apply to persons
36 committed to the custody of the department after such date, and provided
37 further that the commissioner of corrections and community supervision
38 shall report each January first and July first during such time as the
39 earned eligibility program is in effect, to the [~~chairmen~~] chairs of the
40 senate crime victims, crime and correction committee, the senate codes
41 committee, the assembly correction committee, and the assembly codes
42 committee, the standards in effect for earned eligibility during the
43 prior six-month period, the number of [~~inmates~~] incarcerated individuals
44 subject to the provisions of earned eligibility, the number who actually
45 received certificates of earned eligibility during that period of time,
46 the number of [~~inmates~~] incarcerated individuals with certificates who
47 are granted parole upon their first consideration for parole, the number
48 with certificates who are denied parole upon their first consideration,
49 and the number of individuals granted and denied parole who did not have
50 earned eligibility certificates.

51 § 5. Subdivision (q) of section 427 of chapter 55 of the laws of 1992,
52 amending the tax law and other laws relating to taxes, surcharges, fees
53 and funding, as amended by section 5 of part A of chapter 55 of the laws
54 of 2023, is amended to read as follows:

1 (q) the provisions of section two hundred eighty-four of this act
2 shall remain in effect until September 1, [~~2025~~] 2027 and be applicable
3 to all persons entering the program on or before August 31, [~~2025~~] 2027.

4 § 6. Section 10 of chapter 339 of the laws of 1972, amending the
5 correction law and the penal law relating to inmate work release,
6 furlough and leave, as amended by section 6 of part A of chapter 55 of
7 the laws of 2023, is amended to read as follows:

8 § 10. This act shall take effect 30 days after it shall have become a
9 law and shall remain in effect until September 1, [~~2025~~] 2027, and
10 provided further that the commissioner of correctional services shall
11 report each January first, and July first, to the [~~chairman~~] chairs of
12 the senate crime victims, crime and correction committee, the senate
13 codes committee, the assembly correction committee, and the assembly
14 codes committee, the number of eligible [~~inmates~~] incarcerated individ-
15 uals in each facility under the custody and control of the commissioner
16 who have applied for participation in any program offered under the
17 provisions of work release, furlough, or leave, and the number of such
18 [~~inmates~~] incarcerated individuals who have been approved for partic-
19 ipation.

20 § 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994,
21 relating to certain provisions which impact upon expenditure of certain
22 appropriations made by chapter 50 of the laws of 1994, enacting the
23 state operations budget, as amended by section 7 of part A of chapter 55
24 of the laws of 2023, is amended to read as follows:

25 (c) sections forty-one and forty-two of this act shall expire Septem-
26 ber 1, [~~2025~~] 2027; provided, that the provisions of section forty-two
27 of this act shall apply to [~~inmates~~] incarcerated individuals entering
28 the work release program on or after such effective date; and

29 § 8. Subdivision (aa) of section 427 of chapter 55 of the laws of
30 1992, amending the tax law and other laws relating to taxes, surcharges,
31 fees and funding, as amended by section 8 of part A of chapter 55 of the
32 laws of 2023, is amended to read as follows:

33 (aa) the provisions of sections three hundred eighty-two, three
34 hundred eighty-three and three hundred eighty-four of this act shall
35 expire on September 1, [~~2025~~] 2027;

36 § 9. Section 12 of chapter 907 of the laws of 1984, amending the
37 correction law, the New York city criminal court act and the executive
38 law relating to prison and jail housing and alternatives to detention
39 and incarceration programs, as amended by section 9 of part A of chapter
40 55 of the laws of 2023, is amended to read as follows:

41 § 12. This act shall take effect immediately, except that the
42 provisions of sections one through ten of this act shall remain in full
43 force and effect until September 1, [~~2025~~] 2027 on which date those
44 provisions shall be deemed to be repealed.

45 § 10. Subdivision (p) of section 406 of chapter 166 of the laws of
46 1991, amending the tax law and other laws relating to taxes, as amended
47 by section 10 of part A of chapter 55 of the laws of 2023, is amended to
48 read as follows:

49 (p) The amendments to section 1809 of the vehicle and traffic law made
50 by sections three hundred thirty-seven and three hundred thirty-eight of
51 this act shall not apply to any offense committed prior to such effec-
52 tive date; provided, further, that section three hundred forty-one of
53 this act shall take effect immediately and shall expire November 1, 1993
54 at which time it shall be deemed repealed; sections three hundred
55 forty-five and three hundred forty-six of this act shall take effect
56 July 1, 1991; sections three hundred fifty-five, three hundred fifty-

1 six, three hundred fifty-seven and three hundred fifty-nine of this act
2 shall take effect immediately and shall expire June 30, 1995 and shall
3 revert to and be read as if this act had not been enacted; section three
4 hundred fifty-eight of this act shall take effect immediately and shall
5 expire June 30, 1998 and shall revert to and be read as if this act had
6 not been enacted; section three hundred sixty-four through three hundred
7 sixty-seven of this act shall apply to claims filed on or after such
8 effective date; sections three hundred sixty-nine, three hundred seven-
9 ty-two, three hundred seventy-three, three hundred seventy-four, three
10 hundred seventy-five and three hundred seventy-six of this act shall
11 remain in effect until September 1, [~~2025~~] 2027, at which time they
12 shall be deemed repealed; provided, however, that the mandatory
13 surcharge provided in section three hundred seventy-four of this act
14 shall apply to parking violations occurring on or after said effective
15 date; and provided further that the amendments made to section 235 of
16 the vehicle and traffic law by section three hundred seventy-two of this
17 act, the amendments made to section 1809 of the vehicle and traffic law
18 by sections three hundred thirty-seven and three hundred thirty-eight of
19 this act and the amendments made to section 215-a of the labor law by
20 section three hundred seventy-five of this act shall expire on September
21 1, [~~2025~~] 2027 and upon such date the provisions of such subdivisions
22 and sections shall revert to and be read as if the provisions of this
23 act had not been enacted; the amendments to subdivisions 2 and 3 of
24 section 400.05 of the penal law made by sections three hundred seventy-
25 seven and three hundred seventy-eight of this act shall expire on July
26 1, 1992 and upon such date the provisions of such subdivisions shall
27 revert and shall be read as if the provisions of this act had not been
28 enacted; the state board of law examiners shall take such action as is
29 necessary to assure that all applicants for examination for admission to
30 practice as an attorney and counsellor at law shall pay the increased
31 examination fee provided for by the amendment made to section 465 of the
32 judiciary law by section three hundred eighty of this act for any exam-
33 ination given on or after the effective date of this act notwithstanding
34 that an applicant for such examination may have prepaid a lesser fee for
35 such examination as required by the provisions of such section 465 as of
36 the date prior to the effective date of this act; the provisions of
37 section 306-a of the civil practice law and rules as added by section
38 three hundred eighty-one of this act shall apply to all actions pending
39 on or commenced on or after September 1, 1991, provided, however, that
40 for the purposes of this section service of such summons made prior to
41 such date shall be deemed to have been completed on September 1, 1991;
42 the provisions of section three hundred eighty-three of this act shall
43 apply to all money deposited in connection with a cash bail or a
44 partially secured bail bond on or after such effective date; and the
45 provisions of sections three hundred eighty-four and three hundred
46 eighty-five of this act shall apply only to jury service commenced
47 during a judicial term beginning on or after the effective date of this
48 act; provided, however, that nothing contained herein shall be deemed to
49 affect the application, qualification, expiration or repeal of any
50 provision of law amended by any section of this act and such provisions
51 shall be applied or qualified or shall expire or be deemed repealed in
52 the same manner, to the same extent and on the same date as the case may
53 be as otherwise provided by law;

54 § 11. Subdivision 8 of section 1809 of the vehicle and traffic law, as
55 amended by section 11 of part A of chapter 55 of the laws of 2023, is
56 amended to read as follows:

1 8. The provisions of this section shall only apply to offenses commit-
2 ted on or before September first, two thousand [~~twenty-five~~] twenty-sev-
3 en.

4 § 12. Section 6 of chapter 713 of the laws of 1988, amending the vehi-
5 cle and traffic law relating to the ignition interlock device program,
6 as amended by section 12 of part A of chapter 55 of the laws of 2023, is
7 amended to read as follows:

8 § 6. This act shall take effect on the first day of April next
9 succeeding the date on which it shall have become a law; provided,
10 however, that effective immediately, the addition, amendment or repeal
11 of any rule or regulation necessary for the implementation of the fore-
12 going sections of this act on their effective date is authorized and
13 directed to be made and completed on or before such effective date and
14 shall remain in full force and effect until the first day of September,
15 [~~2025~~] 2027 when upon such date the provisions of this act shall be
16 deemed repealed.

17 § 13. Paragraph a of subdivision 6 of section 76 of chapter 435 of the
18 laws of 1997, amending the military law and other laws relating to vari-
19 ous provisions, as amended by section 13 of part A of chapter 55 of the
20 laws of 2023, is amended to read as follows:

21 a. sections forty-three through forty-five of this act shall expire
22 and be deemed repealed on September 1, [~~2025~~] 2027;

23 § 14. Section 4 of part D of chapter 412 of the laws of 1999, amending
24 the civil practice law and rules and the court of claims act relating to
25 prisoner litigation reform, as amended by section 14 of part A of chap-
26 ter 55 of the laws of 2023, is amended to read as follows:

27 § 4. This act shall take effect 120 days after it shall have become a
28 law and shall remain in full force and effect until September 1, [~~2025~~]
29 2027, when upon such date it shall expire.

30 § 15. Subdivision 2 of section 59 of chapter 222 of the laws of 1994,
31 constituting the family protection and domestic violence intervention
32 act of 1994, as amended by section 15 of part A of chapter 55 of the
33 laws of 2023, is amended to read as follows:

34 2. Subdivision 4 of section 140.10 of the criminal procedure law as
35 added by section thirty-two of this act shall take effect January 1,
36 1996 and shall expire and be deemed repealed on September 1, [~~2025~~]
37 2027.

38 § 16. Section 5 of chapter 505 of the laws of 1985, amending the crim-
39 inal procedure law relating to the use of closed-circuit television and
40 other protective measures for certain child witnesses, as amended by
41 section 16 of part A of chapter 55 of the laws of 2023, is amended to
42 read as follows:

43 § 5. This act shall take effect immediately and shall apply to all
44 criminal actions and proceedings commenced prior to the effective date
45 of this act but still pending on such date as well as all criminal
46 actions and proceedings commenced on or after such effective date and
47 its provisions shall expire on September 1, [~~2025~~] 2027, when upon such
48 date the provisions of this act shall be deemed repealed.

49 § 17. Subdivision d of section 74 of chapter 3 of the laws of 1995,
50 enacting the sentencing reform act of 1995, as amended by section 17 of
51 part A of chapter 55 of the laws of 2023, is amended to read as follows:

52 d. Sections one-a through twenty, twenty-four through twenty-eight,
53 thirty through thirty-nine, forty-two and forty-four of this act shall
54 be deemed repealed on September 1, [~~2025~~] 2027;

55 § 18. Section 2 of chapter 689 of the laws of 1993, amending the crim-
56 inal procedure law relating to electronic court appearance in certain

1 counties, as amended by section 18 of part A of chapter 55 of the laws
2 of 2023, is amended to read as follows:

3 § 2. This act shall take effect immediately, except that the
4 provisions of this act shall be deemed to have been in full force and
5 effect since July 1, 1992 and the provisions of this act shall expire
6 September 1, [~~2025~~] 2027 when upon such date the provisions of this act
7 shall be deemed repealed.

8 § 19. Section 3 of chapter 688 of the laws of 2003, amending the execu-
9 tive law relating to enacting the interstate compact for adult offender
10 supervision, as amended by section 19 of part A of chapter 55 of the
11 laws of 2023, is amended to read as follows:

12 § 3. This act shall take effect immediately, except that section one
13 of this act shall take effect on the first of January next succeeding
14 the date on which it shall have become a law, and shall remain in effect
15 until the first of September, [~~2025~~] 2027, upon which date this act
16 shall be deemed repealed and have no further force and effect; provided
17 that section one of this act shall only take effect with respect to any
18 compacting state which has enacted an interstate compact entitled
19 "Interstate compact for adult offender supervision" and having an iden-
20 tical effect to that added by section one of this act and provided
21 further that with respect to any such compacting state, upon the effec-
22 tive date of section one of this act, section 259-m of the executive law
23 is hereby deemed REPEALED and section 259-mm of the executive law, as
24 added by section one of this act, shall take effect; and provided
25 further that with respect to any state which has not enacted an inter-
26 state compact entitled "Interstate compact for adult offender super-
27 vision" and having an identical effect to that added by section one of
28 this act, section 259-m of the executive law shall take effect and the
29 provisions of section one of this act, with respect to any such state,
30 shall have no force or effect until such time as such state shall adopt
31 an interstate compact entitled "Interstate compact for adult offender
32 supervision" and having an identical effect to that added by section one
33 of this act in which case, with respect to such state, effective imme-
34 diately, section 259-m of the executive law is deemed repealed and
35 section 259-mm of the executive law, as added by section one of this
36 act, shall take effect.

37 § 20. Section 8 of part H of chapter 56 of the laws of 2009, amending
38 the correction law relating to limiting the closing of certain correc-
39 tional facilities, providing for the custody by the department of
40 correctional services of inmates serving definite sentences, providing
41 for custody of federal prisoners and requiring the closing of certain
42 correctional facilities, as amended by section 20 of part A of chapter
43 55 of the laws of 2023, is amended to read as follows:

44 § 8. This act shall take effect immediately; provided, however that
45 sections five and six of this act shall expire and be deemed repealed
46 September 1, [~~2025~~] 2027.

47 § 21. Section 3 of part C of chapter 152 of the laws of 2001, amending
48 the military law relating to military funds of the organized militia, as
49 amended by section 21 of part A of chapter 55 of the laws of 2023, is
50 amended to read as follows:

51 § 3. This act shall take effect immediately; provided however that the
52 amendments made to subdivision 1 of section 221 of the military law by
53 section two of this act shall expire and be deemed repealed September 1,
54 [~~2025~~] 2027.

55 § 22. Section 5 of chapter 554 of the laws of 1986, amending the
56 correction law and the penal law relating to providing for community

1 treatment facilities and establishing the crime of absconding from the
2 community treatment facility, as amended by section 22 of part A of
3 chapter 55 of the laws of 2023, is amended to read as follows:

4 § 5. This act shall take effect immediately and shall remain in full
5 force and effect until September 1, [~~2025~~] 2027, and provided further
6 that the commissioner of correctional services shall report each January
7 first and July first during such time as this legislation is in effect,
8 to the [~~chairmen~~] chairs of the senate crime victims, crime and
9 correction committee, the senate codes committee, the assembly
10 correction committee, and the assembly codes committee, the number of
11 individuals who are released to community treatment facilities during
12 the previous six-month period, including the total number for each date
13 at each facility who are not residing within the facility, but who are
14 required to report to the facility on a daily or less frequent basis.

15 § 23. Section 2 of part F of chapter 55 of the laws of 2018, amending
16 the criminal procedure law relating to pre-criminal proceeding settle-
17 ments in the city of New York, as amended by section 23 of part A of
18 chapter 55 of the laws of 2023, is amended to read as follows:

19 § 2. This act shall take effect immediately and shall remain in full
20 force and effect until March 31, [~~2025~~] 2027, when it shall expire and
21 be deemed repealed.

22 § 24. This act shall take effect immediately.

23

PART B

24 Section 1. Paragraph (c) of subdivision 1 of section 245.10 of the
25 criminal procedure law, as added by section 2 of part LLL of chapter 59
26 of the laws of 2019, is amended to read as follows:

27 (c) The prosecution shall disclose statements of the defendant as
28 described in paragraph (a) of subdivision one of section 245.20 of this
29 article to any defendant who has been arraigned in a local criminal
30 court upon a currently undisposed of felony complaint charging an
31 offense which is a subject of a prospective or pending grand jury
32 proceeding, no later than [~~forty-eight~~] twenty-four hours before the
33 time scheduled for the defendant to testify at a grand jury proceeding
34 pursuant to subdivision five of section 190.50 of this part.

35 § 2. The opening paragraph, paragraphs (h), (o) and subparagraph (i)
36 of paragraph (u) of subdivision 1, subdivisions 2 and 6 of section
37 245.20 of the criminal procedure law, as added by section 2 of part LLL
38 of chapter 59 of the laws of 2019, are amended to read as follows:

39 The prosecution shall disclose to the defendant, and permit the
40 defendant to discover, inspect, copy, photograph and test, all [~~items~~
41 ~~and information that relate to the subject matter of the case and~~] mate-
42 rial and information relevant to the subject matter of the charges
43 against the defendant in the instant case which are in the possession,
44 custody or control of the prosecution or persons under the prosecution's
45 direction or control, including but not limited to:

46 (h) All photographs and drawings made or completed by a public servant
47 engaged in law enforcement activity, or which were made by a person whom
48 the prosecutor intends to call as a witness at trial or a pre-trial
49 hearing, or which [~~relate to the subject matter of the case~~] are rele-
50 vant to the subject matter of the charges against the defendant in the
51 instant case.

52 (o) All tangible property that [~~relates to the subject matter of the~~
53 ~~case~~] is relevant to the subject matter of the charges against the
54 defendant in the instant case, along with a designation of which items

1 the prosecution intends to introduce in its case-in-chief at trial or a
2 pre-trial hearing. If in the exercise of reasonable diligence the prose-
3 cutor has not formed an intention within the time period specified in
4 subdivision one of section 245.10 of this article that an item under
5 this subdivision will be introduced at trial or a pre-trial hearing, the
6 prosecution shall notify the defendant in writing, and the time period
7 in which to designate items as exhibits shall be stayed without need for
8 a motion pursuant to subdivision two of section 245.70 of this article;
9 but the disclosure shall be made as soon as practicable and subject to
10 the continuing duty to disclose in section 245.60 of this article.

11 (i) A copy of all electronically created or stored information seized
12 or obtained by or on behalf of law enforcement from: (A) the defendant
13 as described in subparagraph (ii) of this paragraph; or (B) a source
14 other than the defendant which [~~relates to the subject matter of the~~
15 ~~case~~] are relevant to the subject matter of the charges against the
16 defendant in the instant case.

17 2. Duties of the prosecution. The prosecutor shall make a diligent,
18 good faith effort to ascertain the existence of material or information
19 discoverable under subdivision one of this section and to cause such
20 material or information to be made available for discovery where it
21 exists but is not within the prosecutor's possession, custody or
22 control[~~;~~ ~~provided that the prosecutor shall not be required to obtain~~
23 ~~by subpoena duces tecum material or information which the defendant may~~
24 ~~thereby obtain].~~ Material or information that requires a subpoena duces
25 tecum in order for the prosecutor to obtain, and in which the defendant
26 may obtain by subpoena duces tecum, are not within the scope of automat-
27 ic discovery for purposes of subdivision one of this section, and the
28 prosecutor shall not be required to obtain such material or information
29 before filing a certificate of compliance pursuant to subdivision one of
30 section 245.50 of this article. For purposes of subdivision one of this
31 section, [~~all items and information related to the prosecution of a~~
32 ~~charge~~] all material or information relevant to the subject matter of
33 the charges against the defendant in the instant case which are in the
34 possession of any New York state or local police or law enforcement
35 agency shall be deemed to be in the constructive possession of the pros-
36 ecution. The prosecution shall also identify any laboratory having
37 contact with evidence [~~related~~] relevant to the prosecution of a charge.
38 This subdivision shall not require the prosecutor to ascertain the
39 existence of witnesses not known to the police or another law enforce-
40 ment agency, or the written or recorded statements thereof, under para-
41 graph (c) or (e) of subdivision one of this section.

42 6. Redactions permitted. Either party may redact social security
43 numbers [~~and~~], tax numbers, witnesses' physical addresses, other forms
44 of witnesses' contact information so long as the people have provided
45 one form of adequate contact information contained in material or infor-
46 mation disclosed pursuant to paragraph (c) of subdivision one of this
47 section, physical addresses and other forms of contact information for
48 any persons contained in material or information disclosed pursuant to
49 paragraph (k) of subdivision one of this section, and material or infor-
50 mation that is not relevant to the subject matter of the charges against
51 the defendant in the instant case from disclosures under this article
52 without the need to file a protective order pursuant to section 245.70
53 of this article.

54 § 3. Subdivisions 1 and 3 of section 245.30 of the criminal procedure
55 law, as added by section 2 of part LLL of chapter 59 of the laws of
56 2019, are amended to read as follows:

1 1. Order to preserve evidence. At any time, a party may move for a
2 court order to any individual, agency or other entity in possession,
3 custody or control of items which [~~relate to the subject matter of the~~
4 ~~case or are otherwise relevant~~] are relevant to the subject matter of
5 the charges against the defendant in the instant case, requiring that
6 such items be preserved for a specified period of time. The court shall
7 hear and rule upon such motions expeditiously. The court may modify or
8 vacate such an order upon a showing that preservation of particular
9 evidence will create significant hardship to such individual, agency or
10 entity, on condition that the probative value of that evidence is
11 preserved by a specified alternative means.

12 3. Discretionary discovery by order of the court. The court in its
13 discretion may, upon a showing by the defendant that the request is
14 reasonable and that the defendant is unable without undue hardship to
15 obtain the substantial equivalent by other means, order the prosecution,
16 or any individual, agency or other entity subject to the jurisdiction of
17 the court, to make available for disclosure to the defendant any materi-
18 al or information which [~~relates to the subject matter of the case~~] are
19 relevant to the subject matter of the charges against the defendant in
20 the instant case and is reasonably likely to be material. A motion under
21 this subdivision must be on notice to any person or entity affected by
22 the order. The court may, on its own, upon request of any person or
23 entity affected by the order, modify or vacate the order if compliance
24 would be unreasonable or will create significant hardship. For good
25 cause shown, the court may permit a party seeking or opposing a discre-
26 tionary order of discovery under this subdivision, or another affected
27 person or entity, to submit papers or testify on the record ex parte or
28 in camera. For good cause shown, any such papers and a transcript of
29 such testimony may be sealed and shall constitute a part of the record
30 on appeal.

31 § 4. Subdivisions 1, 1-a, 3 and 4 of section 245.50 of the criminal
32 procedure law, subdivisions 1 and 3 as amended by section 7 of part HHH
33 of chapter 56 of the laws of 2020, subdivision 1-a as added and subdivi-
34 sion 4 as amended by section 1 of subpart D of part UU of chapter 56 of
35 the laws of 2022, are amended and a new subdivision 5 is added to read
36 as follows:

37 1. By the prosecution. When the prosecution, after exercising good
38 faith and due diligence, has provided [~~the discovery required by subdi-~~
39 ~~vision one of section 245.20 of this article~~] all material and informa-
40 tion set forth in subdivision one of section 245.20 of this article that
41 are in the people's actual possession, except for discovery that is lost
42 or destroyed as provided by paragraph (b) of subdivision one of section
43 245.80 of this article and except for any [~~items~~] material or informa-
44 tion that [~~are~~] is the subject of an order pursuant to section 245.70 of
45 this article, it shall serve upon the defendant and file with the court
46 a certificate of compliance. The certificate of compliance shall state
47 that, after exercising due diligence and making reasonable inquiries to
48 ascertain the existence of material and information subject to discov-
49 ery, the prosecutor has disclosed and made available all known material
50 and information subject to discovery that is in its actual possession.
51 It shall also identify the items provided. [~~If additional discovery is~~
52 ~~subsequently provided~~] If the prosecution provides additional discovery
53 prior to trial pursuant to section 245.60 of this article, a supple-
54 mental certificate shall be served upon the defendant and filed with the
55 court identifying the additional material and information provided. [~~No~~
56 ~~adverse consequence to the prosecution or the prosecutor shall result~~

1 ~~from the filing of a certificate of compliance in good faith and reason-~~
2 ~~able under the circumstances, but the court may grant a remedy or sanc-~~
3 ~~tion for a discovery violation as provided in section 245.80 of this~~
4 ~~article.] The filing of a supplemental certificate of compliance shall
5 not impact the validity of the original certificate of compliance if
6 filed in good faith and after exercising due diligence pursuant to
7 section 245.20 of this article. Nothing in this subdivision shall
8 preclude the prosecution from continuing their investigation and obtain-
9 ing and disclosing new discoverable material and information after they
10 have filed a certificate of compliance.~~

11 ~~[1-a. Any supplemental certificate of compliance shall detail the~~
12 ~~basis for the delayed disclosure so that the court may determine whether~~
13 ~~the delayed disclosure impacts the propriety of the certificate of~~
14 ~~compliance. The filing of a supplemental certificate of compliance shall~~
15 ~~not impact the validity of the original certificate of compliance if~~
16 ~~filed in good faith and after exercising due diligence pursuant to~~
17 ~~section 245.20 of this article, or if the additional discovery did not~~
18 ~~exist at the time of the filing of the original certificate of compli-~~
19 ~~ance.]~~

20 3. Trial readiness. Notwithstanding the provisions of any other law,
21 absent an individualized finding of special circumstances in the instant
22 case by the court before which the charge is pending, the prosecution
23 shall not be deemed ready for trial for purposes of section 30.30 of
24 this chapter until it has filed a proper certificate pursuant to subdi-
25 vision one of this section. ~~[A court may deem the prosecution ready for~~
26 ~~trial pursuant to section 30.30 of this chapter where information that~~
27 ~~might be considered discoverable under this article cannot be disclosed~~
28 ~~because it has been lost, destroyed, or otherwise unavailable as~~
29 ~~provided by paragraph (b) of subdivision one of section 245.80 of this~~
30 ~~article, despite diligent and good faith efforts, reasonable under the~~
31 ~~circumstances. Provided, however, that the court may grant a remedy or~~
32 ~~sanction for a discovery violation as provided by section 245.80 of this~~
33 ~~article.]~~

34 4. (a) Challenges to, or questions related to a certificate of compli-
35 ance shall be addressed by motion.

36 (b) To the extent that the party is aware of a potential defect or
37 deficiency related to a certificate of compliance or supplemental
38 certificate of compliance, the party entitled to disclosure shall notify
39 or alert the opposing party as soon as practicable.

40 (c) Challenges related to the sufficiency of a certificate of compli-
41 ance or supplemental certificates of compliance filed pursuant to subdi-
42 vision one of this section shall be addressed by motion ~~[as soon as~~
43 ~~practicable, provided that nothing in this section shall be construed to~~
44 ~~waive a party's right to make further challenges, including but not~~
45 ~~limited to a motion pursuant to section 30.30 of this chapter] within
46 thirty-five days of the filing of the certificate. Failure to challenge
47 a certificate of compliance or supplemental certificate of compliance
48 within that time period constitutes a waiver of that challenge, however,
49 for good cause shown, the court may extend the time period beyond thir-
50 ty-five days. Good cause includes, but is not limited to, voluminous
51 discovery and the complexity of the case. Denial of a motion challeng-
52 ing the sufficiency of a certificate of compliance or supplemental certif-
53 icate of compliance, or a waiver of such challenge, shall not preclude
54 the imposition of any remedy or sanction authorized under section 245.80
55 of this article.~~

1 (d) A certificate of compliance or supplemental certificate of compli-
2 ance shall not be invalidated where the people rely on a good faith
3 interpretation of the disclosure requirements of this article, and there
4 is no controlling precedent to the contrary from the intermediate appel-
5 late court to which an appeal from a judgment of conviction would be had
6 or from the court of appeals.

7 5. Notwithstanding any other section of law to the contrary, no
8 adverse consequence to the prosecution or the prosecutor, including the
9 invalidation of a certificate of compliance or statement of readiness,
10 shall result from the filing of a certificate of compliance or a supple-
11 mental certificate of compliance that was made in good faith and is
12 reasonable under the circumstances. Belated or missing disclosures shall
13 be cured by supplemental discovery pursuant to subdivisions one and two
14 of this section. If the party entitled to the belated or missing disclo-
15 sures shows that they have been prejudiced by the belated or non-disclo-
16 sure, the court shall grant an appropriate and proportionate remedy
17 pursuant to section 245.80 of this article. A certificate of compliance
18 or statement of readiness shall be invalidated only upon a showing that
19 no other remedy, pursuant to section 245.80 of this article, can suffi-
20 ciently cure any prejudice resulting from the belated or missing disclo-
21 sure.

22 § 5. Subdivision 2 of section 245.55 of the criminal procedure law, as
23 added by section 2 of part LLL of chapter 59 of the laws of 2019, is
24 amended to read as follows:

25 2. Provision of law enforcement agency files. Absent a court order or
26 a requirement that defense counsel obtain a security clearance mandated
27 by law or authorized government regulation, upon request by the prose-
28 cution, each New York state and local law enforcement agency shall make
29 available to the prosecution a complete copy of its complete records and
30 files [~~related~~ relevant to the investigation of the case or the prose-
31 cution of the defendant for compliance with this article.

32 § 6. Subdivision 3 of section 245.80 of the criminal procedure law, as
33 added by section 2 of part LLL of chapter 59 of the laws of 2019, is
34 amended to read as follows:

35 3. Consequences of non-disclosure of statement of testifying prose-
36 cution witness. The failure of the prosecutor or any agent of the prose-
37 cutor to disclose any written or recorded statement made by a prose-
38 cution witness which [~~relates~~ is relevant to the subject matter of the
39 witness's testimony shall not constitute grounds for any court to order
40 a new pre-trial hearing or set aside a conviction, or reverse, modify or
41 vacate a judgment of conviction, in the absence of a showing by the
42 defendant that there is a reasonable possibility that the non-disclosure
43 materially contributed to the result of the trial or other proceeding;
44 provided, however, that nothing in this section shall affect or limit
45 any right the defendant may have to a reopened pre-trial hearing when
46 such statements were disclosed before the close of evidence at trial.

47 § 7. Paragraph (a) of subdivision 4 of section 30.30 of the criminal
48 procedure law, as amended by section 1 of part KKK of chapter 59 of the
49 laws of 2019, is amended to read as follows:

50 (a) a reasonable period of delay resulting from other proceedings
51 concerning the defendant, including but not limited to: proceedings for
52 the determination of competency and the period during which defendant is
53 incompetent to stand trial; demand to produce; request for a bill of
54 particulars; pre-trial motions; appeals; trial of other charges; [~~and~~]
55 the period during which such matters are under consideration by the
56 court; and unless the defendant waives their right to file a challenge

1 to the people's discovery certificate of compliance pursuant to section
2 245.50 of this chapter, the period between the filing of the people's
3 certificate of compliance and the court's decision on the defendant's
4 challenge to the certificate of compliance; or

5 § 8. Subdivision 5 of section 30.30 of the criminal procedure law, as
6 amended by section 1 of part KKK of chapter 59 of the laws of 2019, is
7 amended to read as follows:

8 5. Whenever pursuant to this section a prosecutor states or otherwise
9 provides notice that the people are ready for trial, the court shall
10 make inquiry on the record as to their actual readiness. If, after
11 conducting its inquiry, the court determines that the people are not
12 ready to proceed to trial, the prosecutor's statement or notice of read-
13 iness shall not be valid for purposes of this section. Any statement of
14 trial readiness must be accompanied or preceded by a certification of
15 good faith compliance with the disclosure requirements of section 245.20
16 of this chapter and the defense shall be afforded an opportunity to be
17 heard on the record as to whether the disclosure requirements have been
18 met. The court may deem the people not ready for trial if it finds that
19 the people's certificate of compliance was invalid and the defense shows
20 that it was prejudiced as a result of the people's non-disclosure or
21 belated disclosure of discoverable material or information and no other
22 remedy, pursuant to section 245.80 of this chapter, sufficiently cures
23 the prejudice. This subdivision shall not apply to cases where the
24 defense has waived disclosure requirements.

25 § 9. This act shall take effect immediately and shall apply to all
26 criminal proceedings initiated on or before such date.

27 PART C

28 Section 1. Section 3 of the public officers law is amended by adding
29 a new subdivision 9-a to read as follows:

30 9-a. The provisions of this section requiring a person to be a resi-
31 dent of the state shall not apply to any person employed as a correction
32 officer trainee or correction officer who is employed at a state correc-
33 tional facility.

34 § 2. Subdivision e of section 381-b of the retirement and social
35 security law, as amended by chapter 97 of the laws of 2008, is amended
36 to read as follows:

37 e. Mandatory retirement. A member subject to the provisions of this
38 section shall be retired on December thirty-first of the year in which
39 [~~he or she~~] such member attains [~~sixty~~] sixty-three years of age.

40 Notwithstanding the foregoing, any member in service in the division
41 on August fifteenth, two thousand seven, and who on that date was enti-
42 tled to receive retirement benefits on the thirty-first day of December
43 in the year in which [~~he or she~~] such member attained fifty-seven years
44 of age as provided in paragraph three of subdivision b of this section,
45 may elect to retain such entitlement, provided the member remains in
46 service on the thirtieth day of December in the year in which [~~he or~~
47 ~~she~~] such member attains fifty-seven years of age, and any member in
48 service in the division on August thirty-first, two thousand twenty-
49 five, and who on that date was entitled to receive retirement benefits
50 on the thirty-first day of December in the year in which such member
51 attained sixty years of age as provided in paragraph three of subdivi-
52 sion b of this section, may elect to retain such entitlement, provided
53 the member remains in service on the thirtieth day of December in the

1 year in which such member attains sixty years of age. The provisions of
2 this subdivision shall not apply to the superintendent.

3 § 3. Subdivision 3 of section 215 of the executive law, as amended by
4 chapter 478 of the laws of 2004, is amended to read as follows:

5 3. The sworn members of the New York state police shall be appointed
6 by the superintendent and permanent appointees may be removed by the
7 superintendent only after a hearing. No person shall be appointed to the
8 New York state police force as a sworn member unless [~~he or she~~] such
9 person shall be a citizen of the United States[~~, between the ages of~~
10 ~~twenty-one and twenty-nine years except that in the superintendent's~~
11 ~~discretion, the maximum age may be extended to thirty five years.~~
12 ~~Notwithstanding any other provision of law or any general or special law~~
13 ~~to the contrary the time spent on military duty, not exceeding a total~~
14 ~~of six years, shall be subtracted from the age of any applicant who has~~
15 ~~passed his or her twenty-ninth birthday, solely for the purpose of~~
16 ~~permitting qualification as to age and for no other purpose. Such limi-~~
17 ~~tations as to age however shall not apply to persons appointed to the~~
18 ~~positions of counsel, first assistant counsel, assistant counsel, and~~
19 ~~assistant deputy superintendent for employee relations nor to any person~~
20 ~~appointed to the bureau of criminal investigation pursuant to section~~
21 ~~two hundred sixteen of this article nor shall any person] who is at~~

22 least twenty-one years of age. No person shall be appointed unless [~~he~~
23 ~~or she~~] such person has fitness and good moral character and shall have
24 passed a physical and mental examination based upon standards provided
25 by the rules and regulations of the superintendent. Appointments shall
26 be made for a probationary period which, in the case of appointees
27 required to attend and complete a basic training program at the state
28 police academy, shall include such time spent attending the basic school
29 and terminate one year after successful completion thereof. All other
30 sworn members shall be subject to a probationary period of one year from
31 the date of appointment. Following satisfactory completion of the proba-
32 tionary period the member shall be a permanent appointee. Voluntary
33 resignation or withdrawal from the New York state police during such
34 appointment shall be submitted to the superintendent for approval.
35 Reasonable time shall be required to account for all equipment issued or
36 for debts or obligations to the state to be satisfied. Resignation or
37 withdrawal from the division during a time of emergency, so declared by
38 the governor, shall not be approved if contrary to the best interest of
39 the state and shall be a misdemeanor. No sworn member removed from the
40 New York state police shall be eligible for reappointment. The super-
41 intendent shall make rules and regulations subject to approval by the
42 governor for the discipline and control of the New York state police and
43 for the examination and qualifications of applicants for appointment as
44 members thereto and such examinations shall be held and conducted by the
45 superintendent subject to such rules and regulations. The superintendent
46 is authorized to charge a fee of twenty dollars as an application fee
47 for any person applying to take a competitive examination for the posi-
48 tion of trooper, and a fee of five dollars for any competitive examina-
49 tion for a civilian position. The superintendent shall promulgate regu-
50 lations subject to the approval of the director of the budget, to
51 provide for a waiver of the application fee when the fee would cause an
52 unreasonable hardship on the applicant and to establish a fee schedule
53 and charge fees for the use of state police facilities.

54 § 4. Section 58 of the civil service law, as amended by chapter 560 of
55 the laws of 1978, subdivisions 1 and 2 as amended by chapter 244 of the
56 laws of 2013, paragraphs (c) and (d) of subdivision 1 as amended by

1 section 16 and subdivision 5 as amended by section 17 of part BBB of
2 chapter 59 of the laws of 2021, subdivision 1-b as added by chapter 1016
3 of the laws of 1983, subdivision 1-c as added by chapter 840 of the laws
4 of 1985, subdivision 3 as amended by chapter 561 of the laws of 2015,
5 subdivision 4 as separately amended by chapters 375 and 397 of the laws
6 of 1990, paragraphs (a) and (b) of subdivision 4 as amended by chapter
7 561 of the laws of 2015, paragraph (c) of subdivision 4 as amended by
8 chapter 190 of the laws of 2008, subparagraphs (ii) and (iv) of para-
9 graph (c) of subdivision 4 as amended by section 58 of subpart B of part
10 C of chapter 62 of the laws of 2011 and subdivision 6 as added by chap-
11 ter 558 of the laws of 1979, is amended to read as follows:

12 § 58. Requirements for [~~provisional or permanent~~] appointment of
13 certain police officers. 1. Notwithstanding any other provision of this
14 law or any general, special or local law to the contrary, no person
15 shall be eligible for [~~provisional or permanent~~] appointment [~~in the~~
16 ~~competitive class of the civil service~~] as a police officer of the
17 department of environmental conservation or of any police force or
18 police department of any county, city, town, village, housing authority
19 or police district unless [~~he or she~~] they shall satisfy the following
20 basic requirements:

21 (a) [~~he or she is~~] they are not less than twenty years of age as of
22 the date of appointment [~~nor more than thirty five years of age as of~~
23 ~~the date when the applicant takes the written examination, provided that~~
24 ~~the maximum age requirement of thirty five years of age as set forth in~~
25 ~~this paragraph shall not apply to eligible lists finalized pursuant to~~
26 ~~an examination administered prior to May thirty first, nineteen hundred~~
27 ~~ninety nine or a police officer in the department of environmental~~
28 ~~conservation, provided, however, that:~~

29 ~~(i) time spent on military duty or on terminal leave, not exceeding a~~
30 ~~total of six years, shall be subtracted from the age of any applicant~~
31 ~~who has passed his or her thirty fifth birthday as provided in subdivi-~~
32 ~~sion ten-a of section two hundred forty three of the military law;~~

33 ~~(ii) such maximum age requirement of thirty five years shall not apply~~
34 ~~to any police officer as defined in subdivision thirty four of section~~
35 ~~1.20 of the criminal procedure law, who was continuously employed by the~~
36 ~~Buffalo municipal housing authority between January first, two thousand~~
37 ~~five and June thirtieth, two thousand five and who takes the next writ-~~
38 ~~ten exam offered after the effective date of this subparagraph by the~~
39 ~~city of Buffalo civil service commission for employment as a police~~
40 ~~officer in the city of Buffalo police department, or June thirtieth, two~~
41 ~~thousand six, whichever is later, and~~

42 ~~(iii) such maximum age requirement of thirty five years shall not~~
43 ~~apply to any police officer of any county, town, city or village police~~
44 ~~force not otherwise provided for in this section if the eligible list~~
45 ~~has been exhausted and there are no other eligible candidates, provided,~~
46 ~~however, the police officer themselves are on the eligible list of such~~
47 ~~county, town, city or village and meet all other requirements of merit~~
48 ~~and fitness set forth by this chapter and do not exceed the maximum age~~
49 ~~of thirty nine];~~

50 (b) [~~he or she is~~] they are a high school graduate or a holder of a
51 high school equivalency diploma issued by an education department of any
52 of the states of the United States or a holder of a comparable diploma
53 issued by any commonwealth, territory or possession of the United States
54 or by the Canal Zone or a holder of a report from the United States
55 armed forces certifying [~~his or her~~] their successful completion of the
56 tests of general educational development, high school level;

1 (c) [~~he or she satisfies~~] they satisfy the height, weight, physical
2 and psychological fitness requirements prescribed by the municipal
3 police training council pursuant to the provisions of section eight
4 hundred forty of the executive law; and

5 (d) [~~he or she is~~] they are of good moral character as determined in
6 accordance with the background investigation standards of the municipal
7 police training council pursuant to the provisions of section eight
8 hundred forty of the executive law.

9 1-b. Notwithstanding the provisions of any other section of law,
10 general, special or local, in political subdivisions maintaining a
11 police department serving a population of one hundred fifty thousand or
12 less, no person shall be eligible for appointment nor shall [~~he or she~~]
13 they be appointed to any rank above the rank of police officer unless
14 [~~he or she has~~] they have been appointed a police officer from an eligi-
15 ble list established according to merit and fitness as provided by
16 section six of article five of the constitution of the state of New York
17 or has previously served as a member of the New York state police.

18 1-c. Notwithstanding the provisions of any other section of law,
19 general, special or local, any political subdivision maintaining a
20 police department serving a population of one hundred fifty thousand or
21 less and with positions for more than four full-time police officers,
22 shall maintain the office of chief of police.

23 2. The provisions of this section shall not prevent any county, city,
24 town, village, housing authority, transit authority, police district or
25 the department of environmental conservation from setting more restric-
26 tive requirements of eligibility for its police officers[~~, except the~~
27 ~~maximum age to be a police officer as provided in paragraph (a) of~~
28 ~~subdivision one of this section~~].

29 3. As used in this section, the term "police officer" means a police
30 officer in the department of environmental conservation, the state
31 university police, a member of the regional state park police or a
32 police force, police department, or other organization of a county,
33 city, town, village, housing authority, transit authority or police
34 district, who is responsible for the prevention and detection of crime
35 and the enforcement of the general criminal laws of the state, but shall
36 not include any person serving as such solely by virtue of [~~his or her~~]
37 occupying any other office or position, nor shall such term include a
38 sheriff, under-sheriff, commissioner of police, deputy or assistant
39 commissioner of police, chief of police, deputy or assistant chief of
40 police or any person having an equivalent title who is appointed or
41 employed to exercise equivalent supervisory authority.

42 4. (a) [~~Any person who has received provisional or permanent appoint-~~
43 ~~ment in the competitive class of the civil service as a police officer~~
44 ~~of the regional state park police, the state university of New York~~
45 ~~police, the department of environmental conservation or any police force~~
46 ~~or police department of any county, city, town, village, housing author-~~
47 ~~ity, transit authority or police district shall be eligible to resign~~
48 ~~from any police force or police department, and to be appointed as a~~
49 ~~police officer in the same or any other police force or police depart-~~
50 ~~ment without satisfying the age requirements set forth in paragraph (a)~~
51 ~~of subdivision one of this section at the time of such second or subse-~~
52 ~~quent appointment, provided such second or subsequent appointment occurs~~
53 ~~within thirty days of the date of resignation.~~

54 (b) Any person who has received permanent appointment in the compet-
55 itive class of the civil service as a police officer of the regional
56 state park police, the state university of New York police, the depart-

1 ment of environmental conservation or any police force or police depart-
2 ment of any county, city, town, village, housing authority, transit
3 authority or police district shall be eligible to resign from any police
4 force or police department and, subject to such civil service rules as
5 may be applicable, shall be eligible for reinstatement in the same
6 police force or police department or in any other police force or police
7 department to which [~~he or she was~~] they were eligible for transfer,
8 without satisfying the age requirements set forth in paragraph (a) of
9 subdivision one of this section at the time of such reinstatement,
10 provided such reinstatement occurs within one year of the date of resig-
11 nation.

12 [~~(e)~~] (b) (i) Legislative findings and declaration. The legislature
13 hereby finds and declares that it is frequently impracticable to ascer-
14 tain fitness for the positions of detective and investigator within
15 various police or sheriffs departments around the state by means of a
16 competitive examination due to the unique nature of the duties assigned
17 and the intangible personal qualities needed to perform such duties. The
18 legislature further finds that competitive examination has never been
19 employed in many police, correction or sheriffs departments, to ascer-
20 tain fitness for the positions of detective and investigator within such
21 police, correction or sheriffs departments; such fitness has always been
22 determined by evaluation of the capabilities of an individual (who has
23 in any case received permanent appointment to the position of police
24 officer, correction officer of any rank or deputy sheriff) by superviso-
25 ry personnel. The legislature further finds that an individual who
26 performs in an investigatory position in a manner sufficiently satisfac-
27 tory to the appropriate supervisors to hold such an assignment for a
28 period of eighteen months, has demonstrated fitness for the position of
29 detective or investigator within such police, correction or sheriffs
30 department at least as sufficiently as could be ascertained by means of
31 a competitive examination.

32 (ii) Notwithstanding any other provision of law, in any jurisdiction,
33 other than a city with a population of one million or more or the state
34 department of corrections and community supervision, which does not
35 administer examinations for designation to detective or investigator,
36 any person who has received permanent appointment to the position of
37 police officer, correction officer of any rank or deputy sheriff and is
38 temporarily assigned to perform the duties of detective or investigator
39 shall, whenever such assignment to the duties of a detective or investi-
40 gator exceeds eighteen months, be permanently designated as a detective
41 or investigator and receive the compensation ordinarily paid to persons
42 in such designation.

43 (iii) Nothing contained in subparagraph (ii) of this paragraph shall
44 be construed to limit any jurisdiction's ability to administer examina-
45 tions for appointment to the positions of detective and investigator,
46 provided however that any person temporarily assigned to perform the
47 duties of detective or investigator within the period commencing Septem-
48 ber twenty-third, nineteen hundred ninety-three through and including
49 the date upon which this paragraph shall have become a law and who has
50 not been designated as a detective or investigator and who has not been
51 subject to an examination for which there is a certified eligible list,
52 shall be permanently designated as a detective or investigator whenever
53 such assignment to the duties of detective or investigator exceeds eigh-
54 teen months.

55 (iv) Detectives and investigators designated since September twenty-
56 third, nineteen hundred ninety and prior to February twenty-fourth,

19 nineteen hundred ninety-five by any state, county, town, village or city
20 (other than a city with a population of one million or more or the state
21 department of corrections and community supervision) police, correction
22 or sheriffs department, pursuant to the provisions of this paragraph in
23 effect during such period, who continue to serve in such positions,
24 shall retain their detective or investigator status without any right to
25 retroactive financial entitlement.

26 5. The provisions of this section shall not apply to the investigatory
27 personnel of the office of the district attorney in any county, includ-
28 ing any county within the city of New York.

29 6. The provisions of this section shall not apply to any individual
30 holding the position of deputy sheriff in Westchester county prior to
31 July first, nineteen hundred seventy-nine upon the transfer of such
32 individual to service in the Westchester county department of public
33 safety services.

34 § 5. This act shall take effect September 1, 2025.

35 PART D

36 Section 1. The penal law is amended by adding a new section 120.65 to
37 read as follows:

38 § 120.65 Domestic violence.

39 A person is guilty of domestic violence when such person:

40 1. commits a serious offense as defined in paragraph (c) of subdivi-
41 sion seventeen of section 265.00 of this part and the person against
42 whom the offense is committed is a member of the same family or house-
43 hold as defined in subdivision one of section 530.11 of the criminal
44 procedure law; or

45 2. commits the crime of assault in the third degree as defined in
46 subdivisions one and two of section 120.00 of this article, or criminal
47 obstruction of breathing or blood circulation as defined in section
48 121.11 of this title, forcible touching as defined in section 130.52 of
49 this title, or sexual abuse in the second degree as defined in section
50 130.60 of this title, or sexual abuse in the third degree as defined in
51 section 130.55 of this title, or unlawful imprisonment in the second
52 degree as defined in section 135.05 of this title and the person against
53 whom the offense is committed is a current or former spouse, parent, or
54 guardian of the defendant, a person with whom the defendant shares a
55 child in common, a person who is cohabiting with or has cohabited with
56 the defendant as a spouse, parent, or guardian, or a person similarly
57 situated to a spouse, parent, or guardian of the defendant.

58 Domestic violence is a class A misdemeanor.

59 § 2. Subdivision 17 of section 265.00 of the penal law is amended by
60 adding a new paragraph (d) to read as follows:

61 (d) domestic violence as defined by subdivision one of section 120.65
62 of the penal law.

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

65 PART E

66 Section 1. Subparagraph (iv) of paragraph (d) of subdivision 1 of
67 section 803 of the correction law, as separately amended by chapters 242
68 and 322 of the laws of 2021, is amended to read as follows:

69 (iv) Such merit time allowance may be granted when an incarcerated
70 individual successfully participates in the work and treatment program

1 assigned pursuant to section eight hundred five of this article and when
2 such incarcerated individual obtains a general equivalency diploma, an
3 alcohol and substance abuse treatment certificate, a vocational trade
4 certificate following at least six months of vocational programming, at
5 least eighteen credits in a program registered by the state education
6 department from a degree-granting higher education institution or
7 performs at least four hundred hours of service as part of a community
8 work crew. The commissioner may designate additional programs and
9 achievements for which merit time may be granted.

10 Such allowance shall be withheld for any serious disciplinary infrac-
11 tion or upon a judicial determination that the person, while an incar-
12 cerated individual, commenced or continued a civil action, proceeding or
13 claim that was found to be frivolous as defined in subdivision (c) of
14 section eight thousand three hundred three-a of the civil practice law
15 and rules, or an order of a federal court pursuant to rule 11 of the
16 federal rules of civil procedure imposing sanctions in an action
17 commenced by a person, while an incarcerated individual, against a state
18 agency, officer or employee.

19 § 2. Subparagraph (xii) of paragraph (c) of subdivision 1 of section
20 803-b of the correction law, as amended by chapter 322 of the laws of
21 2021, is amended and a new subparagraph (xiii) is added to read as
22 follows:

23 (xii) receives a certificate from the food production center in an
24 assigned position following the completion of no less than eight hundred
25 hours of work in such position, and continues to work for an additional
26 eighteen months at the food production center[-]; or

27 (xiii) successfully completes a program of not less than eighteen
28 months as established by the commissioner.

29 § 3. This act shall take effect on the one hundred twentieth day
30 after it shall have become a law and shall apply to offenses committed
31 prior to, on or after the effective date of this act; provided that the
32 amendments to section 803 of the correction law made by section one of
33 this act shall be subject to the expiration and reversion of such
34 section pursuant to subdivision d of section 74 of chapter 3 of the laws
35 of 1995, as amended.

36

PART F

37 Section 1. Paragraph (a) of subdivision 2 of section 30.10 of the
38 criminal procedure law, as amended by chapter 315 of the laws of 2019,
39 is amended to read as follows:

40 (a) A prosecution for a class A felony, or rape in the first degree as
41 defined in section 130.35 of the penal law, or a crime defined or
42 formerly defined in section 130.50 of the penal law, or aggravated sexu-
43 al abuse in the first degree as defined in section 130.70 of the penal
44 law, or course of sexual conduct against a child in the first degree as
45 defined in section 130.75 of the penal law, or sex trafficking as
46 defined in section 230.34 of the penal law, or sex trafficking of a
47 child as defined in section 230.34-a of the penal law, or incest in the
48 first degree as defined in section 255.27 of the penal law may be
49 commenced at any time;

50 § 2. Subdivision (b) of section 208 of the civil practice law and
51 rules, as added by chapter 11 of the laws of 2019, is amended to read as
52 follows:

53 (b) Notwithstanding any provision of law which imposes a period of
54 limitation to the contrary and the provisions of any other law pertain-

1 ing to the filing of a notice of claim or a notice of intention to file
2 a claim as a condition precedent to commencement of an action or special
3 proceeding, with respect to all civil claims or causes of action brought
4 by any person for physical, psychological or other injury or condition
5 suffered by such person as a result of conduct which would constitute a
6 sexual offense as defined in article one hundred thirty of the penal law
7 committed against such person who was less than eighteen years of age,
8 sex trafficking as defined in section 230.34 of the penal law committed
9 against such person who was less than eighteen years of age, sex traf-
10 ficking of a child as defined in section 230.34-a of the penal law,
11 incest as defined in section 255.27, 255.26 or 255.25 of the penal law
12 committed against such person who was less than eighteen years of age,
13 or the use of such person in a sexual performance as defined in section
14 263.05 of the penal law, or a predecessor statute that prohibited such
15 conduct at the time of the act, which conduct was committed against such
16 person who was less than eighteen years of age, such action may be
17 commenced, against any party whose intentional or negligent acts or
18 omissions are alleged to have resulted in the commission of said
19 conduct, on or before the plaintiff or infant plaintiff reaches the age
20 of fifty-five years. In any such claim or action, in addition to any
21 other defense and affirmative defense that may be available in accord-
22 ance with law, rule or the common law, to the extent that the acts
23 alleged in such action are of the type described in subdivision one of
24 section 130.30 of the penal law or formerly defined in subdivision one
25 of section 130.45 of the penal law, the affirmative defenses set forth,
26 respectively, in the closing paragraph of such sections of the penal law
27 shall apply.

28 § 3. Section 213-c of the civil practice law and rules, as amended by
29 chapter 23 of the laws of 2024, is amended to read as follows:

30 § 213-c. Action by victim of conduct constituting certain sexual
31 offenses. Notwithstanding any other limitation set forth in this arti-
32 cle, except as provided in subdivision (b) of section two hundred eight
33 of this article, all civil claims or causes of action brought by any
34 person for physical, psychological or other injury or condition suffered
35 by such person as a result of conduct which would constitute rape in the
36 first degree as defined in section 130.35 of the penal law, or rape in
37 the second degree as defined in subdivision four, five or six of section
38 130.30 of the penal law, or rape in the second degree as defined in
39 former subdivision two of section 130.30 of the penal law, or rape in
40 the third degree as defined in subdivision one, two, three, seven, eight
41 or nine of section 130.25 of the penal law, or a crime formerly defined
42 in section 130.50 of the penal law, or a crime formerly defined in
43 subdivision two of section 130.45 of the penal law, or a crime formerly
44 defined in subdivision one or three of section 130.40 of the penal law,
45 or incest in the first degree as defined in section 255.27 of the penal
46 law, or incest in the second degree as defined in section 255.26 of the
47 penal law (where the crime committed is rape in the second degree as
48 defined in subdivision four, five or six of section 130.30 of the penal
49 law, or rape in the second degree as formerly defined in subdivision two
50 of section 130.30 of the penal law, or a crime formerly defined in
51 subdivision two of section 130.45 of the penal law), or aggravated sexu-
52 al abuse in the first degree as defined in section 130.70 of the penal
53 law, or course of sexual conduct against a child in the first degree as
54 defined in section 130.75 of the penal law, or sex trafficking as
55 defined in section 230.34 of the penal law, or sex trafficking of a
56 child as defined in section 230.34-a of the penal law may be brought

1 against any party whose intentional or negligent acts or omissions are
2 alleged to have resulted in the commission of the said conduct, within
3 twenty years. Nothing in this section shall be construed to require that
4 a criminal charge be brought or a criminal conviction be obtained as a
5 condition of bringing a civil cause of action or receiving a civil judg-
6 ment pursuant to this section or be construed to require that any of the
7 rules governing a criminal proceeding be applicable to any such civil
8 action.

9 § 4. Paragraph (b) of subdivision 8 of section 50-e of the general
10 municipal law, as amended by chapter 153 of the laws of 2024, is amended
11 to read as follows:

12 (b) This section shall not apply to: (i) any claim made for physical,
13 psychological, or other injury or condition suffered as a result of
14 conduct which would constitute a sexual offense as defined in article
15 one hundred thirty of the penal law committed against a child less than
16 eighteen years of age, sex trafficking as defined in section 230.34 of
17 the penal law committed against a child less than eighteen years of age,
18 sex trafficking of a child as defined in section 230.34-a of the penal
19 law, incest as defined in section 255.27, 255.26 or 255.25 of the penal
20 law committed against a child less than eighteen years of age, or the
21 use of a child in a sexual performance as defined in section 263.05 of
22 the penal law committed against a child less than eighteen years of age;
23 or

24 (ii) any civil claim or cause of action revived pursuant to section
25 two hundred fourteen-j of the civil practice law and rules.

26 § 5. Subdivision 5 of section 50-i of the general municipal law, as
27 added by chapter 11 of the laws of 2019, is amended to read as follows:

28 5. Notwithstanding any provision of law to the contrary, this section
29 shall not apply to any claim made against a city, county, town, village,
30 fire district or school district for physical, psychological, or other
31 injury or condition suffered as a result of conduct which would consti-
32 tute a sexual offense as defined in article one hundred thirty of the
33 penal law committed against a child less than eighteen years of age, sex
34 trafficking as defined in section 230.34 of the penal law committed
35 against a child less than eighteen years of age, sex trafficking of a
36 child as defined in section 230.34-a of the penal law, incest as defined
37 in section 255.27, 255.26 or 255.25 of the penal law committed against a
38 child less than eighteen years of age, or the use of a child in a sexual
39 performance as defined in section 263.05 of the penal law committed
40 against a child less than eighteen years of age.

41 § 6. Subdivision 10 of section 10 of the court of claims act, as
42 amended by chapter 153 of the laws of 2024, is amended to read as
43 follows:

44 10. Notwithstanding any provision of law to the contrary, this section
45 shall not apply to: (i) any claim to recover damages for physical,
46 psychological, or other injury or condition suffered as a result of
47 conduct which would constitute a sexual offense as defined in article
48 one hundred thirty of the penal law committed against a child less than
49 eighteen years of age, sex trafficking as defined in section 230.34 of
50 the penal law committed against a child less than eighteen years of age,
51 sex trafficking of a child as defined in section 230.34-a of the penal
52 law, incest as defined in section 255.27, 255.26 or 255.25 of the penal
53 law committed against a child less than eighteen years of age, or the
54 use of a child in a sexual performance as defined in section 263.05 of
55 the penal law committed against a child less than eighteen years of age;
56 or

1 (ii) any civil claim or cause of action revived pursuant to section
2 two hundred fourteen-j of the civil practice law and rules.

3 § 7. Subdivision 2 of section 3813 of the education law, as amended by
4 chapter 153 of the laws of 2024, is amended to read as follows.

5 2. Notwithstanding anything to the contrary hereinbefore contained in
6 this section, no action or special proceeding founded upon tort shall be
7 prosecuted or maintained against any of the parties named in this
8 section or against any teacher or member of the supervisory or adminis-
9 trative staff or employee where the alleged tort was committed by such
10 teacher or member or employee acting in the discharge of [~~his~~] their
11 duties within the scope of [~~his~~] their employment and/or under the
12 direction of the board of education, trustee or trustees, or governing
13 body of the school unless a notice of claim shall have been made and
14 served in compliance with section fifty-e of the general municipal law.
15 Every such action shall be commenced pursuant to the provisions of
16 section fifty-i of the general municipal law; provided, however, that
17 this section shall not apply to: (i) any claim to recover damages for
18 physical, psychological, or other injury or condition suffered as a
19 result of conduct which would constitute a sexual offense as defined in
20 article one hundred thirty of the penal law committed against a child
21 less than eighteen years of age, sex trafficking as defined in section
22 230.34 of the penal law committed against a child less than eighteen
23 years of age, sex trafficking of a child as defined in section 230.34-a
24 of the penal law, incest as defined in section 255.27, 255.26 or 255.25
25 of the penal law committed against a child less than eighteen years of
26 age, or the use of a child in a sexual performance as defined in section
27 263.05 of the penal law committed against a child less than eighteen
28 years of age; or

29 (ii) any civil claim or cause of action revived pursuant to section
30 two hundred fourteen-j of the civil practice law and rules.

31 § 8. Severability. If any clause, sentence, paragraph, section or part
32 of this act shall be adjudged by any court of competent jurisdiction to
33 be invalid and after exhaustion of all further judicial review, the
34 judgment shall not affect, impair or invalidate the remainder thereof,
35 but shall be confined in its operation to the clause, sentence, para-
36 graph, section or part of this act directly involved in the controversy
37 in which the judgment shall have been rendered.

38 § 9. This act shall take effect immediately and shall apply to acts or
39 omissions occurring on or after such effective date and to acts or omis-
40 sions occurring prior to such effective date where the applicable stat-
41 ute of limitations in effect on the date of such act or omission has not
42 yet expired.

43

PART G

44 Section 1. Paragraphs (i), (j) and (k) of subdivision 1 of section 624
45 of the executive law, paragraph (i) as amended by section 9 of part A-1
46 of chapter 56 of the laws of 2010, paragraph (j) as amended by chapter
47 427 of the laws of 1999, paragraph (k) as amended by chapter 117 of the
48 laws of 2017, are amended and a new paragraph (l) is added to read as
49 follows:

50 (i) a surviving spouse of a crime victim who died from causes not
51 directly related to the crime when such victim died prior to filing a
52 claim with the office or subsequent to filing a claim but prior to the
53 rendering of a decision by the office. Such award shall be limited to
54 out-of-pocket loss incurred as a direct result of the crime; [~~and~~]

1 (j) a spouse, child or stepchild of a victim of a crime who has
2 sustained personal physical injury as a direct result of a crime[+];

3 (k) a surviving spouse, grandparent, parent, stepparent, guardian,
4 [~~brother, sister, stepbrother, stepsister,~~ sibling, stepsibling, child,
5 stepchild, or grandchild of a victim of a crime who died as a direct
6 result of such crime and where such crime occurred in the residence
7 shared by such family member or members and the victim[+]; and

8 (l) any person not otherwise eligible under this subdivision who has
9 paid for or incurred the crime scene cleanup expenses, provided that
10 such person shall only be eligible to receive an award under this arti-
11 cle for crime scene cleanup.

12 § 2. Subdivisions 2, 5, 9 and 18 of section 631 of the executive law,
13 subdivision 2 as amended by chapter 233 of the laws of 2020, subdivision
14 5 as amended by section 22 of part A-1 of chapter 56 of the laws of
15 2010, paragraph (e) of subdivision 5 as amended by chapter 70 of the
16 laws of 2020, paragraph (f) of subdivision 5 as added by section 5 of
17 part H of chapter 55 of the laws of 2017, paragraph (g) of subdivision 5
18 as added by chapter 494 of the laws of 2018, subdivision 9 as amended by
19 section 1 of part I of chapter 55 of the laws of 2022, and subdivision
20 18 as added by chapter 119 of the laws of 2013, are amended to read as
21 follows:

22 2. Any award made pursuant to this article shall be in an amount not
23 exceeding out-of-pocket expenses, including indebtedness reasonably
24 incurred for medical or other services necessary as a result of the
25 injury upon which the claim is based; loss of earnings or support
26 resulting from such injury not to exceed thirty thousand dollars; loss
27 of savings not to exceed thirty thousand dollars; burial expenses not
28 exceeding [~~six~~ twelve thousand dollars of a victim who died on or after
29 November first, nineteen ninety-six as a direct result of a crime; the
30 costs of crime scene cleanup and securing of a crime scene not exceeding
31 twenty-five hundred dollars; reasonable relocation expenses not exceed-
32 ing twenty-five hundred dollars; reasonable employment-related transpor-
33 tation expenses, not exceeding twenty-five hundred dollars and the unre-
34 imbursed cost of repair or replacement of articles of essential personal
35 property lost, damaged or destroyed as a direct result of the crime. An
36 award for loss of earnings shall include earnings lost by a parent or
37 guardian as a result of the hospitalization of a child victim under age
38 eighteen for injuries sustained as a direct result of a crime. In addi-
39 tion to the medical or other services necessary as a result of the inju-
40 ry upon which the claim is based, an award may be made for rehabilita-
41 tive occupational training for the purpose of job retraining or similar
42 employment-oriented rehabilitative services based upon the claimant's
43 medical and employment history. For the purpose of this subdivision,
44 rehabilitative occupational training shall include but not be limited to
45 educational training and expenses. An award for rehabilitative occupa-
46 tional training may be made to a victim, or to a family member of a
47 victim where necessary as a direct result of a crime. An award for
48 employment-related transportation expenses shall be limited to the time
49 period necessary due to the personal physical injuries sustained as a
50 direct result of the crime upon which the claim is based, as determined
51 by the medical information collected during the investigation of the
52 claim.

53 5. (a) [~~It~~ Except as provided in paragraph (g) of this subdivision,
54 in determining the amount of an award, the office shall determine wheth-
55 er, because of [~~his~~ such victim's conduct, the victim of such crime
56 contributed to the infliction of [~~his~~ such victim's injury, and the

1 office shall reduce the amount of the award or reject the claim alto-
2 gether, in accordance with such determination.

3 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
4 sion, the office shall disregard for this purpose the responsibility of
5 the victim for [~~his~~] such victim's own injury where the record shows
6 that the person injured was acting as a good samaritan, as defined in
7 this article.

8 (c) Notwithstanding any inconsistent provision of this article, where
9 the person injured acted as a good samaritan, the office may, without
10 regard to the financial difficulty of the claimant, make an award for
11 out-of-pocket losses. Such award may also include compensation for any
12 loss of property up to five thousand dollars suffered by the victim
13 during the course of [~~his~~] such victim's actions as a good samaritan.

14 (d) Notwithstanding any inconsistent provision of this article, where
15 a person acted as a good samaritan, and was killed as a direct result of
16 the crime, the office may, without regard to the financial difficulty of
17 the claimant, make a lump sum award to such claimant for actual loss of
18 support not to exceed thirty thousand dollars.

19 (e) Notwithstanding any inconsistent provision of this article, where
20 a police officer or firefighter, both paid and volunteer, dies from
21 injuries received in the line of duty as a direct result of a crime, the
22 office may, without regard to the financial difficulty of the claimant,
23 make an award for the unreimbursed counseling expenses of the eligible
24 spouse, domestic partner, parents, [~~brothers, sisters~~] siblings or chil-
25 dren of such victim, and/or the reasonable burial expenses incurred by
26 the claimant.

27 (f) Notwithstanding the provisions of paragraph (a) of this subdivi-
28 sion, the office shall disregard for this purpose the responsibility of
29 the victim for [~~his or her~~] such victim's own loss of savings.

30 (g) Notwithstanding the provisions of paragraph (a) of this subdivi-
31 sion, when determining a claim made by a person eligible under paragraph
32 (b), (c) or (d) of subdivision one of section six hundred twenty-four of
33 this article, if the crime upon which the claim is based resulted in the
34 death of the victim, the office shall [~~determine~~] not consider whether,
35 because of [~~his or her~~] their conduct, the victim of such crime contrib-
36 uted to [~~the infliction of his or her injury, and the office may reduce~~
37 ~~the amount of the award by no more than fifty percent, in accordance~~
38 ~~with such determination~~] their death.

39 9. (a) Any award made for the cost of repair or replacement of essen-
40 tial personal property, including cash losses of essential personal
41 property, shall be limited to an amount of twenty-five hundred dollars,
42 except that all cash losses of essential personal property shall be
43 limited to the amount of one hundred dollars. In the case of medically
44 necessary life-sustaining equipment which was lost or damaged as the
45 direct result of a crime, the award shall be limited to the amount of
46 ten thousand dollars.

47 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
48 sion, in the case of cash losses which were the result of an act or
49 series of acts of larceny as defined in article one hundred fifty-five
50 of the penal law, perpetrated by the same actor indicated by a report or
51 reports obtained from a criminal justice agency as defined in subdivi-
52 sion one of this section, and a receipt, receipts or similar documenta-
53 tion is provided showing such cash loss or losses, a single claim may be
54 filed and an award may be made for cash losses of essential personal
55 property for each act up to a cumulative amount of no more than twenty-
56 five hundred dollars.

1 18. Notwithstanding any inconsistent provision of this article and
2 subject to any applicable maximum award limitations contained in this
3 section, where a victim has died as a direct result of the crime upon
4 which the claim is based and the crime occurred in the residence of a
5 person eligible pursuant to ~~[paragraph]~~ paragraphs (k) and (l) of subdivi-
6 sion one of section six hundred twenty-four of this article, the
7 office may make no more than one award for crime scene clean-up related
8 to such residence.

9 § 3. Subdivision 10 of section 621 of the executive law, as added by
10 chapter 688 of the laws of 1985, is amended to read as follows:

11 10. "Disabled victim" shall mean a person who has ~~[(a)]~~ a physical,
12 mental or medical impairment ~~[from anatomical, physiological or neuro-~~
13 ~~logical conditions], as evidenced by medical records,~~ which prevents the
14 exercise of a normal bodily function ~~[or is demonstrable by medically~~
15 ~~accepted clinical or laboratory diagnostic techniques or (b) a record of~~
16 ~~such an impairment or (c) a condition regarded by others as such an~~
17 ~~impairment]~~ at the time of the crime.

18 § 4. Subdivision 2 of section 630 of the executive law, as amended by
19 chapter 494 of the laws of 2018, is amended to read as follows:

20 2. Notwithstanding the provisions of subdivision one of this section,
21 if the crime upon which the claim is based resulted in the death of the
22 victim, and it appears to the office that such claim is one with respect
23 to which an award probably will be made, and undue hardship will result
24 to the claimant if immediate payment is not made, the office may make
25 one or more emergency awards to the claimant for reasonable burial
26 expenses pending a final decision of the office or payment of an award
27 in the case; provided, however, that the total amount of an emergency
28 award or awards for reasonable burial expenses shall not exceed ~~[three]~~
29 six thousand dollars. The amount of such emergency award or awards shall
30 be deducted from any final award made to the claimant, and the excess of
31 the amount of any such award or awards over the amount of the final
32 award, of the full amount of an emergency award or awards if no final
33 award is made, shall be repaid by the claimant to the office.

34 § 5. This act shall take effect on the one hundred eightieth day after
35 it shall have become a law and shall apply to all claims filed on or
36 after such effective date.

37

PART H

38 Section 1. Subdivision 13 of section 631 of the executive law, as
39 amended by section 3 of subpart S of part XX of chapter 55 of the laws
40 of 2020, is amended to read as follows:

41 13. (a) Notwithstanding any other provision of law, rule, or regu-
42 lation to the contrary, when any New York state accredited hospital,
43 accredited sexual assault examiner program, or licensed health care
44 provider furnishes services to any sexual assault survivor, including
45 but not limited to a health care forensic examination in accordance with
46 the sex offense evidence collection protocol and standards established
47 by the department of health, such hospital, sexual assault examiner
48 program, or licensed healthcare provider shall provide such services to
49 the person without charge and shall bill the office directly. The
50 office, in consultation with the department of health, shall define the
51 specific services to be covered by the sexual assault forensic exam
52 reimbursement fee, which must include at a minimum forensic examiner
53 services, hospital or healthcare facility services related to the exam,
54 and any necessary related laboratory tests or pharmaceuticals based upon

1 the department of health's Medicaid reimbursement rates; including but
2 not limited to HIV post-exposure prophylaxis provided by a hospital
3 emergency room at the time of the forensic rape examination pursuant to
4 paragraph (c) of subdivision one of section twenty-eight hundred five-i
5 of the public health law. [~~For a person eighteen years of age or older,
6 follow-up HIV post-exposure prophylaxis costs shall continue to be reim-
7 bursed according to established office procedure.~~] The office, in
8 consultation with the department of health, shall also generate the
9 necessary [~~regulations and~~] forms for the direct reimbursement procedure
10 and regulations setting the usual and customary rates for the itemized
11 charges related to an exam of a sexual assault survivor.

12 (b) The rate for reimbursement shall be the amount of itemized charg-
13 es, to be reimbursed at the [~~Medicaid rate and~~] usual and customary
14 rates as established pursuant to this subdivision and which shall
15 cumulatively not exceed (1) eight hundred dollars for an exam of a sexu-
16 al assault survivor where no sexual offense evidence collection kit is
17 used; (2) one thousand two hundred dollars for an exam of a sexual
18 assault survivor where a sexual offense evidence collection kit is used;
19 and (3) [~~one thousand five hundred dollars for an exam of a sexual
20 assault survivor who is eighteen years of age or older, with or without
21 the use of a sexual offense evidence collection kit, and with the
22 provision of a necessary HIV post-exposure prophylaxis seven day starter
23 pack, and (4)~~] two thousand five hundred dollars for an exam of a sexual
24 assault survivor [~~who is less than eighteen years of age~~], with or with-
25 out the use of a sexual offense evidence collection kit, and with the
26 provision of the full regimen of necessary HIV post-exposure prophylax-
27 is. The hospital, sexual assault examiner program, or licensed health
28 care provider must accept this fee as payment in full for these speci-
29 fied services. No additional billing of the survivor for said services
30 is permissible. A sexual assault survivor may voluntarily assign any
31 private insurance benefits to which [~~she or he is~~] they are entitled for
32 the healthcare forensic examination, in which case the hospital or
33 healthcare provider may not charge the office; provided, however, in the
34 event the sexual assault survivor assigns any private health insurance
35 benefit, such coverage shall not be subject to annual deductibles or
36 coinsurance or balance billing by the hospital, sexual assault examiner
37 program or licensed health care provider. A hospital, sexual assault
38 examiner program or licensed health care provider shall, at the time of
39 the initial visit, request assignment of any private health insurance
40 benefits to which the sexual assault survivor is entitled on a form
41 prescribed by the office; provided, however, such sexual assault survi-
42 vor shall be advised orally and in writing that [~~he or she~~] they may
43 decline to provide such information regarding private health insurance
44 benefits if [~~he or she believes~~] they believe that the provision of such
45 information would substantially interfere with [~~his or her~~] their
46 personal privacy or safety and in such event, the sexual assault foren-
47 sic exam fee shall be paid by the office. Such sexual assault survivor
48 shall also be advised that providing such information may provide addi-
49 tional resources to pay for services to other sexual assault victims.
50 Such sexual assault survivor shall also be advised that the direct
51 reimbursement program established by this subdivision does not automat-
52 ically make them eligible for any other compensation benefits available
53 from the office including, but not limited to, reimbursement for mental
54 health counseling expenses, relocation expenses, and loss of earnings,
55 and that such compensation benefits may only be made available to them
56 should the sexual assault survivor or other person eligible to file

1 pursuant to section six hundred twenty-four of this article, file a
2 compensation application with the office. If [~~he or she~~] such sexual
3 assault survivor declines to provide such health insurance information,
4 [~~he or she~~] they shall indicate such decision on the form provided by
5 the hospital, sexual assault examiner program or licensed health care
6 provider, which form shall be prescribed by the office.

7 § 2. Paragraph (c) of subdivision 1 of section 2805-i of the public
8 health law, as amended by section 1 of subpart S of part XX of chapter
9 55 of the laws of 2020, is amended to read as follows:

10 (c) offering and making available appropriate HIV post-exposure treat-
11 ment therapies; including [~~a seven day starter pack of HIV post-exposure~~
12 ~~prophylaxis for a person eighteen years of age or older, or~~] the full
13 regimen of HIV post-exposure prophylaxis [~~for a person less than eigh-~~
14 ~~teen years of age,~~] in cases where it has been determined, in accordance
15 with guidelines issued by the commissioner, that a significant exposure
16 to HIV has occurred, and informing the victim that payment assistance
17 for such therapies and other crime related expenses may be available
18 from the office of victim services pursuant to the provisions of article
19 twenty-two of the executive law. With the consent of the victim of a
20 sexual assault, the hospital emergency room department shall provide or
21 arrange for an appointment for medical follow-up related to HIV post-ex-
22 posure prophylaxis and other care as appropriate; and

23 § 3. This act shall take effect on the two hundred seventieth day
24 after it shall have become a law and apply to all exams performed on or
25 after such effective date. Effective immediately, the addition, amend-
26 ment and/or repeal of any rule or regulation necessary for the implemen-
27 tation of this act on its effective date are authorized to be made and
28 completed on or before such effective date.

29 PART I

30 Section 1. Subdivision 4 of section 349-a of the social services law
31 is REPEALED.

32 § 2. Subdivision 5 of section 349-a of the social services law, as
33 added by section 36 of part B of chapter 436 of the laws of 1997, is
34 amended to read as follows:

35 [~~5. Upon a determination that the individual's allegation is credible~~
36 4. Following referral to a domestic violence liaison, (a) the individual
37 shall be informed by the domestic violence liaison of services, which
38 shall be available on a voluntary basis; and (b) the domestic violence
39 liaison shall conduct an assessment to determine if and to what extent
40 domestic violence is a barrier to the individual's compliance with
41 public assistance requirements or to employment and such assessment
42 shall be based upon an attestation or the relevant information and
43 corroborating evidence provided by the individual alleging such abuse;
44 and (c) the domestic violence liaison shall [~~assess the need for~~] grant
45 any appropriate waivers of such program requirements based on such
46 assessment. Such waivers shall, to the extent permitted by federal law,
47 include, but not be limited to, residency requirements, child support
48 cooperation requirements and employment and training requirements;
49 provided, however, that exemptions from the sixty month limit on receipt
50 of benefits under the federal temporary assistance to needy families
51 block grant program shall be available only when the individual would
52 not be required to participate in work or training activities because of
53 an independently verified physical or mental impairment resulting from
54 domestic violence, anticipated to last for three months or longer, or if

1 the individual is unable to work because of the need to care for a
2 dependent child who is disabled as a result of domestic violence.
3 Provided, however, that pursuant to section one hundred forty-two of the
4 welfare reform act of 1997 victims of domestic violence may be exempted
5 from the application of subdivision two of section three hundred forty-
6 nine of this article on the basis of hardship.

7 § 3. Subdivisions 6 and 7 of section 349-a of the social services law
8 are renumbered subdivisions 5 and 6 and a new subdivision 7 is added to
9 read as follows:

10 7. When used in this section, the term statewide domestic violence
11 advocacy groups shall mean an organization designated by the federal
12 department of health and human services to coordinate statewide improve-
13 ments within local communities, social services systems, and programming
14 regarding the prevention and intervention of domestic violence in New
15 York state.

16 § 4. This act shall take effect on the two hundred seventieth day
17 after it shall have become a law.

18 PART J

19 Section 1. The state finance law is amended by adding a new section
20 139-m to read as follows:

21 § 139-m. Statement on gender-based violence and the workplace, in
22 bids. 1. (a) Every bid hereafter made to the state or any public depart-
23 ment or agency thereof, where competitive bidding is required by stat-
24 ute, rule or regulation, for work or services performed or to be
25 performed or goods sold or to be sold, shall contain the following
26 statement subscribed by the bidder and affirmed by such bidder as true
27 under the penalty of perjury:

28 "By submission of this bid, each bidder and each person signing on
29 behalf of any bidder certifies, and in the case of a joint bid each
30 party thereto certifies as to its own organization, under penalty of
31 perjury, that the bidder has and has implemented a written policy
32 addressing gender-based violence and the workplace and has provided such
33 policy to all of its employees, directors and board members. Such policy
34 shall, at a minimum, meet the requirements of subdivision 11 of section
35 five hundred seventy-five of the executive law."

36 (b) Every bid hereafter made to the state or any public department or
37 agency thereof, where competitive bidding is not required by statute,
38 rule or regulation, for work or services performed or to be performed or
39 goods sold or to be sold, may contain, at the discretion of the depart-
40 ment, agency or official, the certification required pursuant to para-
41 graph (a) of this subdivision.

42 2. Notwithstanding the foregoing, the statement required by paragraph
43 (a) of subdivision one of this section may be submitted electronically
44 in accordance with the provisions of subdivision seven of section one
45 hundred sixty-three of this chapter.

46 3. A bid shall not be considered for award, nor shall any award be
47 made to a bidder who has not complied with subdivision one of this
48 section; provided, however, that if the bidder cannot make the foregoing
49 certification, such bidder shall so state and shall furnish with the bid
50 a signed statement which sets forth in detail the reasons therefor.

51 4. Any bid hereafter made to the state or any public department, agen-
52 cy or official thereof, by a corporate bidder for work or services
53 performed or to be performed or goods sold or to be sold, where such bid
54 contains the statement required by subdivision one of this section,

1 shall be deemed to have been authorized by the board of directors of
2 such bidder, and such authorization shall be deemed to include the sign-
3 ing and submission of such bid and the inclusion therein of such state-
4 ment as the act and deed of the corporation.

5 § 2. Subdivisions 7 and 7-a of section 163 of the state finance law,
6 subdivision 7 as amended and subdivision 7-a as added by section 3 of
7 part R of chapter 55 of the laws of 2023, are amended to read as
8 follows:

9 7. Method of procurement. Consistent with the requirements of subdivi-
10 sions three and four of this section, state agencies shall select among
11 permissible methods of procurement including, but not limited to, an
12 invitation for bid, request for proposals or other means of solicitation
13 pursuant to guidelines issued by the state procurement council. State
14 agencies may accept bids electronically including submission of the
15 statement of non-collusion required by section one hundred thirty-nine-d
16 of this chapter, and the statement of certification required by section
17 one hundred thirty-nine-l and section one hundred thirty-nine-m of this
18 chapter. Except where otherwise provided by law, procurements shall be
19 competitive, and state agencies shall conduct formal competitive
20 procurements to the maximum extent practicable. State agencies shall
21 document the determination of the method of procurement and the basis of
22 award in the procurement record. Where the basis for award is the best
23 value offer, the state agency shall document, in the procurement record
24 and in advance of the initial receipt of offers, the determination of
25 the evaluation criteria, which whenever possible, shall be quantifiable,
26 and the process to be used in the determination of best value and the
27 manner in which the evaluation process and selection shall be conducted.

28 7-a. Notwithstanding the electronic bid provisions set forth in subdivi-
29 sion seven of this section, starting April first, two thousand twen-
30 ty-three, and ending March thirty-first, two thousand twenty-seven,
31 state agencies may require electronic submission as the sole method for
32 the submission of bids for commodity, service and technology contracts,
33 including submission of the statement of non-collusion required by
34 section one hundred thirty-nine-d of this chapter, and the statement of
35 certification required by section one hundred thirty-nine-l and section
36 one hundred thirty-nine-m of this chapter, and may require electronic
37 signatures on all documents required for submission of a bid, any
38 resulting contracts, and required submissions during the term of any
39 contract. Prior to requiring the electronic submission of bids, the
40 agency shall make a determination, which shall be documented in the
41 procurement record, that electronic submission affords a fair and equal
42 opportunity for offerers to submit responsive offers, and that the elec-
43 tronic signature complies with the provisions of article three of the
44 state technology law.

45 § 3. The executive law is amended by adding a new section 170-i to
46 read as follows:

47 § 170-i. Gender-based violence and the workplace. 1. Each state agen-
48 cy shall formulate and issue a gender-based violence and the workplace
49 policy for such agency. In formulating such policy, the state agency
50 shall refer to the model gender-based violence and the workplace policy
51 distributed by the office for the prevention of domestic violence pursu-
52 ant to subdivision eleven of section five hundred seventy-five of this
53 chapter, and adopt its provisions as appropriate.

54 2. Each state agency shall designate at least one domestic violence
55 agency liaison who shall ensure agency compliance with the domestic
56 violence provisions of the gender-based violence and the workplace poli-

1 cy, be trained to assist victimized employees, and serve as the primary
2 contact for the policy distributed by the agency.

3 3. Each state agency, in formulating or revising its gender-based
4 violence and the workplace policy, shall give due regard to the impor-
5 tance of increasing awareness of gender-based violence and informing
6 employees of available resources for assistance; clearly specifying how
7 to reach the domestic violence agency liaison; ensuring that personnel
8 policies and procedures are fair to domestic and gender-based violence
9 victims and survivors, and responsive to their needs; developing work-
10 place safety response plans; complying with state and federal law
11 including restrictions of possession of firearms by a person convicted
12 of a domestic violence related crime or subject to an order of
13 protection; encouraging and promoting gender-based violence education
14 and training for employees; and holding accountable employees who misuse
15 state resources or authority or violate their job duties in committing
16 an act of gender-based violence. Each state agency, when it issues its
17 gender-based violence and the workplace policy, shall provide a copy of
18 that policy and the information for its designated domestic violence
19 agency liaison to the office for the prevention of domestic violence,
20 and shall notify the office of any subsequent modifications of the poli-
21 cy or the contact information for the domestic violence agency liaison.

22 4. (a) Every covered employee shall participate in a gender-based
23 violence and the workplace training developed by the office for the
24 prevention of domestic violence and made available on the statewide
25 learning management system annually.

26 (b) As used in this subdivision, "covered employee" shall mean all
27 officers and employees working in the executive chamber in the office of
28 the governor and New York State agencies who supervise other officers
29 and employees, who serve as the domestic violence agency liaison, or who
30 are employed in a human resources position. "Officers and employees"
31 shall have the meaning given to "state officer or employee" in section
32 seventy-three of the public officers law.

33 5. Each state agency shall cooperate with the office for the
34 prevention of domestic violence and furnish such information, reporting,
35 and assistance as the office determines is reasonably necessary to
36 accomplish the purposes of this section.

37 § 4. Section 575 of the executive law is amended by adding a new
38 subdivision 11 to read as follows:

39 11. Gender-based violence and the workplace policies. The office shall
40 consult with the division of human rights, department of labor, an
41 organization designated by the federal department of health and human
42 services to coordinate statewide improvements within local communities,
43 social services systems, and programming regarding the prevention and
44 intervention of domestic violence in New York state, and an organization
45 designated by the federal department of justice to provide direct
46 support to member rape and crisis centers in New York state through
47 funding, training and technical assistance, public awareness, and public
48 policy advocacy to create and publish a model gender-based violence and
49 the workplace policy that employers may utilize in their adoption of a
50 gender-based violence and the workplace policy required by section one
51 hundred thirty-nine-m of the state finance law. The office shall also
52 publish a model gender-based violence and the workplace policy for exec-
53 utive agencies that such agencies may utilize in their adoption of a
54 gender-based violence and the workplace policy required by section one
55 hundred seventy-i of this chapter. Such model gender-based violence and
56 the workplace policy shall be publicly available and posted on the

1 websites of the office, the department of labor and the division of
2 human rights.

3 § 5. This act shall take effect on the one hundred eightieth day after
4 it shall have become a law; provided, however, that the amendments to
5 section 163 of the state finance law made by section two of this act
6 shall not affect the repeal of such section and shall be deemed repealed
7 therewith.

8 PART K

9 Section 1. The general municipal law is amended by adding a new arti-
10 cle 19-C to read as follows:

11 ARTICLE 19-C

12 CYBERSECURITY INCIDENT REPORTING REQUIREMENTS FOR MUNICIPAL CORPORATIONS

13 Section 995-a. Definitions.

14 995-b. Reporting of cybersecurity incidents.

15 995-c. Notice and explanation of ransom payment.

16 § 995-a. Definitions. For the purposes of this article: 1. "Cyberse-
17 curity incident" means an event occurring on or conducted through a
18 computer network that actually or imminently jeopardizes the integrity,
19 confidentiality, or availability of computers, information or communi-
20 cations systems or networks, physical or virtual infrastructure
21 controlled by computers or information systems, or information resident
22 thereon.

23 2. "Cyber threat" means any circumstance or event with the potential
24 to adversely impact organizational operations, organizational assets, or
25 individuals through an information system via unauthorized access,
26 destruction, disclosure, modification of information, and/or denial of
27 service.

28 3. "Cyber threat indicator" means information that is necessary to
29 describe or identify:

30 (a) malicious reconnaissance, including anomalous patterns of communi-
31 cations that appear to be transmitted for the purpose of gathering tech-
32 nical information related to a cybersecurity threat or security vulner-
33 ability;

34 (b) a method of defeating a security control or exploitation of a
35 security vulnerability;

36 (c) a security vulnerability, including anomalous activity that
37 appears to indicate the existence of a security vulnerability;

38 (d) a method of causing a user with legitimate access to an informa-
39 tion system or information that is stored on, processed by, or transit-
40 ing an information system to unwittingly enable the defeat of a security
41 control or exploitation of a security vulnerability;

42 (e) malicious cyber command and control;

43 (f) the actual or potential harm caused by an incident, including a
44 description of the information exfiltrated as a result of a particular
45 cybersecurity threat;

46 (g) any other attribute of a cybersecurity threat, if disclosure of
47 such attribute is not otherwise prohibited by law; or

48 (h) any combination thereof.

49 4. "Defensive measure" means an action, device, procedure, signature,
50 technique, or other measure applied to an information system or informa-
51 tion that is stored on, processed by, or transiting an information
52 system that detects, prevents, or mitigates a known or suspected
53 cybersecurity threat or security vulnerability. The term "defensive
54 measure" does not include a measure that destroys, renders unusable,

1 provides unauthorized access to, or substantially harms an information
2 system or information stored on, processed by, or transiting such infor-
3 mation system not owned by the municipal corporation operating the meas-
4 ure, or federal entity that is authorized to provide consent and has
5 provided consent to that municipal corporation for operation of such
6 measure.

7 5. "Information system" means a discrete set of information resources
8 organized for the collection, processing, maintenance, use, sharing,
9 dissemination, or disposition of information.

10 6. "Municipal corporation" means:

11 (a) A municipal corporation as defined in section one hundred nine-
12 teen-n of this chapter; or

13 (b) A district as defined in section one hundred nineteen-n of this
14 chapter.

15 7. "Ransom payment" means the transmission of any money or other prop-
16 erty or asset, including virtual currency, or any portion thereof, which
17 has at any time been delivered as ransom in connection with a ransomware
18 attack.

19 8. "Ransomware attack":

20 (a) means an incident that includes the use or threat of use of unau-
21 thorized or malicious code on an information system, or the use or
22 threat of use of another digital mechanism such as a denial of service
23 attack, to interrupt or disrupt the operations of an information system
24 or compromise the confidentiality, availability, or integrity of elec-
25 tronic data stored on, processed by, or transiting an information system
26 to extort a demand for a ransom payment; and

27 (b) does not include any such event in which the demand for payment
28 is:

29 (i) not genuine; or

30 (ii) made in good faith by an entity in response to a specific request
31 by the owner or operator of the information system.

32 § 995-b. Reporting of cybersecurity incidents. 1. Notwithstanding any
33 other provision of law, all municipal corporations shall report cyberse-
34 curity incidents and when applicable, the demand of a ransom payment, to
35 the commissioner of the division of homeland security and emergency
36 services in the form and method prescribed by such commissioner.

37 2. All municipal corporations shall report cybersecurity incidents no
38 later than seventy-two hours after the municipality reasonably believes
39 the cybersecurity incident has occurred.

40 3. Any cybersecurity incident report and any records related to a
41 ransom payment submitted to the commissioner of the division of homeland
42 security and emergency services pursuant to the requirements of this
43 article shall be exempt from disclosure under article six of the public
44 officers law.

45 § 995-c. Notice and explanation of ransom payment. Notwithstanding any
46 other provision of law, each municipal corporation shall, in the event
47 of a ransom payment made in connection with a cybersecurity incident
48 involving the municipal corporation, provide the commissioner of the
49 division of homeland security and emergency services through means
50 prescribed by such commissioner with the following:

51 (a) within twenty-four hours of the ransom payment, notice of the
52 payment; and

53 (b) within thirty days of the ransom payment, a written description of
54 the reasons payment was necessary, the amount of the ransom payment, the
55 means by which the ransom payment was made, a description of alterna-
56 tives to payment considered, all diligence performed to find alterna-

1 tives to payment and all diligence performed to ensure compliance with
2 applicable state and federal rules and regulations including those of
3 the federal office of foreign assets control.

4 § 2. The executive law is amended by adding a new section 711-c to
5 read as follows:

6 § 711-c. Cybersecurity incident reviews. 1. The commissioner, or their
7 designee, shall review each cybersecurity incident report and notice and
8 explanation of ransom payment submitted pursuant to sections nine
9 hundred ninety-five-b and nine hundred ninety-five-c of the general
10 municipal law to assess potential impacts of cybersecurity incidents and
11 ransom payments on the health, safety, welfare or security of the state,
12 or its residents.

13 2. The commissioner, or their designee, may work with appropriate
14 state agencies, federal law enforcement, and federal homeland security
15 agencies to provide municipal corporations with reports of cybersecurity
16 incidents and trends, including but not limited to, to the maximum
17 extent practicable, related contextual information, cyber threat indica-
18 tors, and defensive measures. The commissioner may coordinate and share
19 such reported information with municipal corporations, state agencies,
20 and federal law enforcement and homeland security agencies to respond to
21 and mitigate cybersecurity threats.

22 3. Such reports, assessments, records, reviews, documents, recommenda-
23 tions, guidance and any information contained or used in its preparation
24 shall be exempt from disclosure under article six of the public officers
25 law.

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

28 PART L

29 Section 1. Section 263.10 of the penal law, as amended by chapter 1 of
30 the laws of 2000, is amended to read as follows:

31 § 263.10 Promoting an obscene sexual performance by a child.

32 A person is guilty of promoting an obscene sexual performance by a
33 child when, knowing the character and content thereof, [~~he~~] such person
34 produces, directs or promotes any obscene performance which includes
35 sexual conduct by a child less than seventeen years of age, including a
36 performance created or altered by digitization as defined in section
37 245.15 of this part.

38 Promoting an obscene sexual performance by a child is a class D felo-
39 ny.

40 § 2. Section 263.11 of the penal law, as amended by chapter 456 of the
41 laws of 2012, is amended to read as follows:

42 § 263.11 Possessing an obscene sexual performance by a child.

43 A person is guilty of possessing an obscene sexual performance by a
44 child when, knowing the character and content thereof, [~~he~~] such person
45 knowingly has in [~~his~~] such person's possession or control, or knowingly
46 accesses with intent to view, any obscene performance which includes
47 sexual conduct by a child less than sixteen years of age, including a
48 performance created or altered by digitization as defined in section
49 245.15 of this part.

50 Possessing an obscene sexual performance by a child is a class E felo-
51 ny.

52 § 3. Section 263.15 of the penal law, as amended by chapter 1 of the
53 laws of 2000, is amended to read as follows:

54 § 263.15 Promoting a sexual performance by a child.

1 A person is guilty of promoting a sexual performance by a child when,
2 knowing the character and content thereof, [~~he~~] such person produces,
3 directs or promotes any performance which includes sexual conduct by a
4 child less than seventeen years of age, including a performance created
5 or altered by digitization as defined in section 245.15 of this part.

6 Promoting a sexual performance by a child is a class D felony.

7 § 4. Section 263.16 of the penal law, as amended by chapter 456 of the
8 laws of 2012, is amended to read as follows:

9 § 263.16 Possessing a sexual performance by a child.

10 A person is guilty of possessing a sexual performance by a child when,
11 knowing the character and content thereof, [~~he~~] such person knowingly
12 has in [~~his~~] such person's possession or control, or knowingly accesses
13 with intent to view, any performance which includes sexual conduct by a
14 child less than sixteen years of age, including a performance created or
15 altered by digitization as defined in section 245.15 of this part.

16 Possessing a sexual performance by a child is a class E felony.

17 § 5. This act shall take effect on the sixtieth day after it shall
18 have become a law.

19 PART M

20 Section 1. Section 230.34 of the penal law, as added by chapter 74 of
21 the laws of 2007, is amended to read as follows:

22 § 230.34 Sex trafficking.

23 A person is guilty of sex trafficking if [~~he or she~~] such person
24 intentionally advances or profits from prostitution [~~by~~]:

25 1. by unlawfully providing to a person who is patronized, with intent
26 to impair said person's judgment: (a) a narcotic drug or a narcotic
27 preparation; (b) concentrated cannabis as defined in [~~paragraph (a) of~~]
28 subdivision [~~four~~] seventeen of section [~~thirty-three hundred two~~] three
29 of the [~~public health~~] cannabis law; (c) methadone; or (d) gamma-hydrox-
30 ybutyrate (GHB) or flunitrazepan, also known as Rohypnol;

31 2. by making material false statements, misstatements, or omissions to
32 induce or maintain the person being patronized to engage in or continue
33 to engage in prostitution activity;

34 3. by withholding, destroying, or confiscating any actual or purported
35 passport, immigration document, or any other actual or purported govern-
36 ment identification document of another person with intent to impair
37 said person's freedom of movement; provided, however, that this subdivi-
38 sion shall not apply to an attempt to correct a social security adminis-
39 tration record or immigration agency record in accordance with any
40 local, state, or federal agency requirement, where such attempt is not
41 made for the purpose of any express or implied threat;

42 4. by requiring that prostitution be performed to retire, repay, or
43 service a real or purported debt;

44 5. by using force or engaging in any scheme, plan or pattern to compel
45 or induce the person being patronized to engage in or continue to engage
46 in prostitution activity by means of instilling a fear in the person
47 being patronized that, if the demand is not complied with, the actor or
48 another will do one or more of the following:

49 (a) cause physical injury, serious physical injury, or death to a
50 person; or

51 (b) cause damage to property, other than the property of the actor; or

52 (c) engage in other conduct constituting a felony or unlawful impri-
53 sonment in the second degree in violation of section 135.05 of this
54 chapter; or

1 (d) accuse some person of a crime or cause criminal charges or depor-
2 tation proceedings to be instituted against some person; provided,
3 however, that it shall be an affirmative defense to this subdivision
4 that the [defendant] actor reasonably believed the threatened charge to
5 be true and that [~~his or her~~] the actor's sole purpose was to compel or
6 induce the victim to take reasonable action to make good the wrong which
7 was the subject of such threatened charge; or

8 (e) expose a secret or publicize an asserted fact, whether true or
9 false, tending to subject some person to hatred, contempt or ridicule;
10 or

11 (f) testify or provide information or withhold testimony or informa-
12 tion with respect to another's legal claim or defense; or

13 (g) use or abuse [~~his or her~~] the actor's position as a public servant
14 by performing some act within or related to [~~his or her~~] the actor's
15 official duties, or by failing or refusing to perform an official duty,
16 in such manner as to affect some person adversely; or

17 (h) perform any other act which would not in itself materially benefit
18 the actor but which is calculated to harm the person who is patronized
19 materially with respect to [~~his or her~~] such person's health, safety, or
20 immigration status; or

21 6. where the person being patronized is mentally disabled as defined
22 in subdivision five of section 130.00 of this chapter.

23 Sex trafficking is a class B felony.

24 § 2. This act shall take effect on the thirtieth day after it shall
25 have become a law.

26 PART N

27 Section 1. Paragraph (k-2) of subdivision 2 of section 65.10 of the
28 penal law, as added by section 1 of part VV of chapter 56 of the laws of
29 2020, is amended to read as follows:

30 (k-2) (i) Refrain, upon sentencing for a crime involving unlawful
31 sexual conduct or assault committed against either a metropolitan trans-
32 portation authority system passenger[, or customer, or employee [~~or a~~
33 ~~crime involving assault against a metropolitan transportation authority~~
34 ~~employee,~~] of the metropolitan transportation authority system or any
35 contractor then performing work for any entity of the system, if the
36 offense was committed in or [~~on~~] adjacent to any facility or conveyance
37 of the [~~metropolitan transportation authority or a subsidiary thereof or~~
38 ~~the New York city transit authority or a subsidiary thereof~~] authority's
39 transportation system, from using or entering any of [~~such~~] the authori-
40 ty's subways, trains, buses, or other conveyances or facilities as spec-
41 ified by the court for a period of up to three years, or a specified
42 period of such probation or conditional discharge, whichever is less.
43 For purposes of this section, a crime involving assault shall mean an
44 offense described in article one hundred twenty of this chapter which
45 has as an element the causing of physical injury or serious physical
46 injury to another as well as the attempt thereof. If the sentence
47 imposed by the court includes a period of incarceration followed by a
48 period of probation or conditional discharge, then the court may impose
49 conditions under this paragraph to be operative only during the period
50 of probation or conditional discharge. Orders under this paragraph may
51 extend to any part of the metropolitan transportation authority system
52 in the court's discretion, including parts of the system outside the
53 county where the sentencing judge sits.

1 (ii) The court may, in its discretion, suspend, modify or cancel a
2 condition imposed under this paragraph in the interest of justice at any
3 time. If the person depends on the authority's subways, trains, buses,
4 or other conveyances or facilities for trips of necessity, including,
5 but not limited to, travel to or from medical or legal appointments,
6 school or training classes or places of employment, obtaining food,
7 clothing or necessary household items, or rendering care to family
8 members, the court may modify such condition to allow for a trip or
9 trips as in its discretion are necessary.

10 (iii) A person at liberty and subject to a condition under this para-
11 graph who applies, within thirty days after the date such condition
12 becomes effective, for a refund of any prepaid fare amounts rendered
13 unusable in whole or in part by such condition including, but not limit-
14 ed to, a monthly pass, shall be issued a refund of the amounts so
15 prepaid.

16 (iv) Any order issued pursuant to this paragraph, whether imposing a
17 ban or modifying one, shall be served on the metropolitan transportation
18 authority as directed by the court.

19 (v) The metropolitan transportation authority shall not use facial
20 recognition technology to enforce any order issued pursuant to this
21 paragraph.

22 § 2. This act shall take effect immediately.

23 PART O

24 Section 1. Subdivision 2 of section 140.00 of the penal law, as
25 amended by chapter 698 of the laws of 1979, is amended to read as
26 follows:

27 2. "Building," in addition to its ordinary meaning, includes any
28 structure, vehicle or watercraft used for overnight lodging of persons,
29 or used by persons for carrying on business therein, or used for the
30 business of transporting persons, or used as an elementary or secondary
31 school, or an [~~inlosed~~] enclosed motor truck, or an [~~inlosed~~] enclosed
32 motor truck trailer. Where a building consists of two or more units
33 separately secured or occupied, each unit shall be deemed both a sepa-
34 rate building in itself and a part of the main building.

35 § 2. This act shall take effect immediately.

36 PART P

37 Section 1. The penal law is amended by adding a new section 240.80 to
38 read as follows:

39 § 240.80 Aggravated transportation offense.

40 1. A person is guilty of aggravated transportation offense when such
41 person commits a specified offense, as defined in subdivision two of
42 this section, and such person has been convicted of a specified offense
43 within the preceding five years. For the purposes of this subdivision,
44 in calculating the five year period, any period of time during which the
45 defendant was incarcerated for any reason between the time of the
46 commission of any of such previous offenses and the time of commission
47 of the present crime shall be excluded and such five year period shall
48 be extended by a period or periods equal to the time served under such
49 incarceration.

50 2. A "specified offense" is an offense defined in section 120.00
51 (assault in the third degree); section 120.05 (assault in the second
52 degree); section 120.10 (assault in the first degree); section 120.13

1 (menacing in the first degree); section 120.14 (menacing in the second
2 degree); section 120.15 (menacing in the third degree); section 120.20
3 (reckless endangerment in the second degree); section 120.25 (reckless
4 endangerment in the first degree); section 120.45 (stalking in the
5 fourth degree); section 120.50 (stalking in the third degree); section
6 120.55 (stalking in the second degree); section 120.60 (stalking in the
7 first degree); section 121.11 (criminal obstruction of breathing or
8 blood circulation); section 121.12 (strangulation in the second degree);
9 section 121.13 (strangulation in the first degree); subdivision one of
10 section 125.15 (manslaughter in the second degree); subdivision one, two
11 or four of section 125.20 (manslaughter in the first degree); section
12 125.25 (murder in the second degree); section 130.20 (sexual miscon-
13 duct); section 130.30 (rape in the second degree); section 130.35 (rape
14 in the first degree); former section 130.40 (criminal sexual act in the
15 third degree); former section 130.45 (criminal sexual act in the second
16 degree); former section 130.50 (criminal sexual act in the first
17 degree); section 130.52 (forcible touching); section 130.53 (persistent
18 sexual abuse); section 130.55 (sexual abuse in the third degree);
19 section 130.60 (sexual abuse in the second degree); section 130.65
20 (sexual abuse in the first degree); section 130.66 (aggravated sexual
21 abuse in the third degree); section 130.67 (aggravated sexual abuse in
22 the second degree); section 130.70 (aggravated sexual abuse in the first
23 degree); section 130.91 (sexually motivated felony); section 130.95
24 (predatory sexual assault); section 130.96 (predatory sexual assault
25 against a child); section 135.05 (unlawful imprisonment in the second
26 degree); section 135.10 (unlawful imprisonment in the first degree);
27 section 135.60 (coercion in the third degree); section 135.61 (coercion
28 in the second degree); section 135.65 (coercion in the first degree);
29 section 140.20 (burglary in the third degree); section 140.25 (burglary
30 in the second degree); section 140.30 (burglary in the first degree);
31 section 145.00 (criminal mischief in the fourth degree); section 145.05
32 (criminal mischief in the third degree); section 145.10 (criminal
33 mischief in the second degree); section 145.12 (criminal mischief in the
34 first degree); section 145.14 (criminal tampering in the third degree);
35 section 215.50 (criminal contempt in the second degree); section 215.51
36 (criminal contempt in the first degree); section 215.52 (aggravated
37 criminal contempt); section 240.25 (harassment in the first degree);
38 subdivision one, two or four of section 240.30 (aggravated harassment in
39 the second degree); section 245.00 (public lewdness); section 245.01
40 (exposure of a person); section 245.02 (promoting exposure of a person);
41 section 245.03 (public lewdness in the first degree); section 245.05
42 (offensive exhibition); section 245.11 (public display of offensive
43 sexual material); section 245.15 (unlawful dissemination or publication
44 of an intimate image); section 250.45 (unlawful surveillance in the
45 second degree); section 250.50 (unlawful surveillance in the first
46 degree); aggravated transportation offense as defined in this section or
47 any attempt or conspiracy to commit any of the foregoing offenses where
48 the offense was committed in or adjacent to any facility or conveyance
49 of the metropolitan transportation authority or a subsidiary thereof or
50 the New York city transit authority or a subsidiary thereof.

51 3. The person against whom the current specified offense is committed
52 may be different from the person against whom the previous specified
53 offense was committed.

54 Aggravated transportation offense is a class C felony.

55 § 2. This act shall take effect on the thirtieth day after it shall
56 have become a law.

1

PART Q

2 Section 1. Section 5 of chapter 396 of the laws of 2010 amending the
3 alcoholic beverage control law relating to liquidator's permits and
4 temporary retail permits, as amended by section 1 of part K of chapter
5 55 of the laws of 2024, is amended to read as follows:

6 § 5. This act shall take effect on the sixtieth day after it shall
7 have become a law, provided that paragraph (b) of subdivision 1 of
8 section 97-a of the alcoholic beverage control law as added by section
9 two of this act shall expire and be deemed repealed October 12, [~~2025~~
10 2026.

11 § 2. This act shall take effect immediately.

12

PART R

13 Section 1. Subdivision 1 of section 2799-gg of the public authorities
14 law, as amended by section 1 of part TT of chapter 56 of the laws of
15 2024, is amended to read as follows:

16 1. The authority shall have the power and is hereby authorized from
17 time to time to issue bonds, in conformity with applicable provisions of
18 the uniform commercial code, in such principal amounts as it may deter-
19 mine to be necessary pursuant to section twenty-seven hundred ninety-
20 nine-ff of this title to pay the cost of any project and to fund
21 reserves to secure such bonds, including incidental expenses in
22 connection therewith.

23 The aggregate principal amount of such bonds, notes or other obli-
24 gations outstanding shall not exceed, beginning July first, two thousand
25 twenty-four, twenty-one billion five hundred million dollars
26 (\$21,500,000,000) and beginning July first, two thousand twenty-five,
27 [~~twenty-seven~~ thirty billion five hundred million dollars
28 [~~(\$27,500,000,000)~~ (\$30,500,000,000)], excluding bonds, notes or other
29 obligations issued pursuant to sections twenty-seven hundred ninety-
30 nine-ss and twenty-seven hundred ninety-nine-tt of this title; provided,
31 however, that upon any refunding or repayment of bonds (which term shall
32 not, for this purpose, include bond anticipation notes), the total
33 aggregate principal amount of outstanding bonds, notes or other obli-
34 gations may be greater than, beginning July first, two thousand twenty-
35 four, twenty-one billion five hundred million dollars (\$21,500,000,000),
36 and beginning July first, two thousand twenty-five, [~~twenty-seven~~ thir-
37 ty billion five hundred million dollars [~~(\$27,500,000,000)~~
38 (\$30,500,000,000)], only if the refunding or repayment bonds, notes or
39 other obligations were issued in accordance with the provisions of
40 subparagraph (a) of subdivision two of paragraph b of section 90.10 of
41 the local finance law, as amended from time to time. Notwithstanding the
42 foregoing, bonds, notes or other obligations issued by the authority may
43 be outstanding in an amount greater than the amount permitted by the
44 preceding sentence, provided that such additional amount at issuance,
45 together with the amount of indebtedness contracted by the city of New
46 York, shall not exceed the limit prescribed by section 104.00 of the
47 local finance law. The authority shall have the power from time to time
48 to refund any bonds of the authority by the issuance of new bonds wheth-
49 er the bonds to be refunded have or have not matured, and may issue
50 bonds partly to refund bonds of the authority then outstanding and part-
51 ly to pay the cost of any project pursuant to section twenty-seven
52 hundred ninety-nine-ff of this title. Bonds issued by the authority
53 shall be payable solely out of particular revenues or other moneys of

1 the authority as may be designated in the proceedings of the authority
2 under which the bonds shall be authorized to be issued, subject to any
3 agreements entered into between the authority and the city, and subject
4 to any agreements with the holders of outstanding bonds pledging any
5 particular revenues or moneys.

6 § 2. This act shall take effect immediately and shall be deemed to
7 have been in full force and effect on and after April 1, 2025.

8

PART S

9 Section 1. Subdivision 3 of section 489-cccccc of the real property
10 tax law is amended by adding a new paragraph (e) to read as follows:

11 (e) Parking facility. No benefits shall be granted pursuant to this
12 title for construction work on real property where any portion of such
13 property is to be used as a parking facility. For the purposes of this
14 title, "parking facility" means any real property or portion thereof in
15 a city on which exists a facility operated in a manner that requires a
16 license for the operation of a garage or parking lot issued by the
17 consumer and worker protection agency of such city.

18 § 2. Paragraph (a) of subdivision 1 of section 489-ddddddd of the real
19 property tax law, as amended by chapter 332 of the laws of 2024, is
20 amended to read as follows:

21 (a) Application for benefits pursuant to this title may be made imme-
22 diately following the effective date of a local law enacted pursuant to
23 this title and continuing until March first, two thousand thirty or,
24 with respect to an application for benefits for property defined as a
25 peaking unit authorized pursuant to paragraph (b-1) of subdivision three
26 of section four hundred eighty-nine-bbbbbbb of this title, until March
27 first, two thousand twenty-nine.

28 § 3. Subdivision 3 of section 489-ddddddd of the real property tax law,
29 as amended by chapter 332 of the laws of 2024, is amended to read as
30 follows:

31 3. (a) No benefits authorized pursuant to this title shall be granted
32 for construction work performed pursuant to a building permit issued
33 after April first, two thousand thirty, except that for property defined
34 as a peaking unit, no benefits authorized pursuant to paragraph (b-1) of
35 subdivision three of section four hundred eighty-nine-bbbbbbb of this
36 title shall be granted for construction work performed pursuant to a
37 building permit issued after April first, two thousand twenty-nine.

38 (b) If no building permit was required, then no benefits authorized
39 pursuant to this title shall be granted for construction work that is
40 commenced after April first, two thousand thirty, except that for prop-
41 erty defined as a peaking unit, no benefits authorized pursuant to para-
42 graph (b-1) of subdivision three of section four hundred eighty-nine-
43 bbbbbbb of this title shall be granted for construction work that is
44 commenced after April first, two thousand twenty-nine.

45 § 4. Subdivision 2 of section 489-ggggggg of the real property tax law
46 is amended by adding a new paragraph (a-1) to read as follows:

47 (a-1) Notwithstanding any provision of law to the contrary, beginning
48 January first, two thousand twenty-six, Governor's Island shall be
49 designated a special commercial abatement area for the purposes of this
50 title, provided that such designation may be modified in whole or in
51 part in accordance with the procedures set forth in this subdivision.

52 § 5. Paragraph (e) of subdivision 2 of section 489-ggggggg of the real
53 property tax law, as added by chapter 119 of the laws of 2008, is
54 amended to read as follows:

1 (e) In the city of New York, the commission may designate any area
2 other than the area lying south of the center line of 96th Street in the
3 borough of Manhattan not including Governor's Island, to be a special
4 commercial abatement area if it determines that market conditions in the
5 area are such that the availability of a special abatement is required
6 in order to encourage commercial construction work in such area. In
7 making such determination, the commission shall consider, among other
8 factors, the existence in such area of a special need for commercial and
9 job development, high unemployment, economic distress or unusually large
10 numbers of vacant, underutilized, unsuitable or substandard structures,
11 or other substandard, unsanitary, deteriorated or deteriorating condi-
12 tions, with or without tangible blight; provided that, however, in
13 making such determination with respect to Governor's Island, the commis-
14 sion shall consider, among other factors, the density of existing devel-
15 opments and the nature and purpose of planned developments on Governor's
16 Island, and the development of emerging industries in the city.

17 § 6. Paragraph (c) of subdivision 3 of section 489-gggggg of the real
18 property tax law, as added by chapter 119 of the laws of 2008, is
19 amended to read as follows:

20 (c) the area in the borough of Manhattan south of the center line of
21 59th street, other than: (i) the areas designated renovation areas by
22 paragraphs (a) and (b) of this subdivision, or (ii) as of January first,
23 two thousand twenty-six, Governor's Island.

24 § 7. Subdivision 4 of section 489-gggggg of the real property tax law,
25 as added by chapter 119 of the laws of 2008, is amended to read as
26 follows:

27 4. Commercial exclusion area. Except as provided in paragraph (f) of
28 subdivision three of section four hundred eighty-nine-bbbbbbb of this
29 title, any area in the borough of Manhattan lying south of the center
30 line of 96th Street, other than: (a) the areas designated renovation
31 areas by subdivision three of this section and (b) as of January first,
32 two thousand twenty-six, Governor's Island, shall be a commercial exclu-
33 sion area. Commercial construction projects in the commercial exclusion
34 area shall not be eligible to receive tax abatements pursuant to this
35 title.

36 § 8. Section 11-268 of the administrative code of the city of New York
37 is amended by adding two new subdivisions k-1 and o-1 to read as
38 follows:

39 k-1. "Parking facility" means any real property or portion thereof on
40 which exists a facility operated in a manner that requires a license for
41 the operation of a garage or parking lot issued by the department of
42 consumer and worker protection.

43 o-1. "Self-storage facility" shall mean any real property or a portion
44 thereof that is designed and used for the purpose of occupying storage
45 space by occupants who are to have access thereto for the purpose of
46 storing and removing personal property, pursuant to subdivision one of
47 section one hundred eighty-two of the lien law.

48 § 9. Subdivision c of section 11-270 of the administrative code of the
49 city of New York is amended by adding two new paragraphs 4 and 5 to read
50 as follows:

51 (4) Self-storage facilities. No benefits shall be granted pursuant to
52 this part for construction work on real property where any portion of
53 such property is to be used as a self-storage facility.

54 (5) Parking facility. No benefits shall be granted pursuant to this
55 part for construction work on real property where any portion of such
56 property is to be used as a parking facility.

1 § 10. Paragraph 1 of subdivision a of section 11-271 of the adminis-
2 trative code of the city of New York, as amended by chapter 332 of the
3 laws of 2024, is amended to read as follows:

4 (1) Application for benefits pursuant to this part may be made imme-
5 diately following the effective date of the local law that added this
6 section and continuing until March first, two thousand thirty or, with
7 respect to an application for benefits for property defined as a peaking
8 unit authorized pursuant to paragraph (2-a) of subdivision c of section
9 11-269 of this part until March first, two thousand twenty-nine.

10 § 11. Subdivision c of section 11-271 of the administrative code of
11 the city of New York, as amended by chapter 332 of the laws of 2024, is
12 amended to read as follows:

13 c. (1) No benefits authorized pursuant to this part shall be granted
14 for construction work performed pursuant to a building permit issued
15 after April first, two thousand thirty, except that for property defined
16 as a peaking unit, no benefits authorized pursuant to paragraph (2-a) of
17 subdivision c of section 11-269 of this part shall be granted for
18 construction work performed pursuant to a building permit issued after
19 April first, two thousand twenty-nine.

20 (2) If no building permit was required, then no benefits authorized
21 pursuant to this part shall be granted for construction work that is
22 commenced after April first, two thousand thirty, except that for prop-
23 erty defined as a peaking unit, no benefits authorized pursuant to para-
24 graph (2-a) of subdivision c of section 11-269 of this part shall be
25 granted for construction work that is commenced after April first, two
26 thousand twenty-nine.

27 § 12. Subdivision b of section 11-274 of the administrative code of
28 the city of New York is amended by adding a new paragraph 1-a to read as
29 follows:

30 (1-a) Notwithstanding any provision of law to the contrary, beginning
31 January first, two thousand twenty-six, Governor's Island shall be
32 designated a special commercial abatement area for the purposes of this
33 part, provided that such designation may be modified in whole or in part
34 in accordance with the procedures set forth in this subdivision.

35 § 13. Paragraph 5 of subdivision b of section 11-274 of the adminis-
36 trative code of the city of New York, as added by local law number 47 of
37 the city of New York for the year 2008, is amended to read as follows:

38 (5) The commission may designate any area other than the area lying
39 south of the center line of 96th Street in the borough of Manhattan not
40 including Governor's Island, to be a special commercial abatement area
41 if it determines that market conditions in the area are such that the
42 availability of a special abatement is required in order to encourage
43 commercial construction work in such area. In making such determination,
44 the commission shall consider, among other factors, the existence in
45 such area of a special need for commercial and job development, high
46 unemployment, economic distress or unusually large numbers of vacant,
47 underutilized, unsuitable or substandard structures, or other substand-
48 ard, unsanitary, deteriorated or deteriorating conditions, with or with-
49 out tangible blight; provided that, however, in making such determi-
50 nation with respect to Governor's Island, the temporary commercial
51 incentive area boundary commission shall only be required to consider,
52 among other factors, whether such designation continues to be necessary
53 to adequately promote commercial activity on Governor's Island the
54 density of existing developments and the nature and purpose of planned
55 developments on Governor's Island, and the development of emerging
56 industries in the city.

1 § 14. Paragraph 3 of subdivision c of section 11-274 of the adminis-
2 trative code of the city of New York, as added by local law number 47 of
3 the city of New York for the year 2008, is amended to read as follows:

4 (3) the area in the borough of Manhattan south of the center line of
5 59th street, other than the areas: (i) designated renovation areas by
6 paragraphs (1) and (2) of this subdivision, or (ii) as of January first,
7 two thousand twenty-six, Governor's Island.

8 § 15. Subdivision d of section 11-274 of the administrative code of
9 the city of New York, as added by local law number 47 of the city of New
10 York for the year 2008, is amended to read as follows:

11 d. Commercial exclusion area. Except as provided in paragraph (6) of
12 subdivision c of section 11-269 of this part, any area in the borough of
13 Manhattan lying south of the center line of 96th Street, other than: (1)
14 the areas designated renovation areas by subdivision c of this section
15 and (2) as of January first, two thousand twenty-six, Governor's Island,
16 shall be a commercial exclusion area. Commercial construction projects
17 in the commercial exclusion area shall not be eligible to receive tax
18 abatements pursuant to this part.

19 § 16. This act shall take effect immediately, provided that: (i) para-
20 graph 4 of subdivision c of section 11-270 of the administrative code of
21 the city of New York, as added by section nine of this act shall be
22 deemed to have been in full force and effect as of July 1, 2020, and
23 shall apply to projects for which the first building permit is issued
24 after July 1, 2020 or if no permit is required, for which construction
25 commences after July 1, 2020; and (ii) paragraph (e) of subdivision 3 of
26 section 489-cccccc of the real property tax law, as added by section one
27 of this act, and paragraph 5 of subdivision c of section 11-270 of the
28 administrative code of the city of New York, as added by section nine of
29 this act, shall only apply to a project for which the first building
30 permit is issued on or after 90 days after this act takes effect, or if
31 no permit is required, for which construction commences on or after such
32 date.

33 PART T

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

37 ~~(a) [Interest shall be at the rate of nine per centum per annum,~~
38 ~~except where otherwise provided by statute, provided]~~ Notwithstanding
39 any other provision of law or regulation to the contrary, including any
40 law or regulation that limits the annual rate of interest to be paid on a
41 judgment or accrued claim, the annual rate of interest to be paid on a
42 judgment or accrued claim shall be calculated at the one-year United
43 States treasury bill rate. For purposes of this section, the "one-year
44 United States treasury bill rate" means the weekly average one-year
45 constant maturity treasury yield, as published by the board of governors
46 of the federal reserve system, for the calendar week preceding the date
47 of the entry of the judgment awarding damages; provided however, that
48 this section shall not apply to any provision of the tax law which
49 provides for the annual rate of interest to be paid on a judgment or
50 accrued claim. Provided, however, the annual rate of interest to be paid
51 in an action arising out of a consumer debt where a natural person is a
52 defendant shall be two per centum per annum (i) on a judgment or accrued
53 claim for judgments entered on or after the effective date of [~~the~~]
54 chapter eight hundred thirty-one of the laws of two thousand twenty-one

1 [~~which amended this section~~], and (ii) for interest upon a judgment
2 pursuant to section five thousand three of this article from the date of
3 the entry of judgment on any part of a judgment entered before the
4 effective date of [~~the~~] chapter eight hundred thirty-one of the laws of
5 two thousand twenty-one [~~which amended this section~~] that is unpaid as
6 of such effective date.

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

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

20 § 3. This act shall take effect immediately, and shall be deemed to
21 have been in full force and effect on and after April 1, 2025.

22

PART U

23 Section 1. Section 167-a of the civil service law, as amended by
24 section 1 of part I of chapter 55 of the laws of 2012, is amended to
25 read as follows:

26 § 167-a. Reimbursement for medicare premium charges. 1. Upon exclusion
27 from the coverage of the health benefit plan of supplementary medical
28 insurance benefits for which an active or retired employee or a depend-
29 ent covered by the health benefit plan is or would be eligible under the
30 federal old-age, survivors and disability insurance program, an amount
31 equal to the standard medicare premium charge for such supplementary
32 medical insurance benefits for such active or retired employee and [~~his~~
33 ~~or her~~] such employee's dependents, if any, shall be paid monthly or at
34 other intervals to such active or retired employee from the health
35 insurance fund. There shall be no payment for the income related monthly
36 adjustment amount incurred on or after January first, two thousand twen-
37 ty-five to any active or retired employee and such employee's depen-
38 dents, if any. Where appropriate, such standard medicare premium amount
39 may be deducted from contributions payable by the employee or retired
40 employee; or where appropriate in the case of a retired employee receiv-
41 ing a retirement allowance, such standard medicare premium amount may be
42 included with payments of [~~his or her~~] such employee's retirement allow-
43 ance. All state employer, employee, retired employee and dependent
44 contributions to the health insurance fund, including contributions from
45 public authorities, public benefit corporations or other quasi-public
46 organizations of the state eligible for participation in the health
47 benefit plan as authorized by subdivision two of section one hundred
48 sixty-three of this article, shall be adjusted as necessary to cover the
49 cost of reimbursing federal old-age, survivors and disability insurance
50 program premium charges under this section. This cost shall be included
51 in the calculation of premium or subscription charges for health cover-
52 age provided to employees and retired employees of the state, public
53 authorities, public benefit corporations or other quasi-public organiza-
54 tions of the state; provided, however, the state, public authorities,

1 public benefit corporations or other quasi-public organizations of the
2 state shall remain obligated to pay no less than its share of such
3 increased cost consistent with its share of premium or subscription
4 charges provided for by this article. All other employer contributions
5 to the health insurance fund shall be adjusted as necessary to provide
6 for such payments.

7 2. (a) On December first, two thousand twenty-six, the department
8 shall provide a premium refund to eligible state retirees. For the
9 purposes of this section, "eligible state retirees" shall be defined as
10 retirees who retired:

11 (i) on or after January first, nineteen hundred eighty-three but prior
12 to January first, two thousand twelve; and

13 (ii) on or after January first, two thousand twelve from a title allo-
14 cated or equated to salary grade nine or below. The amount of the annual
15 premium refund shall be fifty per centum of the amount reimbursed by the
16 department to enrollees for income related monthly adjustment amounts
17 for supplementary medical insurance for calendar year two thousand twen-
18 ty-four divided by the number of eligible state retirees.

19 (b) On December first, two thousand twenty-seven and December first of
20 each year thereafter, the department shall provide an annual premium
21 refund to eligible state retirees. The amount of the refund shall be the
22 premium refund provided in the prior year increased by the rate of
23 change for the most recent twelve-month period ending in September of
24 that year in the consumer price index for all urban consumers on a
25 national and seasonally unadjusted basis (CPI-U), or a successor index
26 as calculated by the United States department of labor.

27 § 2. This act shall take effect immediately and shall apply on January
28 1, 2025 for the income related monthly adjustment amount incurred on or
29 after January 1, 2025.

30 PART V

31 Section 1. Paragraph (b) of subdivision 5 of section 50 of the civil
32 service law, as amended by section 1 of part EE of chapter 55 of the
33 laws of 2023, is amended to read as follows:

34 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
35 sion, the state civil service department, subject to the approval of the
36 director of the budget, a municipal commission, subject to the approval
37 of the governing board or body of the city or county, as the case may
38 be, or a regional commission or personnel officer, pursuant to govern-
39 mental agreement, may elect to waive application fees, or to abolish
40 fees for specific classes of positions or types of examinations or
41 candidates, or to establish a uniform schedule of reasonable fees
42 different from those prescribed in paragraph (a) of this subdivision,
43 specifying in such schedule the classes of positions or types of exam-
44 inations or candidates to which such fees shall apply; provided, howev-
45 er, that fees shall be waived for candidates who certify to the state
46 civil service department, a municipal commission or a regional commis-
47 sion that they are unemployed and primarily responsible for the support
48 of a household, or are receiving public assistance. Provided further,
49 the state civil service department shall waive the state application fee
50 for examinations for original appointment for all veterans. Provided
51 further, the state civil service department shall, and a municipal
52 commission may, subject to the approval of the governing board or body
53 of the city or county, as the case may be, or a regional commission or
54 personnel officer, pursuant to governmental agreement, waive application

1 fees for all examinations held between July first, two thousand twenty-
2 three and [~~December thirty first, two thousand twenty five~~] June thirti-
3 eth, two thousand twenty-six. Notwithstanding any other provision of
4 law, for purposes of this section, the term "veteran" shall mean a
5 person who has served in the armed forces of the United States or the
6 reserves thereof, or in the army national guard, air national guard, New
7 York guard, or the New York naval militia, and who (1) has been honor-
8 ably discharged or released from such service under honorable condi-
9 tions, or (2) has a qualifying condition, as defined in section one of
10 the veterans' services law, and has received a discharge other than bad
11 conduct or dishonorable from such service, or (3) is a discharged LGBT
12 veteran, as defined in section one of the veterans' services law, and
13 has received a discharge other than bad conduct or dishonorable from
14 such service. The term "armed forces" shall mean the army, navy, air
15 force, marine corps, and coast guard.

16 § 2. Section 2 of part EE of chapter 55 of the laws of 2023, amending
17 the civil service law relating to waiving state civil service examina-
18 tion fees between July 1, 2023 and December 31, 2025, is amended to read
19 as follows:

20 § 2. This act shall take effect immediately and shall expire and be
21 deemed repealed on [~~December 31, 2025~~] June 30, 2026; provided that this
22 act shall be deemed to have been in full force and effect on and after
23 April 1, 2023.

24 § 3. This act shall take effect immediately; provided, however, that
25 the amendments to paragraph (b) of subdivision 5 of section 50 of the
26 civil service law made by section one of this act shall not affect the
27 expiration of such subdivision and shall expire and be deemed repealed
28 therewith.

29

PART W

30 Section 1. Subdivision 2 section 200 of the state finance law, as
31 amended by section 1 of part Q of chapter 55 of the laws of 2024, is
32 amended to read as follows:

33 2. Notwithstanding the provisions of subdivision one of this section,
34 where the state and an employee organization representing state officers
35 and employees who are in positions which are in collective negotiating
36 units established pursuant to article fourteen of the civil service law
37 enter into an agreement providing for an alternative procedure for the
38 payment of salaries to such employees or where the director of employee
39 relations shall authorize an alternative procedure for the payment of
40 salaries to state officers or employees in the executive branch who are
41 in positions which are not in collective negotiating units, such alter-
42 native procedure shall be implemented in lieu of the procedure specified
43 in subdivision one of this section. [~~Notwithstanding any other provision
44 of law to the contrary, where the state and an employee organization
45 representing officers and employees in the executive branch who are in
46 positions which are in collective negotiating units established pursuant
47 to article fourteen of the civil service law enter into an agreement, or
48 where the director of employee relations shall authorize for officers
49 and employees in the executive branch who are in positions which are not
50 in collective negotiating units, the alternate procedure specified here-
51 in shall be terminated for officers and employees hired on or after July
52 first, two thousand twenty-five. The alternate procedure specified here-
53 in shall also be terminated for: (i) nonjudicial officers and employees
54 of the unified court system hired on or after July first, two thousand~~

~~twenty five, if the chief administrator of the courts so elects; (ii) employees of the senate hired on or after July first, two thousand twenty five, if the temporary president of the senate so elects; (iii) employees of the assembly hired on or after July first, two thousand twenty five, if the speaker of the assembly so elects; and (iv) employees of joint legislative employers hired on or after July first, two thousand twenty five, if the temporary president of the senate and the speaker of the assembly mutually so elect for all such joint legislative employers. Any election made pursuant to paragraph (i), (ii), (iii), or (iv) of this subdivision shall be in writing and filed with the state comptroller not later than thirty days after the enactment of this legislation.]~~

§ 2. The state finance law is amended by adding a new section 210 to read as follows:

§ 210. Optional payment election. Notwithstanding any other provision of law to the contrary, where the state and an employee organization representing officers and employees in the executive branch who are in positions which are in collective negotiating units established pursuant to article fourteen of the civil service law enter into an agreement, or where the director of employee relations shall authorize for officers and employees in the executive branch who are in positions which are not in collective negotiating units, new employees hired on or after July first, two thousand twenty-six, may elect to receive an optional payment, which shall be in an amount determined by such agreement or for officers and employees in the executive branch who are in positions which are not in collective negotiating units, at a rate to be determined by the director of the division of the budget. Such payment shall not be considered basic annual salary and shall not be included as compensation for retirement purposes. Such payment shall be recovered to the state within the first fourteen pay periods after such payment. The payment specified herein shall also be implemented for: (a) nonjudicial officers and employees of the unified court system hired on or after July first, two thousand twenty-six, if the chief administrator of the courts so elects; (b) employees of the senate hired on or after July first, two thousand twenty-six, if the temporary president of the senate so elects; (c) employees of the assembly hired on or after July first, two thousand twenty-six, if the speaker of the assembly so elects; and (d) employees of joint legislative employers hired on or after July first, two thousand twenty-six, if the temporary president of the senate and the speaker of the assembly mutually so elect for all such joint legislative employers. Any election made pursuant to subdivision (a), (b), (c), or (d) of this section shall be in writing and filed with the state comptroller no later than September thirtieth, two thousand twenty-five.

§ 3. This act shall take effect July 1, 2025; provided however, that section one of this act shall take effect on the same date and in the same manner as section one of part Q of chapter 55 of the laws of 2024, takes effect.

PART X

Section 1. The state technology law is amended by adding a new section 103-e to read as follows:

§ 103-e. Cybersecurity awareness training. 1. (a) Employees of the state who use technology as a part of their official job duties shall take annual cybersecurity awareness training beginning January first,

two thousand twenty-six. Employees of the state shall be required to complete the training provided by the office.

(b) For purposes of this section, "employees of the state" shall include employees of all state agencies and all public benefit corporations, the heads of which are appointed by the governor.

2. Employees of a county, a city, a town, or a village who use technology as a part of their official job duties shall take annual cybersecurity awareness training beginning January first, two thousand twenty-six. The office shall make a cybersecurity training available for use by a county, a city, a town, or a village at no charge, but such training shall not be the exclusive means for meeting the requirements of this section.

§ 2. This act shall take effect immediately.

PART Y

Section 1. Section 2 of part F of chapter 60 of the laws of 2015, constituting the infrastructure investment act, subdivision (a) as amended and subdivision (g) as added by section 1 of part AA of chapter 58 the laws of 2022, is amended to read as follows:

§ 2. For the purposes of this act: (a) (i) "authorized state entity" shall mean the New York state thruway authority, the department of transportation, the office of parks, recreation and historic preservation, the department of environmental conservation, the New York state bridge authority, the office of general services, the dormitory authority, the urban development corporation, the state university construction fund, the state university of New York as defined in subdivision 3 of section 352 of the education law, the city university construction fund, the New York state Olympic regional development authority and the battery park city authority.

(ii) Notwithstanding the provisions of subdivision 26 of section 1678 of the public authorities law, section 8 of the public buildings law, sections 8 and 9 of section 1 of chapter 359 of the laws of 1968 as amended, section 103 of the general municipal law, and the provisions of any other law to the contrary, the term "authorized state entity" shall also refer to only those agencies or authorities identified below solely in connection with the following authorized projects, provided that such an authorized state entity may utilize the alternative delivery ~~[method]~~ methods referred to as design-build contracts or construction manager as constructor contracts solely in connection with the following authorized projects should the total cost of each such project not be less than five million dollars(\$5,000,000):

Authorized Projects	Authorized State Entity
1. Frontier Town	Urban Development Corporation
2. Life Sciences Laboratory	Dormitory Authority & Urban Development Corporation
3. Whiteface Transformative Projects	New York State Olympic Regional Development Authority
4. Gore Transformative Projects	New York State Olympic Regional Development Authority
5. Belleayre Transformative Projects	New York State Olympic Regional

1		Development Authority
2	6. Mt. Van Hoevenberg Transformative	New York State Olympic Regional
3	Projects	Development Authority
4	7. Olympic Training Center	New York State Olympic Regional
5		Development Authority
6	8. Olympic Arena and Convention	New York State Olympic Regional
7	Center Complex	Development Authority
8	9. State Fair Revitalization	Office of General
9	Projects	Services
10	10. State Police Forensic	Office of General
11	Laboratory	Services

12 Notwithstanding any provision of law to the contrary, all rights or
13 benefits, including terms and conditions of employment, and protection
14 of civil service and collective bargaining status of all existing
15 employees of authorized state entities shall be preserved and protected.
16 Nothing in this section shall result in the: (1) displacement of any
17 currently employed worker or loss of position (including partial
18 displacement such as a reduction in the hours of non-overtime work,
19 wages, or employment benefits) or result in the impairment of existing
20 collective bargaining agreements; (2) transfer of existing duties and
21 functions related to maintenance and operations currently performed by
22 existing employees of authorized state entities to a contracting entity;
23 or (3) transfer of future duties and functions ordinarily performed by
24 employees of authorized state entities to the contracting entity. Noth-
25 ing contained herein shall be construed to affect (A) the existing
26 rights of employees pursuant to an existing collective bargaining agree-
27 ment, and (B) the existing representational relationships among employee
28 organizations or the bargaining relationships between the employer and
29 an employee organization.

30 If otherwise applicable, authorized projects undertaken by the author-
31 ized state entities listed above solely in connection with the
32 provisions of this act shall be subject to section 135 of the state
33 finance law, section 101 of the general municipal law, and section 222
34 of the labor law; provided, however, that an authorized state entity may
35 fulfill its obligations under section 135 of the state finance law or
36 section 101 of the general municipal law by requiring the contractor to
37 prepare separate specifications in accordance with section 135 of the
38 state finance law or section 101 of the general municipal law, as the
39 case may be. Provided further, that authorized projects with a total
40 construction cost of not less than twenty-five million dollars
41 (\$25,000,000) undertaken by the authorized state entities listed above
42 solely in connection with the provisions of this act shall only be
43 undertaken pursuant to a project labor agreement in accordance with
44 section 222 of the labor law. If a project labor agreement is not
45 performed on the authorized project, the authorized state entity shall
46 not utilize a design-build or construction manager as constructor
47 contract for such project. Prior to utilizing the alternative delivery
48 [method] methods referred to as design-build or construction manager as
49 constructor contracts for the authorized projects listed in this subpar-
50 agraph with a total construction cost of less than twenty-five million
51 dollars (\$25,000,000), the authorized state entities listed above shall
52 conduct a feasibility study in accordance with section 222 of the labor
53 law.

54 (b) "best value" shall mean the basis for awarding contracts for
55 services to the offerer that optimize quality, cost and efficiency,

1 price and performance criteria, which may include, but is not limited
2 to:

- 3 1. The quality of the contractor's performance on previous projects;
- 4 2. The timeliness of the contractor's performance on previous
5 projects;
- 6 3. The level of customer satisfaction with the contractor's perform-
7 ance on previous projects;
- 8 4. The contractor's record of performing previous projects on budget
9 and ability to minimize cost overruns;
- 10 5. The contractor's ability to limit change orders;
- 11 6. The contractor's ability to prepare appropriate project plans;
- 12 7. The contractor's technical capacities;
- 13 8. The individual qualifications of the contractor's key personnel;
- 14 9. The contractor's ability to assess and manage risk and minimize
15 risk impact; and
- 16 10. The contractor's past record of compliance with article 15-A of
17 the executive law.

18 Such basis shall reflect, wherever possible, objective and quantifi-
19 able analysis.

20 (c) "capital project" shall have the same meaning as such term is
21 defined by subdivision 2-a of section 2 of the state finance law.

22 (d) "construction manager as constructor contract" means a contract
23 implementing a project delivery method whereby a construction manager:

24 (i) is retained by the owner at the time of the design phase and is
25 responsible for working collaboratively as part of a team in conjunction
26 with the owner and owner's separately retained design firm;

27 (ii) is responsible for developing and providing the owner with a
28 proposed guaranteed maximum price to construct the project in accordance
29 with the design and pursuant to subdivision (a) of section thirteen of
30 this part;

31 (iii) during the construction phase, is responsible for the services
32 of the construction manager and general contractor for agreed upon
33 compensation as set forth in the construction manager as constructor
34 contract; and

35 (iv) assumes the responsibility for construction, the period of time
36 for performance, and the costs exceeding an amount specified in the
37 construction manager as constructor contract.

38 (e) "cost plus" shall mean compensating a contractor for the cost to
39 complete a contract by reimbursing actual costs for labor, equipment and
40 materials plus an additional amount for overhead and profit.

41 [~~e~~] (f) "design-build contract" shall mean a contract for the design
42 and construction of a capital project with a single entity, including
43 progressive design-build, which may be a team comprised of separate
44 entities.

45 [~~f~~] (g) "procurement record" means documentation of the decisions
46 made and the approach taken in the procurement process.

47 [~~g~~] (h) "project labor agreement" shall have the meaning set forth
48 in subdivision 1 of section 222 of the labor law. A project labor agree-
49 ment shall require participation in apprentice training programs.

50 § 2. Section 3 of part F of chapter 60 of the laws of 2015, constitut-
51 ing the infrastructure investment act, as amended by section 2 of part
52 AA of chapter 58 of the laws of 2022, is amended to read as follows:

53 § 3. Notwithstanding the provisions of section 38 of the highway law,
54 [~~section~~] sections 136-a and 163 of the state finance law, sections 359,
55 1678, 1680 and 1680-a of the public authorities law, sections 376,
56 407-a, 6281 and 7210 of the education law, sections 8 and 9 of the

1 public buildings law, section 103 of the general municipal law, and the
2 provisions of any other law to the contrary, and in conformity with the
3 requirements of this act, an authorized state entity may utilize the
4 alternative delivery [~~method~~] methods referred to as design-build or
5 construction manager as constructor contracts, in consultation with
6 relevant local labor organizations and construction industry, unless
7 otherwise provided below, for capital projects located in the state
8 related to physical infrastructure, including, but not limited to, high-
9 ways, bridges, buildings and appurtenant structures, dams, flood control
10 projects, canals, and parks, including, but not limited to, to repair
11 damage caused by natural disaster, to correct health and safety defects,
12 to comply with federal and state laws, standards, and regulations, to
13 extend the useful life of or replace highways, bridges, buildings and
14 appurtenant structures, dams, flood control projects, canals, and parks
15 or to improve or add to highways, bridges, buildings and appurtenant
16 structures, dams, flood control projects, canals, and parks; provided
17 that for the contracts executed by the department of transportation, the
18 office of parks, recreation and historic preservation, or the department
19 of environmental conservation, the total cost of each such project shall
20 not be less than ten million dollars (\$10,000,000). Provided further
21 that authorized state entities may only utilize the alternative delivery
22 [~~method~~] methods referred to as design-build or construction manager as
23 constructor contracts on projects with a total construction cost of not
24 less than twenty-five million dollars (\$25,000,000) if undertaken pursu-
25 ant to a project labor agreement in accordance with section 222 of the
26 labor law. If a project labor agreement is not performed on [~~the~~] such
27 project, the authorized state entity shall not utilize a design-build or
28 construction manager as constructor contract for such project. The use
29 of a project labor agreement on a federal aid project shall not be
30 required where the federal government prohibits or disapproves of the
31 use of a project labor agreement on such a federal aided project. Prior
32 to utilizing the alternative delivery [~~method~~] methods referred to as
33 design-build or construction manager as constructor contracts for
34 projects with a total construction cost of less than twenty-five million
35 dollars (\$25,000,000), authorized state entities shall conduct a feasi-
36 bility study in accordance with section 222 of the labor law.

37 § 3. Section 4 of part F of chapter 60 of the laws of 2015, constitut-
38 ing the infrastructure investment act, as amended by section 4 of part
39 RRR of chapter 59 of the laws of 2017, the opening paragraph and subdi-
40 vision (a) as amended by section 2 of part DD of chapter 58 of the laws
41 of 2020, is amended to read as follows:

42 § 4. An entity selected by an authorized state entity to enter into a
43 design-build or construction manager as constructor contract shall be
44 selected through a one or two-step method, as follows:

45 (a) Step one. Generation of a list of entities that have demonstrated
46 the general capability to perform the design-build or construction
47 manager as constructor contract. Such list shall consist of a specified
48 number of entities, as determined by an authorized state entity, and
49 shall be generated based upon the authorized state entity's review of
50 responses to a publicly advertised request for qualifications. The
51 authorized state entity's request for qualifications shall include a
52 general description of the project, the maximum number of entities to be
53 included on the list, the selection criteria to be used and the relative
54 weight of each criteria in generating the list. Such selection criteria
55 shall include the qualifications and experience, as applicable, of the
56 construction management, design [~~and~~] and/or construction [~~team~~] teams,

1 organization, demonstrated responsibility, ability of the team or of a
2 member or members of the team to comply with applicable requirements,
3 including the provisions of articles 145, 147 and 148 of the education
4 law, past record of compliance with the labor law, and such other quali-
5 fications the authorized state entity deems appropriate which may
6 include but are not limited to project understanding, financial capabil-
7 ity and record of past performance. The authorized state entity shall
8 evaluate and rate all entities responding to the request for qualifica-
9 tions. Based upon such ratings, the authorized state entity shall list
10 the entities that shall receive a request for proposals in accordance
11 with subdivision (b) of this section. To the extent consistent with
12 applicable federal law, the authorized state entity shall consider, when
13 awarding any contract pursuant to this section, the participation of:
14 (i) firms certified pursuant to article 15-A of the executive law as
15 minority or women-owned businesses and the ability of other businesses
16 under consideration to work with minority and women-owned businesses so
17 as to promote and assist participation by such businesses; ~~and~~ (ii)
18 small business concerns identified pursuant to subdivision (b) of
19 section 139-g of the state finance law and (iii) firms certified pursu-
20 ant to article 17-B of the executive law as service-disabled veteran-
21 owned businesses and the ability of other businesses under consideration
22 to work with service-disabled veteran-owned businesses so as to promote
23 and assist participation by such businesses.

24 (b) Step two. Selection of the proposal which is the best value to the
25 authorized state entity. The authorized state entity shall issue a
26 request for proposals to the entities listed pursuant to subdivision (a)
27 of this section. If such an entity consists of a team of separate enti-
28 ties, the entities that comprise such a team must remain unchanged from
29 the entity as listed pursuant to subdivision (a) of this section unless
30 otherwise approved by the authorized state entity. The request for
31 proposals shall set forth the project's scope of work, and other
32 requirements, as determined by the authorized state entity. The request
33 for proposals shall specify the criteria to be used to evaluate the
34 responses and the relative weight of each such criteria. Such criteria
35 shall include, as applicable, the proposal's cost, the quality of the
36 proposal's solution, the qualifications and experience of the design-
37 build or construction manager as constructor entity, and other factors
38 deemed pertinent by the authorized state entity, which may include, but
39 shall not be limited to, the proposal's project implementation, ability
40 to complete the work in a timely and satisfactory manner, maintenance
41 costs of the completed project, maintenance of traffic approach, and
42 community impact. Any contract awarded pursuant to this act shall be
43 awarded to a responsive and responsible entity that submits the
44 proposal, which, in consideration of these and other specified criteria
45 deemed pertinent to the project, offers the best value to the authorized
46 state entity, as determined by the authorized state entity. The request
47 for proposals shall include a statement that entities shall designate in
48 writing those portions of the proposal that contain trade secrets or
49 other proprietary information that are to remain confidential; that the
50 material designated as confidential shall be readily separable from the
51 entity's proposal. Nothing herein shall be construed to prohibit the
52 authorized entity from negotiating final contract terms and conditions
53 including cost. All proposals submitted shall be scored according to the
54 criteria listed in the request for proposals and such final scores shall
55 be published on the authorized state entity's website.

1 § 4. Section 11 of part F of chapter 60 of the laws of 2015, consti-
2 tuting the infrastructure investment act, is amended to read as follows:

3 § 11. The submission of a proposal or responses or the execution of a
4 design-build or construction manager as constructor contract pursuant to
5 this act shall not be construed to be a violation of section 6512 of the
6 education law.

7 § 5. Subdivision (a) of section 13 of part F of chapter 60 of the laws
8 of 2015, constituting the infrastructure investment act, as amended by
9 section 11 of part RRR of chapter 59 of the laws of 2017 and paragraph 3
10 as amended by section 4 of part DD of chapter 58 of the laws of 2020, is
11 amended to read as follows:

12 (a) Notwithstanding the provisions of any other law to the contrary,
13 the authorized state entity may award a [~~construction~~] contract[+
14 ~~1. To~~] to the design-build contractor or construction manager as
15 constructor contractor [~~offering~~]:

16 1. Offering the best value; or

17 2. Utilizing a cost-plus not to exceed guaranteed maximum price form
18 of contract in which the authorized state entity shall be entitled to
19 monitor and audit all project costs. In establishing the schedule and
20 process for determining a guaranteed maximum price, the contract between
21 the authorized state entity and the design-build contractor or
22 constructor contractor shall:

23 (i) describe the scope of the work and the cost of performing such
24 work;

25 (ii) include a detailed line item cost breakdown;

26 (iii) include a list of all drawings, specifications and other infor-
27 mation on which the guaranteed maximum price is based;

28 (iv) include the dates for substantial and final completion on which
29 the guaranteed maximum price is based; and

30 (v) include a schedule of unit prices; or

31 3. [~~(i)~~] Utilizing a lump sum contract in which the design-build
32 contractor or construction manager as constructor contractor agrees to
33 accept a set dollar amount for a contract which comprises a single bid
34 without providing a cost breakdown for all costs such as for equipment,
35 labor, materials, as well as such contractor's profit for completing all
36 items of work comprising the project, which lump sum price may be nego-
37 tiated and established by the authorized state entity based on a
38 proposed guaranteed maximum price[~~+~~]; or

39 [~~(ii) The design-build contract may include~~] 4. utilizing a contract
40 that includes both lump sum elements and cost-plus not to exceed guaran-
41 teed maximum price elements [~~and~~], which contract may also provide for
42 professional services on a fee-for-service basis.

43 § 6. Section 14 of part F of chapter 60 of the laws of 2015, consti-
44 tuting the infrastructure investment act, is amended to read as follows:

45 § 14. Prequalified contractors. (a) Notwithstanding any other
46 provision of law, the authorized state entity [~~may maintain a list of~~
47 ~~prequalified contractors who are eligible to submit a proposal pursuant~~
48 ~~to this act and entry into such list shall be continuously available~~]
49 when awarding any contract for public work may establish guidelines
50 governing the qualifications of contractors seeking to bid, propose or
51 enter into such contract. Prospective contractors may be prequalified as

52 contractors to provide particular types of construction, in accordance
53 with general criteria established by the authorized state entity which
54 may include, but shall not be limited to, the experience, past perform-
55 ance, ability to undertake the type and complexity of work, financial
56 capability, responsibility, compliance with equal employment opportunity

1 requirements and anti-discrimination laws, and reliability. Such
2 prequalification may be by categories designed by size, value,
3 geography, and other factors. If the authorized state entity maintains
4 an appropriate list of qualified contractors, the contract shall be
5 awarded consistent with guidelines established by the authorized state
6 entity.

7 (b) The authorized state entity shall, not less than annually, publish
8 in a newspaper of general circulation or post in the New York State
9 Contract Reporter an advertisement requesting prospective contractors to
10 submit qualification statements. Lists of pre-qualified contractors may
11 be established on a project-specific basis. Pre-qualified lists shall
12 include all contractors that qualify; provided, however, that any such
13 list shall have no less than five bidders. A contractor who is denied
14 prequalification or whose prequalification is revoked or suspended by
15 the authorized state entity may appeal such decision to the authorized
16 state entity. If such a suspension extends for more than three months,
17 it shall be deemed a revocation of the prequalification. The authorized
18 state entity may proceed with the contract award during any appeal.

19 § 7. Section 15-b of part F of chapter 60 of the laws of 2015, consti-
20 tuting the infrastructure investment act, as added by section 5 of part
21 DD of chapter 58 of the laws of 2020, is amended to read as follows:

22 § 15-b. Public employees as defined by paragraph (a) of subdivision 7
23 of section 201 of the civil service law and who are employed by author-
24 ized entities as defined in paragraph (i) of subdivision (a) of section
25 two of this act shall examine and review certifications provided by
26 contractors for conformance with material source testing, certifications
27 testing, surveying, monitoring of environmental compliance, independent
28 quality control testing and inspection and quality assurance audits.
29 Performance by authorized entities of any review described in this
30 subdivision shall not be construed to modify or limit contractors' obli-
31 gations to perform work in strict accordance with the applicable
32 design-build or construction manager as constructor contracts or the
33 contractors' or any subcontractors' obligations or liabilities under any
34 law.

35 § 8. Section 16 of part F of chapter 60 of the laws of 2015, consti-
36 tuting the infrastructure investment act, as amended by section 6 of
37 part DD of chapter 58 of the laws of 2020, is amended to read as
38 follows:

39 § 16. A report shall be submitted on or no later than June 30, 2021
40 and annually thereafter, to the governor, the temporary president of the
41 senate and the speaker of the assembly by the New York state office of
42 general services on behalf of authorized entities defined in paragraph
43 (i) of subdivision (a) of section two of this act containing information
44 on each authorized state entity that has entered into a design-build or
45 construction manager as constructor contract pursuant to this act, which
46 shall include, but not be limited to, a description of each such
47 design-build or construction manager as constructor contract, informa-
48 tion regarding the procurement process for each such design-build or
49 construction manager as constructor project, including the list of qual-
50 ified bidders, the total cost of each design-build or construction
51 manager as constructor project, an explanation of the estimated cost and
52 schedule savings of each project, an explanation of how the savings were
53 determined, the participation rate and total dollar value of minority-
54 and women-owned business enterprises and service-disabled veteran-owned
55 businesses, and whether a project labor agreement was used, and if
56 applicable, the justification for using a project labor agreement. Such

1 report shall also be posted on the website of the New York state office
2 of general services for public review.

3 § 9. This act shall take effect immediately; provided, however, that
4 the amendments to part F of chapter 60 of the laws of 2015 made by
5 sections one, two, three, four, five, six, seven and eight of this act
6 shall not affect the repeal of such part and shall be deemed repealed
7 therewith.

8

PART Z

9 Section 1. Section 13-a of chapter 749 of the laws of 2019, constitut-
10 ing the New York city public works investment act, as added by chapter
11 534 of the laws of 2024, is amended to read as follows:

12 § 13-a. (a) For purposes of this section:

13 [~~(1)~~] "Construction manager build" shall mean a project delivery meth-
14 od whereby a construction manager:

15 (i) serves as part of a team in conjunction with the owner in the
16 design phase of the project;

17 (ii) under the oversight of the owner, acts as the single source of
18 responsibility to bid, select and hold construction contracts on behalf
19 of the owner during the construction phase; and

20 (iii) manages the construction project on behalf of the owner.

21 [~~(2) "Department" shall mean the New York city department of design
22 and construction.~~]

23 (b) This section may only be applied to:

24 (1) Design-build contracts solicited by [~~the department~~] an authorized
25 entity that have an estimated cost of not less than ten million
26 dollars[7] and are undertaken pursuant to a project labor agreement in
27 accordance with section 222 of the labor law [~~and in connection with a~~
28 ~~project that is primarily related to:~~

29 ~~(i) water or sewer infrastructure, and primarily consists of the~~
30 ~~replacement of existing, or installation of new, water mains or sewers~~
31 ~~or the installation of assets to manage stormwater flow, or a combina-~~
32 ~~tion of the foregoing; or~~

33 ~~(ii) coastal resiliency, and primarily consists of flood walls,~~
34 ~~deployable gates, the relocation or protection of existing infrastruc-~~
35 ~~ture from flooding, or a combination of the foregoing]; or~~

36 (2) Construction manager build contracts solicited by [~~the department~~]
37 an authorized entity that have an estimated cost of not less than five
38 million dollars[7] and are undertaken pursuant to a project labor agree-
39 ment in accordance with section 222 of the labor law [~~and in connection~~
40 ~~with a project for the construction or renovation of a cultural institu-~~
41 ~~tion located on publicly owned real property on behalf of the New York~~
42 ~~city department of cultural affairs or a public library in the city of~~
43 ~~New York~~].

44 (c) Notwithstanding any general, special, or local law, rule, or regu-
45 lation to the contrary, a contractor selected by [~~the department~~] an
46 authorized entity to enter into a construction manager build contract
47 pursuant to this section shall be selected through the two-step method
48 described in subdivision (a) of section four of this act. The [~~depart-~~
49 ~~ment~~] authorized entity may use the types of contracts identified in
50 subdivision (b) of section four of this act for contracts procured using
51 the construction manager build delivery method.

52 (d) Where [~~the department~~] an authorized entity determines in writing
53 that it is in the best interest of the public to solicit proposals using
54 the design-build contract delivery method in connection with a project

1 that meets the criteria set forth in paragraph one of subdivision (b) of
2 this section, without generating a list pursuant to the process set
3 forth in paragraph one of subdivision (a) of section four of this act,
4 [~~the department~~] such authorized entity shall release, evaluate and
5 score a request for proposals pursuant to the procedure set forth in
6 subdivision (e) of this section. To the extent consistent with applica-
7 ble federal law, [~~the department~~] such authorized entity shall consider,
8 when soliciting proposals and awarding any contract pursuant to this
9 section, the participation of (i) entities that are certified as minori-
10 ty- or women-owned business enterprises pursuant to article fifteen-A of
11 the executive law, or certified pursuant to local law as minority- or
12 women-owned business enterprises, and (ii) small business concerns iden-
13 tified pursuant to subdivision (b) of section one hundred thirty-nine-g
14 of the state finance law. In addition, nothing in this section shall be
15 deemed to supersede any pre-qualification guidelines or requirements
16 otherwise authorized by law for [~~the department~~] such authorized entity.
17 (e) The request for proposals shall set forth the public work's scope
18 of work, and other requirements, as determined by the [~~department~~]
19 authorized entity, which may include separate goals for work under the
20 contract to be performed by businesses certified as minority- or women-
21 owned business enterprises pursuant to article fifteen-A of the execu-
22 tive law or certified pursuant to local law as minority- or women-owned
23 business enterprises. The request for proposals shall also specify the
24 criteria to be used to evaluate the responses and the relative weight of
25 each of such criteria. Such criteria shall include the proposal's cost,
26 the quality of the proposal's solution, the qualifications and experi-
27 ence of the proposer, and other factors deemed pertinent by the [~~depart-~~
28 ~~ment~~] authorized entity, which may include, but shall not be limited to,
29 the proposal's manner and schedule of project implementation, the
30 proposer's ability to complete the work in a timely and satisfactory
31 manner, maintenance costs of the completed public work, maintenance of
32 traffic approach, and community impact. A contract awarded pursuant to
33 this section shall be awarded to a responsive and responsible proposer,
34 which, in consideration of these and other specified criteria deemed
35 pertinent, offers the best value, as determined by the [~~department~~]
36 authorized entity. The [~~department~~] authorized entity may engage in
37 negotiations or other discussions with all qualified proposers that have
38 expressed interest in response to the request for proposals released
39 pursuant to subdivision (d) of this section, provided that such [~~depart-~~
40 ~~ment~~] authorized entity maintains a written record of the conduct of
41 negotiations or discussions and the basis for every determination to
42 continue or suspend negotiations, and, provided, further, that if such
43 [~~department~~] authorized entity determines for a particular contract or
44 for a particular type of contract that it is in the best interest of the
45 public to negotiate or enter into discussions with fewer proposers, it
46 shall make such a determination in writing. If such [~~department~~] author-
47 ized entity enters into such negotiations, such [~~department~~] authorized
48 entity shall allow all proposers to revise their proposals upon conclu-
49 sion of negotiations, and shall evaluate any such revised proposals
50 using the criteria included in the request for proposals. The request
51 for proposals shall include a statement that proposers shall designate
52 in writing those portions of the proposal that contain trade secrets or
53 other proprietary information that are to remain confidential; that the
54 material designated as confidential shall be readily separable from the
55 proposal. Nothing in this section shall be construed to prohibit the
56 authorized entity from negotiating final contract terms and conditions

1 including cost. All proposals submitted shall be scored according to
2 the criteria listed in the request for proposals and such final
3 scores shall be published on the authorized entity's website after
4 registration of such contract or the date upon which such contract may
5 be implemented, if registration requirements do not apply.

6 (f) The reporting requirement set forth in section thirteen of this
7 act shall apply to contracts procured pursuant to this section, provided
8 that the requirement that such report include a list of responding enti-
9 ties shall not apply to any contract where no such list was generated.
10 Such report shall include a description of the scope of work for each
11 project, whether the project used the design-build or construction
12 manager build method as described in subdivision (b) of this section,
13 the percentage of alternative project delivery contracts that used the
14 methods described in subdivision (b) of this section, the type of
15 contract described in subdivision (b) of section four of this act that
16 was used to procure the project, information regarding the total
17 contract price upon contract award, the total contract price upon final
18 completion of the project, the [~~department's~~] authorized entity's
19 initial projected estimate of the cost of the project and the partic-
20 ipation rate of and total dollar value of monies paid to minority- and
21 women-owned business enterprises and small business concerns under
22 alternative project delivery contracts.

23 § 2. This act shall take effect immediately; provided however, that
24 the amendments to chapter 749 of the laws of 2019 made by section one of
25 this act shall not affect the expiration and repeal of such chapter and
26 shall be deemed repealed therewith.

27 PART AA

28 Section 1. Subdivision 2 of section 13-b of the workers' compensation
29 law is amended by adding a new paragraph (b-2) to read as follows:

30 (b-2) Under the supervision of any authorized provider, any resident
31 or fellow who may practice medicine as an exempt person as provided for
32 in title eight of the education law, may render medical care under this
33 chapter so long as the supervisory requirements of the education law are
34 met and neither the supervising provider nor resident or fellow have
35 been prohibited from treating workers' compensation claimants pursuant
36 to section thirteen-d of this article.

37 § 2. This act shall take effect immediately.

38 PART BB

39 Section 1. Section 13-a of the workers' compensation law, as added by
40 chapter 258 of the laws of 1935, subdivision 1 as amended by chapter 363
41 of the laws of 1989, subdivision 2 as amended by chapter 113 of the laws
42 of 1946, subdivision 4 as amended by chapter 473 of the laws of 2000,
43 subdivisions 5 and 6 as amended by section 8 of part CC of chapter 55 of
44 the laws of 2019, and subdivision 7 as added by chapter 6 of the laws of
45 2007, is amended to read as follows:

46 § 13-a. Selection of authorized [~~physician~~] provider by employee. (1)
47 An injured employee may, when care is required, select to treat [~~him-or~~
48 ~~her~~] them any [~~physician~~] provider authorized by the chair to render
49 medical care, as hereafter provided. If for any reason during the period
50 when medical treatment and care is required, the employee wishes to
51 transfer [~~his-or-her~~] their treatment and care to another authorized
52 [~~physician~~] provider, [~~he-or-she~~] they may do so, in accordance with

1 rules prescribed by the chair. In such instance the remuneration of the
2 [~~physician~~] provider whose services are being dispensed with shall be
3 limited to the value of treatment rendered at fees as established in the
4 schedule for [~~his or her~~] their location, unless payment in higher
5 amounts has been approved as authorized in [~~section thirteen, paragraph~~]
6 subdivision a of section thirteen of this article. If a claimant shall
7 receive treatment in any hospital or other institution operated in whole
8 or in part by the state of New York, the employer shall be liable for
9 food, clothing and maintenance furnished by the hospital or other insti-
10 tution to such employee. If the employee is unable due to the nature of
11 the injury to select such authorized [~~physician~~] provider and the emer-
12 gency nature of the injury requires immediate medical treatment and
13 care, or if [~~he or she does~~] they do not desire to select a [~~physician~~]
14 provider, and in writing so advises the employer, the employer shall
15 promptly provide [~~him or her~~] them with the necessary medical care,
16 provided however, that nothing herein contained shall operate to prevent
17 such employee, when subsequently able to do so, from selecting for
18 continuance of any medical treatment or care required, any [~~physician~~]
19 provider authorized by the chair to render medical care as hereinafter
20 provided.

21 (2) The [~~chairman~~] chair shall prescribe the form of a notice inform-
22 ing employees of their privilege under this chapter, and such notice
23 shall be posted and maintained by the employer in a conspicuous place or
24 places in and about [~~his~~] their place or places of business.

25 (3) The employer shall have the right to transfer the care of an
26 injured employee from the attending [~~physician~~] provider, whether chosen
27 originally by the employee or by the employer, to another authorized
28 [~~physician~~] provider (1) if the interest of the injured employee neces-
29 sitates the transfer or (2) if the [~~physician has not been authorized to~~
30 ~~treat injured employees under this act or (3) if he has not been author-~~
31 ~~ized under this act to treat the particular injury or condition as~~
32 ~~provided by section thirteen-b (2)] provider is currently placed on the
33 exclusion list. An authorized [~~physician~~] provider from whom the case
34 has been transferred shall have the right of appeal to an arbitration
35 committee as provided in subdivision two of section thirteen-g of this
36 article and if said arbitration committee finds that the transfer was
37 not authorized by this section, said employer shall pay to the [~~physi-~~
38 ~~cian~~] provider a sum equal to the total fee earned by the [~~physician~~]
39 provider to whom the care of the injured employee has been transferred,
40 or such proportion of said fee as the arbitration committee shall deem
41 adequate.~~

42 (4) (a) No claim for medical or surgical treatment shall be valid and
43 enforceable, as against such employer, or employee, unless within
44 forty-eight hours following the first treatment the [~~physician~~] provider
45 giving such treatment furnishes to the employer and directly to the
46 chair a preliminary notice of such injury and treatment, within fifteen
47 days thereafter a more complete report and subsequent thereto progress
48 reports if requested in writing by the chair, board, employer or insur-
49 ance carrier at intervals of not less than three weeks apart or at less
50 frequent intervals if requested on forms prescribed by the chair. The
51 board may excuse failure to give such notices within the designated
52 periods when it finds it to be in the interest of justice to do so.

53 (b) Upon receipt of the notice provided for by paragraph (a) of this
54 subdivision, the employer, the carrier, and the claimant each shall be
55 entitled to have the claimant examined by a [~~physician~~] provider author-
56 ized by the chair in accordance with sections thirteen-b and one hundred

1 thirty-seven of this chapter, at a medical facility convenient to the
2 claimant and in the presence of the claimant's ~~physician~~ provider, and
3 refusal by the claimant to submit to such independent medical examina-
4 tion at such time or times as may reasonably be necessary in the opinion
5 of the board, shall bar the claimant from recovering compensation for
6 any period during which ~~he or she~~ the claimant has refused to submit
7 to such examination. No hospital shall be required to produce the
8 records of any claimant without receiving its customary fees or charges
9 for reproduction of such records.

10 (c) Where it would place an unreasonable burden upon the employer or
11 carrier to arrange for, or for the claimant to attend, an independent
12 medical examination by an authorized ~~physician~~ provider, the employer
13 or carrier shall arrange for such examination to be performed by a qual-
14 ified ~~physician~~ provider in a medical facility convenient to the
15 claimant.

16 (d) The independent medical examiner shall provide such reports and
17 shall submit to investigation as required by the chair.

18 (e) In order to qualify as admissible medical evidence, for purposes
19 of adjudicating any claim under this chapter, any report submitted to
20 the board by an independent medical examiner licensed by the state of
21 New York shall include the following:

22 (i) a signed statement certifying that the report is a full and truth-
23 ful representation of the independent medical examiner's professional
24 opinion with respect to the claimant's condition:

25 (ii) such examiner's board issued authorization number;

26 (iii) the name of the individual or entity requesting the examination;

27 (iv) if applicable, the registration number as required by section
28 thirteen-n of this article; and

29 (v) such other information as the chair may require by regulation.

30 Any report by an independent medical examiner who is not authorized,
31 and who performs an independent medical examination in accordance with
32 paragraph (c) of this subdivision, which is to be used as medical
33 evidence under this chapter, shall include in the report such informa-
34 tion as the chair may require by regulation.

35 (5) No claim for specialist consultations, surgical operations,
36 physiotherapeutic or occupational therapy procedures, x-ray examinations
37 or special diagnostic laboratory tests costing more than one thousand
38 dollars shall be valid and enforceable, as against such employer, unless
39 such special services shall have been authorized by the employer or by
40 the board, or unless such authorization has been unreasonably withheld,
41 or withheld for a period of more than thirty calendar days from receipt
42 of a request for authorization, or unless such special services are
43 required in an emergency, provided, however, that the basis for a denial
44 of such authorization by the employer must be based on a conflicting
45 second opinion rendered by a ~~physician~~ provider authorized by the
46 board. The board, with the approval of the superintendent of financial
47 services, shall issue and maintain a list of pre-authorized procedures
48 under this section. Such list of pre-authorized procedures shall be
49 issued and maintained for the purpose of expediting authorization of
50 treatment of injured workers. Such list of pre-authorized procedures
51 shall not prohibit varied treatment when the treating provider demon-
52 strates the appropriateness and medical necessity of such treatment.

53 (6) (a) Any interference by any person with the selection by an
54 injured employee of an authorized ~~physician~~ provider to treat ~~him~~
55 such employee, except when the selection is made pursuant to article
56 ten-A of this chapter, and the improper influencing or attempt by any

1 person improperly to influence the medical opinion of any [~~physician~~
2 provider who has treated or examined an injured employee, shall be a
3 misdemeanor; provided, however, that it shall not constitute interfer-
4 ence or improper influence if, in the presence of such injured employ-
5 ee's [~~physician~~ provider, an employer, [~~his~~ the employer's carrier or
6 agent should recommend or provide information concerning rehabilitation
7 services or the availability thereof to an injured employee or [~~his~~ the
8 employee's family.

9 (b) Except as otherwise permitted by law, an employer, carrier, or
10 third-party administrator shall not interfere or attempt to interfere
11 with the selection by an injured employee of, or treatment by, an
12 authorized medical provider, including by directing or attempting to
13 direct that the injured employee seek treatment from a specific provider
14 or type of provider selected by the employer, carrier, or third-party
15 administrator. It shall not constitute improper interference under this
16 paragraph if the direction or attempt to direct the injured employee to
17 receive treatment from a specific provider or type of provider origi-
18 nates from the authorized medical provider while in the course of
19 providing treatment to the injured employee.

20 (i) Notwithstanding any other provision in this chapter, the chair
21 shall by regulation establish a performance standard concerning the
22 subject of any penalty imposed under this paragraph against an employer,
23 carrier or third-party administrator. The performance standard estab-
24 lished by the chair shall be used to measure compliance with this para-
25 graph by employers, carriers and third-party administrators. The chair
26 shall apply the performance standard based on multiple factors, includ-
27 ing but not limited to, findings of improper interference submitted as
28 complaints to the board's monitoring unit, unreasonable objections to
29 medical care, unwarranted objections to variances, medical billing
30 disputes, case delays brought about by employers, carriers and third-
31 party administrators, and the unreasonable denial of medical care.

32 (ii) Upon validating an allegation that the employer, carrier or
33 third-party administrator has failed to meet the promulgated performance
34 standard, a penalty shall be assessed by the board upon notice to the
35 employer, carrier or third-party administrator. The board shall impose
36 such penalty against the carrier, employer or third-party administrator
37 in the amount of fifty dollars per violation identified in subparagraph
38 (i) of this paragraph. The penalties for violations identified in
39 subparagraph (i) of this paragraph, may be aggregated into a single
40 penalty upon a finding that an employer, carrier or third-party adminis-
41 trator has interfered with an injured employee's necessary medical
42 treatment and care. Such aggregate penalty or assessment shall be based
43 upon the number of violations as multiplied against the applicable
44 penalty or assessment, but may be negotiated by the chair's designee in
45 full satisfaction of the penalty or assessment. Any aggregate penalty or
46 assessment issued under this paragraph shall be issued administratively,
47 and the chair shall, by regulation, specify the method of review or
48 redetermination, and the presentment of evidence and objections shall
49 occur solely upon the documentation. Any final determination shall be
50 subject to review under section twenty-three of this article but penal-
51 ties may not be subject to a stay. A final determination that an employ-
52 er, carrier or third-party administrator has engaged in a pattern of
53 interference with an injured worker's access to medically necessary
54 medical care shall result in the imposition of an aggregate penalty and
55 publication of notice of such finding on the board's web page.

1 (7)(a) Notwithstanding any other provision of this chapter to the
2 contrary, any insurance carrier authorized to transact the business of
3 workers' compensation insurance in this state, self-insurer or the state
4 insurance fund may contract with a network or networks, legally and
5 properly organized, to perform diagnostic tests, x-ray examinations,
6 magnetic resonance imaging, or other radiological examinations or tests
7 of claimants and may require claimant to obtain or undergo such diagnos-
8 tic test, x-ray examinations, magnetic resonance imaging or other radio-
9 logical examinations or tests with a provider or at a facility that is
10 affiliated with the network or networks with which the carrier
11 contracts, except if a medical emergency occurs requiring an immediate
12 diagnostic test, x-ray examination, magnetic resonance imaging or other
13 radiological examination or test or if the network with which the insur-
14 ance carrier, self-insurer or the state insurance fund contracts does
15 not have a provider or facility able to perform the examination or test
16 within a reasonable distance from the claimant's residence or place of
17 employment, as defined by regulation of the board.

18 (b) Any insurance carrier, self-insurer or the state insurance fund
19 which requires claimants to obtain or undergo diagnostic tests, x-ray
20 examinations, magnetic resonance imaging or other radiological examina-
21 tions or tests with a provider or at a facility affiliated with a
22 network or networks with which it contracts, must notify the claimant of
23 the name and contact information for the network or networks at the same
24 time the written statement of the claimant's rights as required by
25 subdivision two of section one hundred ten of this chapter or immediate-
26 ly after imposing such requirement if the time period within which the
27 written statement of the claimant's rights as required by subdivision
28 two of section one hundred ten of this chapter has expired.

29 (c) At the time a request for authorization for special diagnostic
30 tests, x-ray examinations, magnetic resonance imaging or other radiolog-
31 ical examinations or tests costing more than one thousand dollars as
32 required by subdivision five of this section is approved, the insurance
33 carrier, self-insurer or state insurance fund, or if so delegated the
34 network with which the insurance carrier, self-insurer or state insur-
35 ance fund has contracted, shall notify the [physician] provider request-
36 ing authorization of the requirement that the claimant obtain or undergo
37 the special diagnostic test, x-ray examination, magnetic resonance imag-
38 ing or other radiological examination or test with a provider or at a
39 facility affiliated with the network or networks with which it has
40 contracted, the contact information for the network and a list of the
41 providers and facilities within the claimant's geographic location, as
42 defined by regulation of the board. The claimant, in consultation with
43 the provider who requested the special diagnostic test, x-ray examina-
44 tion, magnetic resonance imaging or other radiological test or exam,
45 will determine the provider or facility from within the network which
46 will perform such diagnostic test, x-ray examination, magnetic resonance
47 imaging or other radiological examination or test.

48 (d) The results of the special diagnostic test, x-ray examination,
49 magnetic resonance imaging or other radiological test or exam must be
50 sent to the [physician] provider who requested the test or exam imme-
51 diately upon completion of the report detailing the results.

52 § 2. Section 13-b of the workers' compensation law, as amended by
53 section 1 of part CC of chapter 55 of the laws of 2019, and paragraphs
54 (p) and (q) of subdivision 1 and paragraph (b-1) of subdivision 2 as
55 added by chapter 335 of the laws of 2024, is amended to read as follows:

1 § 13-b. Authorization of providers, medical bureaus and laboratories
2 by the chair. 1. [~~No person shall render medical care or conduct inde-~~
3 ~~pendent medical examinations under this chapter without such authori-~~
4 ~~zation by the chair.~~] Any provider as defined in this section shall be
5 authorized to render medical care under this chapter unless they are
6 currently excluded pursuant to section thirteen-d of this article. Inde-
7 pendent medical examinations may only be performed by a physician,
8 podiatrist, chiropractor, or psychologist authorized to perform such
9 examinations by the chair, or as specified in regulations, when quali-
10 fied by the board. No provider may conduct independent medical examina-
11 tions unless performed in accordance with paragraph (b) of subdivision
12 four of section thirteen-a and section one hundred thirty-seven of this
13 chapter. As used in this title, the following definitions shall have the
14 following meanings unless their context requires otherwise:

15 (a) "Acupuncturist" shall mean licensed as having completed a formal
16 course of study and having passed an examination in accordance with the
17 education law, the regulations of the commissioner of education, and the
18 requirements of the board of regents. Acupuncturists are required by the
19 education law to advise, in writing, each patient of the importance of
20 consulting with a physician for the condition or conditions necessitat-
21 ing acupuncture care, as prescribed by the education law.

22 (b) "Chair" of the board shall mean either the chair or the chair's
23 designee.

24 (c) "Chiropractor" shall mean licensed and having completed two years
25 of preprofessional college study and a four-year resident program in
26 chiropractic in accordance with the education law, and consistent with
27 the licensing requirements of the commissioner of education.

28 (d) "Dentist" shall mean licensed and having completed a four-year
29 course of study leading to a D.D.S. or D.D.M. degree, or an equivalent
30 degree, in accordance with the education law and the licensing require-
31 ments of the commissioner of education.

32 (e) "Employer" shall mean a self-insured employer or, if insured, the
33 insurance carrier.

34 (f) "Independent medical examination" shall mean an examination
35 performed by a physician, podiatrist, chiropractor or psychologist,
36 authorized under this section to perform such examination, for the
37 purpose of examining or evaluating injury or illness pursuant to para-
38 graph (b) of subdivision four of section thirteen-a and section one
39 hundred thirty-seven of this chapter and as more fully set forth in
40 regulation.

41 (g) "Nurse practitioner" shall mean a licensed registered professional
42 nurse certified pursuant to section sixty-nine hundred ten of the educa-
43 tion law acting within their lawful scope of practice.

44 (h) "Occupational therapist" shall mean licensed as having at least a
45 bachelor's or master's degree in occupational therapy from a registered
46 program with the education department or receipt of a diploma or degree
47 resulting from completion of not less than four years of postsecondary
48 study, which includes the professional study of occupational therapy in
49 accordance with the education law and the regulations of the commission-
50 er of education.

51 (i) "Physical therapist" shall mean licensed in accordance with the
52 education law and the licensing requirements of the commissioner of
53 education.

54 (j) "Physician" shall mean licensed with a degree of doctor of medi-
55 cine, M.D., or doctor of osteopathic medicine, D.O., or an equivalent
56 degree in accordance with the education law and the licensing require-

1 ments of the state board of medicine and the regulations of the commis-
2 sioner of education.

3 (k) "Physician assistant" shall mean a licensed provider who is
4 licensed as a physician assistant pursuant to section sixty-five hundred
5 forty-one of the education law.

6 (l) "Podiatrist" shall mean a doctor of podiatric medicine licensed as
7 having received a doctoral degree in podiatric medicine in accordance
8 with the regulations of the commissioner of education and the education
9 law, and must satisfactorily meet all other requirements of the state
10 board for podiatric medicine.

11 (m) [~~"Provider"~~] "Authorized provider" or "provider" shall mean a duly
12 licensed acupuncturist, chiropractor, nurse practitioner, occupational
13 therapist, physical therapist, physician, physician assistant, podia-
14 trist, psychologist, or social worker [~~authorized by the chair~~] as
15 defined in this section who is not currently excluded pursuant to
16 section thirteen-d of this article.

17 (n) "Psychologist" shall mean licensed as having received a doctoral
18 degree in psychology from a program of psychology registered with the
19 state education department or the substantial equivalent thereof in
20 accordance with the education law, the requirements of the state board
21 for psychology, and the regulations of the commissioner of education.

22 (o) "Social worker" shall mean a licensed clinical social worker. A
23 licensed clinical social worker has completed a master's degree of
24 social work that includes completion of a core curriculum of at least
25 twelve credit hours of clinical courses or the equivalent post-graduate
26 clinical coursework, in accordance with the education law and the regu-
27 lations of the commissioner of education.

28 (p) "Physical therapist assistant" shall mean licensed in accordance
29 with the education law and the licensing requirements of the commis-
30 sioner of education.

31 (q) "Occupational therapy assistant" shall mean licensed in accordance
32 with the education law and the licensing requirements of the commis-
33 sioner of education.

34 (r) "Exclusion list" means the list published and maintained by the
35 board in accordance with section thirteen-d of this article listing
36 providers who are currently disqualified from rendering care or from
37 performing independent medical examinations under this chapter.

38 2. Any provider [~~licensed pursuant to the education law to provide~~
39 ~~medical care and treatment in the state of New York may render emergency~~
40 ~~care and treatment in an emergency hospital or urgent care setting~~
41 ~~providing emergency treatment under this chapter without authorization~~
42 ~~by the chair under this section;~~] rendering medical care under this
43 chapter must comply with all applicable laws, regulations and guidance,
44 including any applicable New York Medical Treatment Guidelines and the
45 Official New York Medical Fee Schedule(s).

46 (a) Such licensed provider as identified in this subdivision who is on
47 staff at any hospital or urgent care center providing emergency treat-
48 ment may continue such medical care under this chapter while an injured
49 employee remains a patient in such hospital or urgent care setting; and

50 (b) Under the direct supervision of an authorized provider, medical
51 care may be rendered by a registered nurse or other person trained in
52 laboratory or diagnostic techniques within the scope of such person's
53 specialized training and qualifications. This supervision shall be
54 evidenced by signed records of instructions for treatment and signed
55 records of the patient's condition and progress. Reports of such treat-

1 ment and supervision shall be made by such provider to the chair in the
2 format prescribed by the chair at such times as the chair may require.

3 (b-1) Under the direction and supervision of an authorized occupa-
4 tional therapist, occupational therapy services may be rendered by an
5 occupational therapy assistant. Under the direction and supervision of
6 an authorized physical therapist, physical therapy services may be
7 rendered by a physical therapist assistant. Where any such care or
8 treatment is rendered, records of the patient's condition and progress,
9 together with records of instruction for treatment, if any, shall be
10 maintained by the physical therapist or occupational therapist and by
11 the referring physician, physician assistant, podiatrist, or nurse prac-
12 titioner. Said records shall be submitted to the chair on forms and at
13 such times as the chair may require.

14 (c) Where it would place an unreasonable burden upon the employer or
15 carrier to arrange for, or for the claimant to attend, an independent
16 medical examination by an authorized provider, the employer or carrier
17 shall arrange for such examination to be performed by a qualified
18 provider in a medical facility convenient to the claimant.

19 (d) Upon the prescription or referral of an authorized physician,
20 physician assistant, podiatrist, or nurse practitioner acting within the
21 scope of [~~his or her~~] such person's practice, care or treatment may be
22 rendered to an injured employee by an authorized physical therapist,
23 occupational therapist or acupuncturist provided the conditions and the
24 treatment performed are among the conditions that the physical thera-
25 pist, occupational therapist or acupuncturist is authorized to treat
26 pursuant to the education law or the regulations of the commissioner of
27 education. Where any such care or treatment is rendered, records of the
28 patient's condition and progress, together with records of instruction
29 for treatment, if any, shall be maintained by the physical therapist,
30 occupational therapist or acupuncturist rendering treatment and by the
31 referring physician, physician assistant, podiatrist, or nurse practi-
32 tioner. Said records shall be submitted to the chair on forms and at
33 such times as the chair may require.

34 (e) A record, report or opinion of a physical therapist, occupational
35 therapist, acupuncturist or physician assistant shall not be considered
36 as evidence of the causal relationship of any condition to a work
37 related accident or occupational disease under this chapter. Nor may a
38 record, report or opinion of a physical therapist, occupational thera-
39 pist or acupuncturist be considered evidence of disability. Nor may a
40 record, report or opinion of a physician assistant be considered
41 evidence of the presence of a permanent or initial disability or the
42 degree thereof.

43 (f) An independent medical examination performed in accordance with
44 section one hundred thirty-seven of this chapter, may only be performed
45 by a physician, podiatrist, chiropractor or psychologist authorized to
46 perform such examinations by the chair, or as specified in regulation,
47 when qualified by the board.

48 3. [~~A provider~~] In order to perform independent medical examinations
49 in accordance with paragraph (b) of subdivision four of section thir-
50 teen-a and section one hundred thirty-seven of this chapter, a physi-
51 cian, podiatrist, chiropractor, or psychologist properly licensed or
52 certified pursuant to the regulations of the commissioner of education
53 and the requirements of the education law [~~desirous of being authorized~~
54 ~~to render medical care under this chapter and/or to conduct independent~~
55 ~~medical examinations in accordance with paragraph (b) of subdivision~~
56 ~~four of section thirteen-a and section one hundred thirty-seven of this~~

1 ~~chapter~~] shall file an application for authorization under this chapter
2 with the chair or chair's designee as provided for in the applicable
3 regulations, currently section 300.2 of Title 12 NYCRR. [~~Prior to~~
4 ~~receiving authorization, a physician must, together with submission of~~
5 ~~an application to the chair, submit such application to the medical~~
6 ~~society of the county in which the physician's office is located or of a~~
7 ~~board designated by such county society or of a board representing duly~~
8 ~~licensed physicians of any other school of medical practice in such~~
9 ~~county, and such medical society shall submit the recommendation to the~~
10 ~~board. In the event such county society or board fails to take action~~
11 ~~upon a physician's completed and signed application within forty five~~
12 ~~days, the chair may complete review of the application without such~~
13 ~~approval. Upon approval of the application by the chair or the chair's~~
14 ~~designee, the applicant shall further agree to refrain from subsequently~~
15 ~~treating for remuneration, as a private patient, any person seeking~~
16 ~~medical treatment, or submitting to an independent medical examination,~~
17 ~~in connection with, or as a result of, any injury compensable under this~~
18 ~~chapter, if he or she has been removed from the list of providers~~
19 ~~authorized to render medical care or to conduct independent medical~~
20 ~~examinations under this chapter, or if the person seeking such treat-~~
21 ~~ment, or submitting to an independent medical examination, has been~~
22 ~~transferred from his or her care in accordance with the provisions of~~
23 ~~this chapter. This agreement shall run to the benefit of the injured~~
24 ~~person so treated or examined, and shall be available to him or her as a~~
25 ~~defense in any action by such provider for payment for treatment~~
26 ~~rendered by a provider after he or she has been removed from the list of~~
27 ~~providers authorized to render medical care or to conduct independent~~
28 ~~medical examinations under this chapter, or after the injured person was~~
29 ~~transferred from his or her care in accordance with the provisions of~~
30 ~~this chapter.~~]

31 4. Laboratories and bureaus engaged in x-ray diagnosis or treatment or
32 in physiotherapy or other therapeutic procedures and which participate
33 in the diagnosis or treatment of injured workers under this chapter
34 shall be operated or supervised by providers authorized under this chap-
35 ter and shall be subject to the provisions of section thirteen-c of this
36 article. The person in charge of diagnostic clinical laboratories duly
37 authorized under this chapter shall possess the qualifications estab-
38 lished by the public health and health planning council for approval by
39 the state commissioner of health or, in the city of New York, the quali-
40 fications approved by the board of health of said city and shall main-
41 tain the standards of work required for such approval.

42 § 3. Section 13-d of the workers' compensation law, as amended by
43 section 2 of part CC of chapter 55 of the laws of 2019, is amended to
44 read as follows:

45 § 13-d. [~~Removal of providers from lists of those authorized to render~~
46 ~~medical care or to conduct independent medical examinations] Placement
47 of providers on the exclusion list. 1. [~~The medical society of the coun-~~
48 ~~ty in which the physician's office is located at the time or a board~~
49 ~~designated by such county society or a board representing duly licensed~~
50 ~~physicians of any other school of medical practice in such county shall~~
51 ~~investigate, hear and make findings with respect to all charges as to~~
52 ~~professional or other misconduct of any authorized physician as herein~~
53 ~~provided under rules and procedure to be prescribed by the medical~~
54 ~~appeals unit, and shall report evidence of such misconduct, with their~~
55 ~~findings and recommendation with respect thereto, to the chair. Failure~~
56 ~~to commence such investigation within sixty days from the date the~~~~

1 ~~charges are referred to the society by the chair or submit findings and~~
2 ~~recommendations relating to the charges within one hundred eighty days~~
3 ~~from the date the charges are referred shall empower the chair to~~
4 ~~appoint, as a hearing officer, a member of the board, employee, or other~~
5 ~~qualified hearing officer to hear and report on the charges to the~~
6 ~~chair. A qualified hearing officer, who is neither a member of the~~
7 ~~board, or employee thereof shall be paid at a reasonable per diem rate~~
8 ~~to be fixed by the chair.~~

9 ~~Such investigation, hearing, findings, recommendation and report may~~
10 ~~be made by the society or board of an adjoining county upon the request~~
11 ~~of the medical society of the county in which the alleged misconduct or~~
12 ~~infraction of this chapter occurred, subject to the time limit and~~
13 ~~conditions set forth herein. The medical appeals unit shall review the~~
14 ~~findings and recommendation of such medical society or board, or hearing~~
15 ~~officer appointed by the chair upon application of the accused physician~~
16 ~~and may reopen the matter and receive further evidence. The findings,~~
17 ~~decision and recommendation of such society, board or hearing officer~~
18 ~~appointed by the chair or medical appeals unit shall be advisory to the~~
19 ~~chair only, and shall not be binding or conclusive upon him or her.] In~~
20 ~~accordance with this section, the chair shall publish and maintain an~~
21 ~~exclusion list of providers currently disqualified from rendering~~
22 ~~medical care under this chapter or to conduct independent medical exam-~~
23 ~~inations in accordance with paragraph (b) of subdivision four of section~~
24 ~~thirteen-a of this article.~~

25 2. [~~The chair shall remove from the list of providers authorized to~~
26 ~~render medical care under this chapter, or to conduct independent~~
27 ~~medical examinations in accordance with paragraph (b) of subdivision~~
28 ~~four of section thirteen-a of this article,] The exclusion list shall~~
29 ~~publish~~ the name of any provider who [~~he or she shall find~~] is found
30 after reasonable investigation [~~is~~] to be disqualified because such
31 provider:

32 (a) has been guilty of professional or other misconduct or incompeten-
33 cy in connection with rendering medical services under the law; or

34 (b) has exceeded the limits of [~~his or her~~] their professional compe-
35 tence in rendering medical care or in conducting independent medical
36 examinations under the law, or has, as applicable, made materially false
37 statements regarding [~~his or her~~] their qualifications in [~~his or her~~]
38 their application [~~for the recommendation of the medical society or~~
39 ~~board as provided in section thirteen-b of this article~~]; or

40 (c) has failed to transmit copies of medical reports to claimant's
41 attorney or licensed representative as provided in subdivision (f) of
42 section thirteen of this article; or has failed to submit full and
43 truthful medical reports of all [~~his or her~~] their findings to the
44 employer, and directly to the chair or the board within the time limits
45 provided in subdivision four of section thirteen-a of this article with
46 the exception of injuries which do not require (1) more than ordinary
47 first aid or more than two treatments by a provider or person rendering
48 first aid, or (2) loss of time from regular duties of one day beyond the
49 working day or shift; or

50 (d) knowingly made a false statement or representation as to a materi-
51 al fact in any medical report or in any submission to the board, made
52 pursuant to this chapter or in testifying or otherwise providing infor-
53 mation for the purposes of this chapter; or

54 (e) has solicited, or has employed another to solicit for [~~himself or~~
55 ~~herself~~] themselves or for another, professional treatment, examination or

1 care of an injured employee in connection with any claim under this
2 chapter; or

3 (f) has refused to appear before, to testify, to submit to a deposi-
4 tion, or to answer upon request of, the chair, board, [~~medical appeals~~
5 ~~unit~~] or any duly authorized officer of the state, any legal question,
6 or to produce any relevant book or paper concerning [~~his or her~~] their
7 conduct [~~under any authorization granted to him or her~~] in rendering
8 medical care or in the performance of an independent medical examination
9 under this chapter, including when a provider has accepted payments from
10 both the health insurer and employer or carrier and failed to reimburse
11 the health insurer after they are given notice; or

12 (g) has directly or indirectly requested, received or participated in
13 the division, transference, assignment, rebating, splitting or refunding
14 of a fee for, or has directly or indirectly requested, received or prof-
15 ited by means of a credit or other valuable consideration as a commis-
16 sion, discount or gratuity in connection with the furnishing of medical
17 or surgical care, an independent medical examination, diagnosis or
18 treatment or service, including X-ray examination and treatment, or for
19 or in connection with the sale, rental, supplying or furnishing of clin-
20 ical laboratory services or supplies, X-ray laboratory services or
21 supplies, inhalation therapy service or equipment, ambulance service,
22 hospital or medical supplies, physiotherapy or other therapeutic service
23 or equipment, artificial limbs, teeth or eyes, orthopedic or surgical
24 appliances or supplies, optical appliances, supplies or equipment,
25 devices for aid of hearing, drugs, medication or medical supplies, or
26 any other goods, services or supplies prescribed for medical diagnosis,
27 care or treatment, under this chapter; except that reasonable payment,
28 not exceeding the technical component fee permitted in the medical fee
29 schedule, established under this chapter for X-ray examinations, diagno-
30 sis or treatment, may be made by a provider duly authorized as a roent-
31 genologist to any hospital furnishing facilities and equipment for such
32 examination, diagnosis or treatment, provided such hospital does not
33 also submit a charge for the same services. Nothing contained in this
34 paragraph shall prohibit such providers who practice as partners, in
35 groups or as a professional corporation or as a university faculty prac-
36 tice corporation from pooling fees and moneys received, either by the
37 partnership, professional corporation, university faculty practice
38 corporation or group by the individual members thereof, for professional
39 services furnished by any individual professional member, or employee of
40 such partnership, corporation or group, nor shall the professionals
41 constituting the partnerships, corporations, or groups be prohibited
42 from sharing, dividing or apportioning the fees and moneys received by
43 them or by the partnership, corporation or group in accordance with a
44 partnership or other agreement[+]; or

45 (h) has demonstrated a repeated failure to follow the laws of this
46 chapter and applicable laws, regulations, and guidance, including any
47 applicable New York medical treatment guidelines and the official New
48 York medical fee schedule(s); or

49 (i) has misrepresented their credentials.

50 3. Any person who violates or attempts to violate, and any person who
51 aids another to violate or attempts to induce [~~him or her~~] them to
52 violate the provisions of paragraph (g) of subdivision two of this
53 section shall be guilty of a misdemeanor.

54 4. Nothing in this section shall be construed as limiting in any
55 respect the power or duty of the chair to investigate instances of
56 misconduct, either before or after investigation by a medical society or

1 board as herein provided, or to temporarily [~~suspend the authorization~~
2 ~~of~~] add any provider to the exclusion list that [~~he or she~~] the chair or
3 the chair's designee may believe to be guilty of such misconduct.

4 5. Whenever the department of health or the department of education
5 shall conduct an investigation with respect to charges of professional
6 or other misconduct by a provider which results in a report, determi-
7 nation or consent order that includes a finding of professional or other
8 misconduct or incompetency by such provider, the chair shall have full
9 power and authority to temporarily [~~suspend, revoke or otherwise limit~~
10 ~~the authorization under this chapter of~~] add any provider to the exclu-
11 sion list upon such finding by the department of health or the depart-
12 ment of education that the provider has been guilty of professional or
13 other misconduct. The recommendations of the department of health or the
14 department of education shall be advisory to the chair only and shall
15 not be binding or conclusive upon the chair.

16 § 4. Subdivision 1 of section 13-f of the workers' compensation law,
17 as amended by chapter 353 of the laws of 1990, is amended to read as
18 follows:

19 (1) Fees for medical services shall be payable only to a physician or
20 other qualified person permitted by [~~sections~~] section thirteen-b[~~,~~
21 ~~thirteen-k, thirteen-l and thirteen-m~~] of this [~~chapter~~] article or
22 other authorized provider of health care under the education law or the
23 public health law permitted to render medical care or treatment under
24 this chapter, or to the agent, executor or administrator of the estate
25 of such [~~physician~~] provider or such other qualified person. Except as
26 provided in section thirteen-d of this [~~chapter~~] article, no provider of
27 health care rendering medical care or treatment to a compensation claim-
28 ant, shall collect or receive a fee from such claimant within this
29 state, but shall have recourse for payment of services rendered only to
30 the employer under the provisions of this chapter. Any compensation
31 claimant who pays a fee to a provider of health care for medical care or
32 treatment under this chapter shall have a cause of action against such
33 provider of health care for the recovery of the money paid, which cause
34 of action may be assigned to the chair in trust for the assigning claim-
35 ant. All such assignments shall run to the chair. The chair may sue the
36 physician, or other authorized provider of health care as herein
37 described on the assigned cause of action with the benefits and subject
38 to the provisions of existing law applying to such actions by the claim-
39 ant [~~himself or herself~~] themselves. Hospitals shall not be entitled to
40 receive the remuneration paid to physicians on their staff for medical
41 and surgical services.

42 § 5. Section 13-g of the workers' compensation law is amended by
43 adding a new subdivision 5 to read as follows:

44 (5) When a provider or supplier has knowledge that an employer has
45 controverted or denied a claim, or receives a denial of a medical bill
46 and the basis of denial is that the claim is controverted, the provider
47 may submit the bill to the patient's health insurance. The provider may
48 not require a copayment or coinsurance from the patient, and may not
49 otherwise bill the patient, while the determination of responsibility
50 for the claim is pending. If the patient does not have health insurance,
51 the provider may not bill the patient directly while determination of
52 responsibility for the claim is pending.

53 § 6. Section 13-k of the workers' compensation law is REPEALED.

54 § 7. Section 13-l of the workers' compensation law is REPEALED.

55 § 8. Section 13-m of the workers' compensation law is REPEALED.

1 § 9. Section 141 of the workers' compensation law, as amended by chap-
2 ter 6 of the laws of 2007, is amended to read as follows:

3 § 141. General powers and duties of the chair. The chair shall be the
4 administrative head of the workers' compensation board and shall exer-
5 cise the powers and perform the duties in relation to the administration
6 of this chapter heretofore vested in the commissioner of labor by chap-
7 ter fifty of the laws of nineteen hundred twenty-one, and acts amendato-
8 ry thereof, and by this chapter excepting article six thereof, and
9 except in so far as such powers and duties are vested by this chapter in
10 the workers' compensation board. The chair shall preside at all meetings
11 of the board and shall appoint all committees and panels of the board;
12 shall designate the times and places for the hearing of claims under
13 this chapter and shall perform all administrative functions of the board
14 as in this chapter set forth. The chair, in the name of the board, shall
15 enforce all the provisions of this chapter, and may make administrative
16 regulations and orders providing for the receipt, indexing and examining
17 of all notices, claims and reports, for the giving of notice of hearings
18 and of decisions, for certifying of records, for the fixing of the times
19 and places for the hearing of claims, and for providing for the conduct
20 of hearings and establishing of calendar practice to the extent not
21 inconsistent with the rules of the board. The chair shall ~~[issue and may~~
22 ~~revoke certificates of authorization of physicians, chiropractors and~~
23 ~~pediatrists as provided in sections thirteen-a, thirteen-k and thir-~~
24 ~~teen-l of this chapter]~~ publish and maintain an exclusion list, in
25 accordance with section thirteen-d of this chapter, for providers as
26 defined in section thirteen-b of this chapter currently disqualified
27 from providing medical care or from performing independent medical exam-
28 inations in accordance with paragraph (b) of subdivision four of section
29 thirteen-a of this chapter, and licenses for medical bureaus and x-ray
30 and other laboratories under the provisions of section thirteen-c of
31 this chapter, issue stop work orders as provided in section one hundred
32 forty-one-a of this article, and shall have and exercise all powers not
33 otherwise provided for herein in relation to the administration of this
34 chapter heretofore expressly conferred upon the commissioner of labor by
35 any of the provisions of this chapter, or of the labor law. The chair,
36 on behalf of the workers' compensation board, shall enter into the
37 agreement provided for in section one hundred seventy-one-h of the tax
38 law, and shall take such other actions as may be necessary to carry out
39 the agreement provided for in such section for matching beneficiary
40 records of workers' compensation with information provided by employers
41 to the state directory of new hires for the purposes of verifying eligi-
42 bility for such benefits and for administering workers' compensation.

43 § 10. This act shall take effect January 1, 2027.

44 PART CC

45 Section 1. Subdivisions 1, 2 and 3 of section 21-a of the workers'
46 compensation law, as amended by chapter 6 of the laws of 2007, are
47 amended to read as follows:

48 1. Notwithstanding any other provision of this chapter to the contra-
49 ry, in any instance in which an employer is unsure of the extent of its
50 liability for a claim for compensation by an injured employee pursuant
51 to this chapter, such employer may initiate compensation payments and
52 payments for medical treatment and care, including prescribed medicine
53 and continue such payments for one year, without prejudice and without

1 admitting liability, in accordance with a notice of temporary payment of
2 compensation, on a form prescribed by the board.

3 2. The notice of temporary payment of compensation authorized by
4 subdivision one of this section shall be delivered to the injured
5 employee and the board. Such notice shall notify the injured employee
6 that the temporary payment of compensation and medical treatment and
7 care, including prescribed medicine shall not be deemed to be an admis-
8 sion of liability by the employer for the injury or injuries to the
9 employee. The board, upon receipt of a notice of temporary payment of
10 compensation, shall send a notice to the injured employee stating that:

11 (a) the board has received a notice of temporary payment of compen-
12 sation relating to such injured employee;

13 (b) the payment of temporary compensation and medical treatment and
14 care, including prescribed medicine and the injured employee's accept-
15 ance of such temporary compensation and medical treatment and care,
16 including prescribed medicine shall not be an admission of liability by
17 the employer, nor prejudice the claim of the injured employee;

18 (c) the payment of temporary compensation and medical treatment and
19 care, including prescribed medicine shall terminate on the elapse of:
20 one year, or the employer's contesting of the injured employee's claim
21 for compensation and medical treatment and care, including prescribed
22 medicine, or the board determination of the injured employee's claim,
23 whichever is first; and

24 (d) the injured employee may be required to enter into an agreement
25 with the employer to ensure the continuation of payments of temporary
26 compensation and medical treatment and care, including prescribed medi-
27 cine.

28 3. An employer may cease making temporary payments of compensation and
29 medical treatment and care, including prescribed medicine if such
30 employer delivers within five days after the last payment, to the
31 injured employee and the board, a notice of termination of temporary
32 payments of compensation on a form prescribed by the board. Such notice
33 shall inform the injured employee that the employer is ceasing temporary
34 payment of compensation and medical treatment and care, including
35 prescribed medicine. Upon the cessation of temporary payments of compen-
36 sation and medical treatment and care, including prescribed medicine,
37 all parties to any action pursuant to this chapter shall retain all
38 rights, defenses and obligations they would otherwise have pursuant to
39 this chapter without regard for the temporary payment of compensation
40 and medical treatment and care, including prescribed medicine.

41 § 2. This act shall take effect January 1, 2027.

42 PART DD

43 Section 1. Paragraph 1 of subdivision (d) of section 13 of the work-
44 ers' compensation law, as amended by chapter 419 of the laws of 2000, is
45 amended to read as follows:

46 (1) [~~It~~] An insurer or health benefits plan shall make payments for
47 otherwise covered medical and/or hospital services for or on behalf of
48 an injured employee when the claim is controverted and the insurer or
49 health benefits plan receives from the provider of the medical and/or
50 hospital services who is treating the injured employee a written notice
51 from the carrier or employer that the carrier or employer denied payment
52 for the medical and/or hospital services. The insurer or health benefits
53 plan shall be entitled to be reimbursed for such payments by the carrier
54 or employer within the limits of the medical and hospital fee schedules

1 adopted by the chair if the board determines that the claim is compensa-
2 ble. Additionally, in the event that an insurer or health benefits plan
3 makes payments for medical and/or hospital services for or on behalf of
4 an injured employee when the claim is not controverted, they shall be
5 entitled to be reimbursed for such payments by the carrier or employer
6 within the limits of the medical and hospital fee schedules adopted by
7 the chair if the board determines that the claim is compensable. For the
8 purposes of this section, an insurer or health benefits plan includes a
9 medical expense indemnity corporation, a health or hospital service
10 corporation, a commercial insurance company licensed to write accident
11 and health insurance in the state of New York, an institution of higher
12 education certified under section eleven hundred twenty-four of the
13 insurance law, as added by chapter two hundred forty-six of the laws of
14 two thousand twelve a municipal cooperative health benefit plan under
15 article forty-seven of the insurance law, a health maintenance organiza-
16 tion operating in accordance with article forty-three of the insurance
17 law or article forty-four of the public health law, or a self-insured or
18 self-funded health care benefits plan operated by, or on behalf of, any
19 business, municipality or other entity (including an employee welfare
20 fund as defined in article forty-four of the insurance law or any other
21 union trust fund or union health benefits plan). Notwithstanding any
22 other provision of law, in no event shall the carrier or employer be
23 required to reimburse the insurer or health benefits plan in an amount
24 greater than the amount paid for medical and hospital services for or on
25 behalf of the injured [~~employer~~] employee by such [~~corporation~~] insurer
26 or [~~company~~] health benefits plan; provided, however, if the carrier or
27 employer does not reimburse the insurer or health benefits plan within
28 thirty days after the board determines that the claim is compensable,
29 the carrier or employer shall reimburse the insurer or health benefits
30 plan at the amount the carrier or employer would be obligated to reim-
31 burse the hospital or other provider of medical services if the carrier
32 or employer made payment directly to the provider of medical and/or
33 hospital services pursuant to this chapter (or, in the case of inpatient
34 hospital services, pursuant to paragraphs (b) and (b-1) of subdivision
35 one of section twenty-eight hundred seven-c of the public health law).
36 Upon reimbursement to the insurer or health benefits plan pursuant to
37 this subdivision, the carrier or employer shall be relieved of liability
38 for the medical and/or hospital services for which payment has been made
39 by the insurer or health benefits plan.

40 § 2. The insurance law is amended by adding new section 3224-e to read
41 as follows:

42 § 3224-e. Payment of controverted workers' compensation insurance
43 claims. (a) Pursuant to paragraph one of subdivision (d) of section
44 thirteen of the workers' compensation law, an insurer shall make
45 payments for otherwise covered medical or hospital services when the
46 workers' compensation insurance claim is controverted and the insurer
47 receives from the provider of the medical or hospital services who is
48 treating the injured employee a written notice from the workers' compen-
49 sation insurer or employer that the workers' compensation insurer or
50 employer denied payment for the medical or hospital services. The insur-
51 er shall be entitled to be reimbursed for such payments by the workers'
52 compensation insurer or employer within the limits of the medical and
53 hospital fee schedules of the chair of the workers' compensation board
54 if the workers' compensation board determines that the claim is compens-
55 able.

1 (b) For the purpose of this section, "insurer" shall mean an insurer
 2 authorized to write accident and health insurance in this state, an
 3 organization or corporation licensed or certified pursuant to article
 4 forty-three or forty-seven of this chapter or article forty-four of the
 5 public health law, or an institution of higher education certified under
 6 section eleven hundred twenty-four of this chapter, as added by chapter
 7 two hundred forty-six of the laws of two thousand twelve.

8 § 3. This act shall take effect January 1, 2026 and shall apply to all
 9 policies and contracts issued or renewed on or after such date.

10 PART EE

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

- 15 1. DOL-Child performer protection account (20401).
- 16 2. Local government records management account (20501).
- 17 3. Child health plus program account (20810).
- 18 4. EPIC premium account (20818).
- 19 5. Education - New (20901).
- 20 6. VLT - Sound basic education fund (20904).
- 21 7. Sewage treatment program management and administration fund
 22 (21000).
- 23 8. Hazardous bulk storage account (21061).
- 24 9. Utility environmental regulatory account (21064).
- 25 10. Federal grants indirect cost recovery account (21065).
- 26 11. Low level radioactive waste account (21066).
- 27 12. Recreation account (21067).
- 28 13. Public safety recovery account (21077).
- 29 14. Environmental regulatory account (21081).
- 30 15. Natural resource account (21082).
- 31 16. Mined land reclamation program account (21084).
- 32 17. Great lakes restoration initiative account (21087).
- 33 18. Environmental protection and oil spill compensation fund (21200).
- 34 19. Public transportation systems account (21401).
- 35 20. Metropolitan mass transportation (21402).
- 36 21. Operating permit program account (21451).
- 37 22. Mobile source account (21452).
- 38 23. Statewide planning and research cooperative system account
 39 (21902).
- 40 24. New York state thruway authority account (21905).
- 41 25. Financial control board account (21911).
- 42 26. Regulation of racing account (21912).
- 43 27. State university dormitory income reimbursable account (21937).
- 44 28. Criminal justice improvement account (21945).
- 45 29. Environmental laboratory reference fee account (21959).
- 46 30. Training, management and evaluation account (21961).
- 47 31. Clinical laboratory reference system assessment account (21962).
- 48 32. Indirect cost recovery account (21978).
- 49 33. Multi-agency training account (21989).
- 50 34. Bell jar collection account (22003).
- 51 35. Industry and utility service account (22004).
- 52 36. Real property disposition account (22006).
- 53 37. Parking account (22007).
- 54 38. Courts special grants (22008).

- 1 39. Asbestos safety training program account (22009).
- 2 40. Batavia school for the blind account (22032).
- 3 41. Investment services account (22034).
- 4 42. Surplus property account (22036).
- 5 43. Financial oversight account (22039).
- 6 44. Regulation of Indian gaming account (22046).
- 7 45. Rome school for the deaf account (22053).
- 8 46. Seized assets account (22054).
- 9 47. Administrative adjudication account (22055).
- 10 48. New York City assessment account (22062).
- 11 49. Cultural education account (22063).
- 12 50. Local services account (22078).
- 13 51. DHCR mortgage servicing account (22085).
- 14 52. Housing indirect cost recovery account (22090).
- 15 53. Voting Machine Examinations account (22099).
- 16 54. DHCR-HCA application fee account (22100).
- 17 55. Low income housing monitoring account (22130).
- 18 56. Restitution account (22134).
- 19 57. Corporation administration account (22135).
- 20 58. New York State Home for Veterans in the Lower-Hudson Valley
21 account (22144).
- 22 59. Deferred compensation administration account (22151).
- 23 60. Rent revenue other New York City account (22156).
- 24 61. Rent revenue account (22158).
- 25 62. Transportation aviation account (22165).
- 26 63. Tax revenue arrearage account (22168).
- 27 64. New York State Campaign Finance Fund account (22211).
- 28 65. New York state medical indemnity fund account (22240).
- 29 66. Behavioral health parity compliance fund (22246).
- 30 67. Pharmacy benefit manager regulatory fund (22255).
- 31 68. Virtual currency assessments account (22262).
- 32 69. State university general income offset account (22654).
- 33 70. Lake George park trust fund account (22751).
- 34 71. Highway safety program account (23001).
- 35 72. DOH drinking water program account (23102).
- 36 73. NYCCC operating offset account (23151).
- 37 74. Commercial gaming revenue account (23701).
- 38 75. Commercial gaming regulation account (23702).
- 39 76. Highway use tax administration account (23801).
- 40 77. New York state secure choice administrative account (23806).
- 41 78. New York state cannabis revenue fund (24800).
- 42 79. Cannabis education account (24801).
- 43 80. Fantasy sports administration account (24951).
- 44 81. Mobile sports wagering fund (24955).
- 45 82. Highway and bridge capital account (30051).
- 46 83. State university residence hall rehabilitation fund (30100).
- 47 84. State parks infrastructure account (30351).
- 48 85. Clean water/clean air implementation fund (30500).
- 49 86. Hazardous waste remedial cleanup account (31506).
- 50 87. Youth facilities improvement account (31701).
- 51 88. Housing assistance fund (31800).
- 52 89. Housing program fund (31850).
- 53 90. Highway facility purpose account (31951).
- 54 91. New York racing account (32213).
- 55 92. Capital miscellaneous gifts account (32214).
- 56 93. Information technology capital financing account (32215).

- 1 94. New York environmental protection and spill remediation account
- 2 (32219).
- 3 95. Department of financial services IT modernization capital account
- 4 (32230).
- 5 96. Mental hygiene facilities capital improvement fund (32300).
- 6 97. Correctional facilities capital improvement fund (32350).
- 7 98. New York State Storm Recovery Capital Fund (33000).
- 8 99. OGS convention center account (50318).
- 9 100. Empire Plaza Gift Shop (50327).
- 10 101. Unemployment Insurance Benefit Fund, Interest Assessment Account
- 11 (50651).
- 12 102. Centralized services fund (55000).
- 13 103. Archives records management account (55052).
- 14 104. Federal single audit account (55053).
- 15 105. Civil service administration account (55055).
- 16 106. Civil service EHS occupational health program account (55056).
- 17 107. Banking services account (55057).
- 18 108. Cultural resources survey account (55058).
- 19 109. Neighborhood work project account (55059).
- 20 110. Automation & printing chargeback account (55060).
- 21 111. OFT NYT account (55061).
- 22 112. Data center account (55062).
- 23 113. Intrusion detection account (55066).
- 24 114. Domestic violence grant account (55067).
- 25 115. Centralized technology services account (55069).
- 26 116. Labor contact center account (55071).
- 27 117. Human services contact center account (55072).
- 28 118. Tax contact center account (55073).
- 29 119. Department of law civil recoveries account (55074).
- 30 120. Executive direction internal audit account (55251).
- 31 121. CIO Information technology centralized services account (55252).
- 32 122. Health insurance internal service account (55300).
- 33 123. Civil service employee benefits division administrative account
- 34 (55301).
- 35 124. Correctional industries revolving fund (55350).
- 36 125. Employees health insurance account (60201).
- 37 126. Medicaid management information system escrow fund (60900).
- 38 127. Animal shelter regulation account.
- 39 128. Climate initiative account.
- 40 129. Employers Assessment account.
- 41 § 2. The state comptroller is hereby authorized and directed to loan
- 42 money in accordance with the provisions set forth in subdivision 5 of
- 43 section 4 of the state finance law to any account within the following
- 44 federal funds, provided the comptroller has made a determination that
- 45 sufficient federal grant award authority is available to reimburse such
- 46 loans:
- 47 1. Federal USDA-food and nutrition services fund (25000).
- 48 2. Federal health and human services fund (25100).
- 49 3. Federal education fund (25200).
- 50 4. Federal block grant fund (25250).
- 51 5. Federal miscellaneous operating grants fund (25300).
- 52 6. Federal unemployment insurance administration fund (25900).
- 53 7. Federal unemployment insurance occupational training fund (25950).
- 54 8. Federal emergency employment act fund (26000).
- 55 9. Federal capital projects fund (31350).

1 § 3. Notwithstanding any law to the contrary, and in accordance with
2 section 4 of the state finance law, the comptroller is hereby authorized
3 and directed to transfer, upon request of the director of the budget, on
4 or before March 31, 2026, up to the unencumbered balance or the follow-
5 ing amounts:

6 Economic Development and Public Authorities:

7 1. An amount up to the unencumbered balance from the miscellaneous
8 special revenue fund, underground facilities safety training account
9 (22172), to the general fund.

10 2. An amount up to the unencumbered balance from the miscellaneous
11 special revenue fund, business and licensing services account (21977),
12 to the general fund.

13 3. \$19,810,000 from the miscellaneous special revenue fund, code
14 enforcement account (21904), to the general fund.

15 4. \$3,000,000 from the general fund to the miscellaneous special
16 revenue fund, tax revenue arrearage account (22168).

17 Education:

18 1. \$2,590,856,000 from the general fund to the state lottery fund,
19 education account (20901), as reimbursement for disbursements made from
20 such fund for supplemental aid to education pursuant to section 92-c of
21 the state finance law that are in excess of the amounts deposited in
22 such fund for such purposes pursuant to section 1612 of the tax law.

23 2. \$1,135,000,000 from the general fund to the state lottery fund, VLT
24 education account (20904), as reimbursement for disbursements made from
25 such fund for supplemental aid to education pursuant to section 92-c of
26 the state finance law that are in excess of the amounts deposited in
27 such fund for such purposes pursuant to section 1612 of the tax law.

28 3. \$132,800,000 from the general fund to the New York state commercial
29 gaming fund, commercial gaming revenue account (23701), as reimbursement
30 for disbursements made from such fund for supplemental aid to education
31 pursuant to section 97-nnmn of the state finance law that are in excess
32 of the amounts deposited in such fund for purposes pursuant to section
33 1352 of the racing, pari-mutuel wagering and breeding law.

34 4. \$1,418,000,000 from the general fund to the mobile sports wagering
35 fund, education account (24955), as reimbursement for disbursements made
36 from such fund for supplemental aid to education pursuant to section
37 92-c of the state finance law that are in excess of the amounts deposit-
38 ed in such fund for such purposes pursuant to section 1367 of the
39 racing, pari-mutuel wagering and breeding law.

40 5. \$5,000,000 from the interactive fantasy sports fund, fantasy sports
41 education account (24950), to the state lottery fund, education account
42 (20901), as reimbursement for disbursements made from such fund for
43 supplemental aid to education pursuant to section 92-c of the state
44 finance law.

45 6. \$4,856,000 from the cannabis revenue fund cannabis education
46 account (24801), to the state lottery fund, education account (20901),
47 as reimbursement for disbursements made from such fund for supplemental
48 aid to education pursuant to section 99-ii of the state finance law.

49 7. An amount up to the unencumbered balance in the fund on March 31,
50 2025 from the charitable gifts trust fund, elementary and secondary
51 education account (24901), to the general fund, for payment of general
52 support for public schools pursuant to section 3609-a of the education
53 law.

54 8. Moneys from the state lottery fund (20900) up to an amount deposit-
55 ed in such fund pursuant to section 1612 of the tax law in excess of the

1 current year appropriation for supplemental aid to education pursuant to
2 section 92-c of the state finance law.

3 9. \$300,000 from the New York state local government records manage-
4 ment improvement fund, local government records management account
5 (20501), to the New York state archives partnership trust fund, archives
6 partnership trust maintenance account (20351).

7 10. \$900,000 from the general fund to the miscellaneous special reven-
8 ue fund, Batavia school for the blind account (22032).

9 11. \$900,000 from the general fund to the miscellaneous special reven-
10 ue fund, Rome school for the deaf account (22053).

11 12. \$343,400,000 from the state university dormitory income fund
12 (40350) to the miscellaneous special revenue fund, state university
13 dormitory income reimbursable account (21937).

14 13. \$70,000,000 from the state university income fund, state universi-
15 ty hospitals income reimbursable account (22656) to the general fund for
16 hospital debt service.

17 14. \$24,000,000 from any of the state education department's special
18 revenue and internal service funds to the miscellaneous special revenue
19 fund, indirect cost recovery account (21978).

20 15. \$4,200,000 from any of the state education department's special
21 revenue or internal service funds to the capital projects fund (30000).

22 16. \$30,013,000 from the general fund to the miscellaneous special
23 revenue fund, HESC-insurance premium payments account (21960).

24 17. \$312,000,000 from the State University Income Fund, Long Island
25 veterans' home account (22652), state university income fund, state
26 university general income reimbursable account (22653), state university
27 income fund, state university general revenue offset account (22655),
28 state university income fund, state university hospitals income reim-
29 bursable account (22656), state university income fund, SUNY stabiliza-
30 tion account (22657), state university income fund, state university-
31 wide hospital reimbursable account (22658), and/or state university
32 income fund, SUNY tuition reimbursable account (22659) to the General
33 Fund for the payment of SUNY Hospitals Health Insurance premiums on or
34 before March 31, 2026.

35 18. \$25,000,000 from the general fund to the miscellaneous capital
36 projects fund, state university of New York green energy loan fund.

37 Environmental Affairs:

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

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

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

50 4. \$100,000,000 from the general fund to the environmental protection
51 fund, environmental protection fund transfer account (30451).

52 5. \$10,000,000 from the general fund to the hazardous waste remedial
53 fund, hazardous waste cleanup account (31506).

54 6. An amount up to or equal to the cash balance within the special
55 revenue-other waste management & cleanup account (21053) to the capital
56 projects fund (30000) for services and capital expenses related to the

1 management and cleanup program as put forth in section 27-1915 of the
2 environmental conservation law.

3 7. \$1,800,000 from the miscellaneous special revenue fund, public
4 service account (22011) to the miscellaneous special revenue fund, util-
5 ity environmental regulatory account (21064).

6 8. \$7,000,000 from the general fund to the enterprise fund, state fair
7 account (50051).

8 9. \$3,000,000 from the waste management & cleanup account (21053) to
9 the general fund.

10 10. \$3,000,000 from the waste management & cleanup account (21053) to
11 the environmental protection fund transfer account (30451).

12 11. \$14,000,000 from the general fund to the miscellaneous special
13 revenue fund, patron services account (22163).

14 12. \$15,000,000 from the enterprise fund, golf account (50332) to the
15 state park infrastructure fund, state park infrastructure account
16 (30351).

17 13. \$10,000,000 from the general fund to the environmental protection
18 and oil spill compensation fund (21203).

19 14. \$5,000,000 from the general fund to the enterprise fund, golf
20 account (50332).

21 Family Assistance:

22 1. \$7,000,000 from any of the office of children and family services,
23 office of temporary and disability assistance, or department of health
24 special revenue federal funds and the general fund, in accordance with
25 agreements with social services districts, to the miscellaneous special
26 revenue fund, office of human resources development state match account
27 (21967).

28 2. \$4,000,000 from any of the office of children and family services
29 or office of temporary and disability assistance special revenue federal
30 funds to the miscellaneous special revenue fund, family preservation and
31 support services and family violence services account (22082).

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

37 4. \$205,000,000 from any of the office of temporary and disability
38 assistance or department of health special revenue funds to the general
39 fund.

40 5. \$2,500,000 from any of the office of temporary and disability
41 assistance special revenue funds to the miscellaneous special revenue
42 fund, office of temporary and disability assistance program account
43 (21980).

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

49 7. \$205,000,000 from the miscellaneous special revenue fund, youth
50 facility per diem account (22186), to the general fund.

51 8. \$788,000 from the general fund to the combined gifts, grants, and
52 bequests fund, WB Hoyt Memorial account (20128).

53 9. \$5,000,000 from the miscellaneous special revenue fund, state
54 central registry (22028), to the general fund.

55 10. \$900,000 from the general fund to the Veterans' Remembrance and
56 Cemetery Maintenance and Operation account (20201).

- 1 11. \$5,000,000 from the general fund to the housing program fund
- 2 (31850).
- 3 12. \$15,000,000 from any of the office of children and family services
- 4 special revenue federal funds to the office of court administration
- 5 special revenue other federal iv-e funds account.
- 6 13. \$10,000,000 from any of the office of children and family services
- 7 special revenue federal funds to the office of indigent legal services
- 8 special revenue other federal iv-e funds account.
- 9 General Government:
- 10 1. \$9,000,000 from the general fund to the health insurance revolving
- 11 fund (55300).
- 12 2. \$292,400,000 from the health insurance reserve receipts fund
- 13 (60550) to the general fund.
- 14 3. \$150,000 from the general fund to the not-for-profit revolving loan
- 15 fund (20650).
- 16 4. \$150,000 from the not-for-profit revolving loan fund (20650) to the
- 17 general fund.
- 18 5. \$3,000,000 from the miscellaneous special revenue fund, surplus
- 19 property account (22036), to the general fund.
- 20 6. \$19,000,000 from the miscellaneous special revenue fund, revenue
- 21 arrearage account (22024), to the general fund.
- 22 7. \$3,828,000 from the miscellaneous special revenue fund, revenue
- 23 arrearage account (22024), to the miscellaneous special revenue fund,
- 24 authority budget office account (22138).
- 25 8. \$1,000,000 from the miscellaneous special revenue fund, parking
- 26 account (22007), to the general fund, for the purpose of reimbursing the
- 27 costs of debt service related to state parking facilities.
- 28 9. \$11,460,000 from the general fund to the agencies internal service
- 29 fund, central technology services account (55069), for the purpose of
- 30 enterprise technology projects.
- 31 10. \$10,000,000 from the general fund to the agencies internal service
- 32 fund, state data center account (55062).
- 33 11. \$12,000,000 from the miscellaneous special revenue fund, parking
- 34 account (22007), to the centralized services, building support services
- 35 account (55018).
- 36 12. \$33,000,000 from the general fund to the internal service fund,
- 37 business services center account (55022).
- 38 13. \$9,500,000 from the general fund to the internal service fund,
- 39 building support services account (55018).
- 40 14. \$1,500,000 from the combined expendable trust fund, plaza special
- 41 events account (20120), to the general fund.
- 42 15. \$50,000,000 from the New York State cannabis revenue fund (24800)
- 43 to the general fund.
- 44 16. A transfer from the general fund to the miscellaneous special
- 45 revenue fund, New York State Campaign Finance Fund Account (22211), up
- 46 to an amount equal to total reimbursements due to qualified candidates.
- 47 17. \$6,000,000 from the miscellaneous special revenue fund, standards
- 48 and purchasing account (22019), to the general fund.
- 49 18. \$12,400,000 from the banking department special revenue fund
- 50 (21970) funded by the assessment to defray operating expenses authorized
- 51 by section 206 of the financial services law to the IT Modernization
- 52 Capital Fund.
- 53 19. \$12,400,000 from the insurance department special revenue fund
- 54 (21994) funded by the assessment to defray operating expenses authorized
- 55 by section 206 of the financial services law to the IT Modernization
- 56 Capital Fund.

1 20. \$1,550,000 from the pharmacy benefits bureau special revenue fund
2 (22255) funded by the assessment to defray operating expenses authorized
3 by section 206 of the financial services law, to the IT Modernization
4 Capital Fund.

5 21. \$4,650,000 from the virtual currency special revenue fund (22262)
6 funded by the assessment to defray operating expenses authorized by
7 section 206 of the financial services law, to the IT Modernization Capi-
8 tal Fund.

9 Health:

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

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

18 3. A transfer from the general fund to the combined gifts, grants and
19 bequests fund, Alzheimer's disease research and assistance account
20 (20143), up to an amount equal to the moneys collected and deposited
21 into that account in the previous fiscal year.

22 4. \$3,600,000 from the miscellaneous special revenue fund, certificate
23 of need account (21920), to the miscellaneous capital projects fund,
24 healthcare IT capital subfund (32216).

25 5. \$4,000,000 from the miscellaneous special revenue fund, vital
26 health records account (22103), to the miscellaneous capital projects
27 fund, healthcare IT capital subfund (32216).

28 6. \$6,000,000 from the miscellaneous special revenue fund, profes-
29 sional medical conduct account (22088), to the miscellaneous capital
30 projects fund, healthcare IT capital subfund (32216).

31 7. \$127,000,000 from the HCRA resources fund (20800) to the capital
32 projects fund (30000).

33 8. \$6,550,000 from the general fund to the medical cannabis trust
34 fund, health operation and oversight account (23755).

35 9. An amount up to the unencumbered balance from the charitable gifts
36 trust fund, health charitable account (24900), to the general fund, for
37 payment of general support for primary, preventive, and inpatient health
38 care, dental and vision care, hunger prevention and nutritional assist-
39 ance, and other services for New York state residents with the overall
40 goal of ensuring that New York state residents have access to quality
41 health care and other related services.

42 10. \$500,000 from the miscellaneous special revenue fund, New York
43 State cannabis revenue fund (24800), to the miscellaneous special reven-
44 ue fund, environmental laboratory fee account (21959).

45 11. An amount up to the unencumbered balance from the public health
46 emergency charitable gifts trust fund (23816), to the general fund, for
47 payment of goods and services necessary to respond to a public health
48 disaster emergency or to assist or aid in responding to such a disaster.

49 12. \$1,000,000,000 from the general fund to the health care transfor-
50 mation fund (24850).

51 13. \$2,590,000 from the miscellaneous special revenue fund, patient
52 safety center account (22139), to the general fund.

53 14. \$1,000,000 from the miscellaneous special revenue fund, nursing
54 home receivership account (21925), to the general fund.

55 15. \$130,000 from the miscellaneous special revenue fund, quality of
56 care account (21915), to the general fund.

- 1 16. \$2,200,000 from the miscellaneous special revenue fund, adult home
2 quality enhancement account (22091), to the general fund.
- 3 17. \$17,283,000 from the general fund, to the miscellaneous special
4 revenue fund, helen hayes hospital account (22140).
- 5 18. \$3,672,000 from the general fund, to the miscellaneous special
6 revenue fund, New York city veterans' home account (22141).
- 7 19. \$2,731,000 from the general fund, to the miscellaneous special
8 revenue fund, New York state home for veterans' and their dependents at
9 oxford account (22142).
- 10 20. \$1,455,000 from the general fund, to the miscellaneous special
11 revenue fund, western New York veterans' home account (22143).
- 12 21. \$4,683,000 from the general fund, to the miscellaneous special
13 revenue fund, New York state for veterans in the lower-hudson valley
14 account (22144).
- 15 22. \$350,000,000 from the general fund, to the miscellaneous special
16 revenue fund, healthcare stability fund account (22267).
- 17 23. \$5,000,000 from the general fund to the occupational health clin-
18 ics account (22177).
- 19 24. \$88,000 from the miscellaneous special revenue fund, veterans home
20 assistance account (20208), to the miscellaneous special revenue fund,
21 New York city veterans' home account (22141).
- 22 25. \$88,000 from the miscellaneous special revenue fund, veterans home
23 assistance account (20208), to the miscellaneous special revenue fund,
24 New York state home for veterans' and their dependents at oxford account
25 (22142).
- 26 26. \$88,000 from the miscellaneous special revenue fund, veterans
27 assistance account (20208), to the miscellaneous special revenue fund,
28 western New York veterans' home account (22143).
- 29 27. \$88,000 from the miscellaneous special revenue fund, veterans
30 assistance account (20208), to the miscellaneous special revenue fund,
31 New York state for veterans in the lower-Hudson valley account (22144).
- 32 28. \$88,000 from the miscellaneous special revenue fund, veterans
33 assistance account (20208), to the state university income fund, Long
34 Island Veterans' Home Account (22652).
- 35 Labor:
- 36 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
37 penalty account (21923), to the child performer's protection fund, child
38 performer protection account (20401).
- 39 2. \$11,700,000 from the unemployment insurance interest and penalty
40 fund, unemployment insurance special interest and penalty account
41 (23601), to the general fund.
- 42 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-
43 ment insurance special interest and penalty account (23601), and public
44 work enforcement account (21998), to the general fund.
- 45 4. \$850,000 from the miscellaneous special revenue fund, DOL elevator
46 safety program fund (22252) to the miscellaneous special revenue fund,
47 DOL fee and penalty account (21923).
- 48 5. \$22,000,000 from the miscellaneous special revenue fund, Interest
49 and Penalty Account (23601), to the Training and Education Program on
50 Occupation Safety and Health Fund, OSHA Training and Education Account
51 (21251).
- 52 6. \$1,000,000 from the miscellaneous special revenue fund, Public Work
53 Enforcement account (21998), to the Training and Education Program on
54 Occupation Safety and Health Fund, OSHA Training and Education Account
55 (21251).

1 7. \$250,000,000 from the general fund to the enterprise fund, unem-
2 ployment insurance benefit fund, interest assessment account (50651).

3 8. \$4,000,000 from the miscellaneous special revenue fund, Public Work
4 Enforcement account (21998), to the Training and Education Program on
5 Occupational Safety and Health Fund, OSHA Inspection Account (21252).

6 Mental Hygiene:

7 1. \$2,000,000 from the general fund, to the mental hygiene facilities
8 capital improvement fund (32300).

9 2. \$20,000,000 from the opioid settlement fund (23817) to the miscel-
10 laneous capital projects fund, opioid settlement capital account
11 (32200).

12 3. \$20,000,000 from the miscellaneous capital projects fund, opioid
13 settlement capital account (32200) to the opioid settlement fund
14 (23817).

15 Public Protection:

16 1. \$2,587,000 from the general fund to the miscellaneous special
17 revenue fund, recruitment incentive account (22171).

18 2. \$23,773,000 from the general fund to the correctional industries
19 revolving fund, correctional industries internal service account
20 (55350).

21 3. \$2,000,000,000 from any of the division of homeland security and
22 emergency services special revenue federal funds to the general fund.

23 4. \$115,420,000 from the state police motor vehicle law enforcement
24 and motor vehicle theft and insurance fraud prevention fund, state
25 police motor vehicle enforcement account (22802), to the general fund
26 for state operation expenses of the division of state police.

27 5. \$138,272,000 from the general fund to the correctional facilities
28 capital improvement fund (32350).

29 6. \$5,000,000 from the general fund to the dedicated highway and
30 bridge trust fund (30050) for the purpose of work zone safety activities
31 provided by the division of state police for the department of transpor-
32 tation.

33 7. \$10,000,000 from the miscellaneous special revenue fund, statewide
34 public safety communications account (22123), to the capital projects
35 fund (30000).

36 8. \$9,830,000 from the miscellaneous special revenue fund, legal
37 services assistance account (22096), to the general fund.

38 9. \$1,000,000 from the general fund to the agencies internal service
39 fund, neighborhood work project account (55059).

40 10. \$7,980,000 from the miscellaneous special revenue fund, finger-
41 print identification & technology account (21950), to the general fund.

42 11. \$1,100,000 from the state police motor vehicle law enforcement and
43 motor vehicle theft and insurance fraud prevention fund, motor vehicle
44 theft and insurance fraud account (22801), to the general fund.

45 12. \$38,938,000 from the general fund to the miscellaneous special
46 revenue fund, criminal justice improvement account (21945).

47 13. \$6,000,000 from the general fund to the miscellaneous special
48 revenue fund, hazard mitigation revolving loan account (22266).

49 14. \$234,000,000 from the indigent legal services fund, indigent legal
50 services account (23551) to the general fund.

51 Transportation:

52 1. \$20,000,000 from the general fund to the mass transportation oper-
53 ating assistance fund, public transportation systems operating assist-
54 ance account (21401), of which \$12,000,000 constitutes the base need for
55 operations.

1 2. \$727,500,000 from the general fund to the dedicated highway and
2 bridge trust fund (30050).

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

5 4. \$477,000 from the miscellaneous special revenue fund, traffic adju-
6 dication account (22055), to the general fund.

7 5. \$5,000,000 from the miscellaneous special revenue fund, transporta-
8 tion regulation account (22067) to the general fund, for disbursements
9 made from such fund for motor carrier safety that are in excess of the
10 amounts deposited in the general fund for such purpose pursuant to
11 section 94 of the transportation law.

12 Miscellaneous:

13 1. \$250,000,000 from the general fund to any funds or accounts for the
14 purpose of reimbursing certain outstanding accounts receivable balances.

15 2. \$500,000,000 from the general fund to the debt reduction reserve
16 fund (40000).

17 3. \$450,000,000 from the New York state storm recovery capital fund
18 (33000) to the revenue bond tax fund (40152).

19 4. \$15,500,000 from the general fund, community projects account GG
20 (10256), to the general fund, state purposes account (10050).

21 5. \$100,000,000 from any special revenue federal fund to the general
22 fund, state purposes account (10050).

23 6. An amount up to the unencumbered balance from the special revenue
24 federal fund, ARPA-Fiscal Recovery Fund (25546) to the general fund.

25 7. \$1,000,000,000 from the general fund to the hazardous waste cleanup
26 account (31506), State parks infrastructure account (30351), environ-
27 mental protection fund transfer account (30451), the correctional facil-
28 ities capital improvement fund (32350), housing program fund (31850), or
29 the Mental hygiene facilities capital improvement fund (32300), up to an
30 amount equal to certain outstanding accounts receivable balances.

31 § 4. Notwithstanding any law to the contrary, and in accordance with
32 section 4 of the state finance law, the comptroller is hereby authorized
33 and directed to transfer, on or before March 31, 2026:

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

40 2. Upon request of the commissioner of agriculture and markets, up to
41 \$3,000,000 from any special revenue fund or enterprise fund within the
42 department of agriculture and markets to the general fund, to pay appro-
43 priate administrative expenses.

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

49 4. Upon request of the commissioner of the division of housing and
50 community renewal, up to \$5,500,000 may be transferred from any miscel-
51 laneous special revenue fund account, to any miscellaneous special
52 revenue fund.

53 5. Upon request of the commissioner of health up to \$13,694,000 from
54 revenues credited to any of the department of health's special revenue
55 funds, to the miscellaneous special revenue fund, administration account
56 (21982).

1 6. Upon the request of the attorney general, up to \$5,000,000 from
2 revenues credited to the federal health and human services fund, federal
3 health and human services account (25117) or the miscellaneous special
4 revenue fund, recoveries and revenue account (22041), to the miscella-
5 neous special revenue fund, litigation settlement and civil recovery
6 account (22117).

7 § 5. On or before March 31, 2026, the comptroller is hereby authorized
8 and directed to deposit earnings that would otherwise accrue to the
9 general fund that are attributable to the operation of section 98-a of
10 the state finance law, to the agencies internal service fund, banking
11 services account (55057), for the purpose of meeting direct payments
12 from such account.

13 § 6. Notwithstanding any law to the contrary, and in accordance with
14 section 4 of the state finance law, the comptroller is hereby authorized
15 and directed to transfer, upon request of the director of the budget and
16 upon consultation with the state university chancellor or their desig-
17 nee, on or before March 31, 2026, up to \$16,000,000 from the state
18 university income fund general revenue account (22653) to the state
19 general fund for debt service costs related to campus supported capital
20 project costs for the NY-SUNY 2020 challenge grant program at the
21 University at Buffalo.

22 § 7. Notwithstanding any law to the contrary, and in accordance with
23 section 4 of the state finance law, the comptroller is hereby authorized
24 and directed to transfer, upon request of the director of the budget and
25 upon consultation with the state university chancellor or their desig-
26 nee, on or before March 31, 2026, up to \$6,500,000 from the state
27 university income fund general revenue account (22653) to the state
28 general fund for debt service costs related to campus supported capital
29 project costs for the NY-SUNY 2020 challenge grant program at the
30 University at Albany.

31 § 8. Notwithstanding any law to the contrary, the state university
32 chancellor or their designee is authorized and directed to transfer
33 estimated tuition revenue balances from the state university collection
34 fund (61000) to the state university income fund, state university
35 general revenue offset account (22655) on or before March 31, 2026.

36 § 8-a. Notwithstanding any law to the contrary, and in accordance with
37 section 4 of the state finance law, the comptroller is hereby authorized
38 and directed to transfer, upon request of the director of the budget, a
39 total of up to \$100,000,000 from the general fund to the state universi-
40 ty income fund, state university general revenue offset account (22655)
41 and/or the state university income fund, state university hospitals
42 income reimbursable account (22656) during the period July 1, 2025
43 through June 30, 2026 to pay costs attributable to the state university
44 health science center at Brooklyn and/or the state university of New
45 York hospital at Brooklyn, respectively, pursuant to a plan approved by
46 the director of the budget.

47 § 9. Notwithstanding any law to the contrary, and in accordance with
48 section 4 of the state finance law, the comptroller is hereby authorized
49 and directed to transfer, upon request of the director of the budget, up
50 to \$1,513,098,500 from the general fund to the state university income
51 fund, state university general revenue offset account (22655) during the
52 period of July 1, 2025 through June 30, 2026 to support operations at
53 the state university.

54 § 10. Notwithstanding any law to the contrary, and in accordance with
55 section 4 of the state finance law, the comptroller is hereby authorized
56 and directed to transfer, upon request of the director of the budget, up

1 to \$55,848,000 from the general fund to the state university income
2 fund, state university general revenue offset account (22655) during the
3 period of July 1, 2025 to June 30, 2026 for general fund operating
4 support pursuant to subparagraph (4-b) of paragraph h of subdivision 2
5 of section three hundred fifty-five of the education law.

6 § 11. Notwithstanding any law to the contrary, upon the direction of
7 the director of the budget and the chancellor of the state university of
8 New York or their designee, and in accordance with section 4 of the
9 state finance law, the comptroller is hereby authorized and directed to
10 transfer monies from any special revenue fund of the state university of
11 New York to the state university of New York green energy loan fund for
12 the discrete purposes of the state university of New York green energy
13 loan fund and from the state university of New York green energy loan
14 fund to any special revenue fund of the state university of New York to
15 support such activity in an amount not to exceed \$25,000,000 from each
16 fund for the time period of July 1 to June 30 annually.

17 § 12. Notwithstanding any law to the contrary, and in accordance with
18 section 4 of the state finance law, the comptroller is hereby authorized
19 and directed to transfer, upon request of the state university chancel-
20 lor or their designee, up to \$55,000,000 from the state university
21 income fund, state university hospitals income reimbursable account
22 (22656), for services and expenses of hospital operations and capital
23 expenditures at the state university hospitals; and the state university
24 income fund, Long Island veterans' home account (22652) to the state
25 university capital projects fund (32400) on or before June 30, 2026.

26 § 13. Notwithstanding any law to the contrary, and in accordance with
27 section 4 of the state finance law, the comptroller, after consultation
28 with the state university chancellor or their designee, is hereby
29 authorized and directed to transfer moneys, in the first instance, from
30 the state university collection fund, Stony Brook hospital collection
31 account (61006), Brooklyn hospital collection account (61007), and Syra-
32 cuse hospital collection account (61008) to the state university income
33 fund, state university hospitals income reimbursable account (22656) in
34 the event insufficient funds are available in the state university
35 income fund, state university hospitals income reimbursable account
36 (22656) to permit the full transfer of moneys authorized for transfer,
37 to the general fund for payment of debt service related to the SUNY
38 hospitals. Notwithstanding any law to the contrary, the comptroller is
39 also hereby authorized and directed, after consultation with the state
40 university chancellor or their designee, to transfer moneys from the
41 state university income fund to the state university income fund, state
42 university hospitals income reimbursable account (22656) in the event
43 insufficient funds are available in the state university income fund,
44 state university hospitals income reimbursable account (22656) to pay
45 hospital operating costs or to permit the full transfer of moneys
46 authorized for transfer, to the general fund for payment of debt service
47 related to the SUNY hospitals on or before March 31, 2026.

48 § 14. Notwithstanding any law to the contrary, upon the direction of
49 the director of the budget and the chancellor of the state university of
50 New York or their designee, and in accordance with section 4 of the
51 state finance law, the comptroller is hereby authorized and directed to
52 transfer monies from the state university dormitory income fund (40350)
53 to the state university residence hall rehabilitation fund (30100), and
54 from the state university residence hall rehabilitation fund (30100) to
55 the state university dormitory income fund (40350), in an amount not to
56 exceed \$125 million from each fund.

1 § 15. Notwithstanding any law to the contrary, and in accordance with
2 section 4 of the state finance law, the comptroller is hereby authorized
3 and directed to transfer, at the request of the director of the budget,
4 up to \$1,000,000,000 from the unencumbered balance of any special reven-
5 ue fund or account, agency fund or account, internal service fund or
6 account, enterprise fund or account, or any combination of such funds
7 and accounts, to the general fund. The amounts transferred pursuant to
8 this authorization shall be in addition to any other transfers expressly
9 authorized in the 2025-26 budget. Transfers from federal funds, debt
10 service funds, capital projects funds, the community projects fund, or
11 funds that would result in the loss of eligibility for federal benefits
12 or federal funds pursuant to federal law, rule, or regulation as assent-
13 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
14 1951 are not permitted pursuant to this authorization.

15 § 16. Notwithstanding any law to the contrary, and in accordance with
16 section 4 of the state finance law, the comptroller is hereby authorized
17 and directed to transfer, at the request of the director of the budget,
18 up to \$100 million from any non-general fund or account, or combination
19 of funds and accounts, to the miscellaneous special revenue fund, tech-
20 nology financing account (22207), the miscellaneous capital projects
21 fund, the federal capital projects account (31350), information technol-
22 ogy capital financing account (32215), or the centralized technology
23 services account (55069), for the purpose of consolidating technology
24 procurement and services. The amounts transferred to the miscellaneous
25 special revenue fund, technology financing account (22207) pursuant to
26 this authorization shall be equal to or less than the amount of such
27 monies intended to support information technology costs which are
28 attributable, according to a plan, to such account made in pursuance to
29 an appropriation by law. Transfers to the technology financing account
30 shall be completed from amounts collected by non-general funds or
31 accounts pursuant to a fund deposit schedule or permanent statute, and
32 shall be transferred to the technology financing account pursuant to a
33 schedule agreed upon by the affected agency commissioner. Transfers from
34 funds that would result in the loss of eligibility for federal benefits
35 or federal funds pursuant to federal law, rule, or regulation as assent-
36 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
37 1951 are not permitted pursuant to this authorization.

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

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

1 to the credit of the general fund up to \$10,000,000 for the state fiscal
2 year commencing April 1, 2025, the proceeds of which will be utilized to
3 support energy-related state activities.

4 § 19. Notwithstanding any provision of law to the contrary, as deemed
5 feasible and advisable by its trustees, the power authority of the state
6 of New York is authorized to transfer to the state treasury to the cred-
7 it of the general fund up to \$25,000,000 for the state fiscal year
8 commencing April 1, 2025, the proceeds of which will be utilized to
9 support programs established or implemented by or within the department
10 of labor, including but not limited to the office of just energy transi-
11 tion and programs for workforce training and retraining, to prepare
12 workers for employment for work in the renewable energy field.

13 § 20. Notwithstanding any provision of law, rule or regulation to the
14 contrary, the New York state energy research and development authority
15 is authorized and directed to contribute \$913,000 to the state treasury
16 to the credit of the general fund on or before March 31, 2026.

17 § 21. Notwithstanding any provision of law, rule or regulation to the
18 contrary, the New York state energy research and development authority
19 is authorized and directed to transfer five million dollars to the cred-
20 it of the Environmental Protection Fund on or before March 31, 2026 from
21 proceeds collected by the authority from the auction or sale of carbon
22 dioxide emission allowances allocated by the department of environmental
23 conservation.

24 § 22. Section 56 of part XX of chapter 56 of the laws of 2024, amend-
25 ing the state finance law and other laws relating to providing for the
26 administration of certain funds and accounts related to the 2023-2024
27 budget, authorizing certain payments and transfers, is amended to read
28 as follows:

29 § 56. This act shall take effect immediately and shall be deemed to
30 have been in full force and effect on and after April 1, 2024; provided,
31 however, that the provisions of sections one, two, three, four, five,
32 six, seven, eight, fourteen, fifteen, sixteen, seventeen, eighteen,
33 nineteen, twenty, twenty-one, twenty-two, [~~twenty-three,~~] and twenty-
34 four of this act shall expire March 31, 2025; and provided, further,
35 that sections twenty-five and twenty-six of this act shall expire March
36 31, 2027, when upon such dates the provisions of such sections shall be
37 deemed repealed.

38 § 23. Subdivision 5 of section 97-rrr of the state finance law, as
39 amended by section 23 of part XX of chapter 56 of the laws of 2024, is
40 amended to read as follows:

41 5. Notwithstanding the provisions of section one hundred seventy-one-a
42 of the tax law, as separately amended by chapters four hundred eighty-
43 one and four hundred eighty-four of the laws of nineteen hundred eight-
44 y-one, and notwithstanding the provisions of chapter ninety-four of the
45 laws of two thousand eleven, or any other provisions of law to the
46 contrary, during the fiscal year beginning April first, two thousand
47 [~~twenty-four~~] twenty-five, the state comptroller is hereby authorized
48 and directed to deposit to the fund created pursuant to this section
49 from amounts collected pursuant to article twenty-two of the tax law and
50 pursuant to a schedule submitted by the director of the budget, up to
51 [~~\$1,575,393,000~~] \$1,396,911,000 as may be certified in such schedule as
52 necessary to meet the purposes of such fund for the fiscal year begin-
53 ning April first, two thousand [~~twenty-four~~] twenty-five.

54 § 24. The opening paragraph of subdivision 3 of section 93-b of the
55 state finance law, as amended by section 23 of part JJJ of chapter 59 of
56 the laws of 2021, is amended to read as follows:

1 Notwithstanding any other provisions of law to the contrary, [~~commene-~~
2 ~~ing on April first, two thousand twenty one, and continuing through~~
3 ~~March thirty first, two thousand twenty five,~~] the comptroller is hereby
4 authorized to transfer monies from the dedicated infrastructure invest-
5 ment fund to the general fund, and from the general fund to the dedi-
6 cated infrastructure investment fund, in an amount determined by the
7 director of the budget to the extent moneys are available in the fund;
8 provided, however, that the comptroller is only authorized to transfer
9 monies from the dedicated infrastructure investment fund to the general
10 fund in the event of an economic downturn as described in paragraph (a)
11 of this subdivision; and/or to fulfill disallowances and/or settlements
12 related to over-payments of federal medicare and medicaid revenues in
13 excess of one hundred million dollars from anticipated levels, as deter-
14 mined by the director of the budget and described in paragraph (b) of
15 this subdivision.

16 § 25. Subdivision 2 of section 8-b of the state finance law is
17 REPEALED.

18 § 26. Notwithstanding any law to the contrary, the comptroller is
19 hereby authorized and directed to transfer, upon request of the director
20 of the budget, on or before March 31, 2026, the following amounts from
21 the following special revenue accounts to the capital projects fund
22 (30000), for the purposes of reimbursement to such fund for expenses
23 related to the maintenance and preservation of state assets:

- 24 1. \$43,000 from the miscellaneous special revenue fund, administrative
25 program account (21982).
- 26 2. \$1,583,110 from the miscellaneous special revenue fund, helen hayes
27 hospital account (22140).
- 28 3. \$488,220 from the miscellaneous special revenue fund, New York city
29 veterans' home account (22141).
- 30 4. \$610,790 from the miscellaneous special revenue fund, New York
31 state home for veterans' and their dependents at oxford account (22142).
- 32 5. \$182,310 from the miscellaneous special revenue fund, western New
33 York veterans' home account (22143).
- 34 6. \$422,524 from the miscellaneous special revenue fund, New York
35 state for veterans in the lower-hudson valley account (22144).
- 36 7. \$2,550,000 from the miscellaneous special revenue fund, patron
37 services account (22163).
- 38 8. \$11,909,000 from the miscellaneous special revenue fund, state
39 university general income reimbursable account (22653).
- 40 9. \$182,988,000 from the miscellaneous special revenue fund, state
41 university revenue offset account (22655).
- 42 10. \$55,103,000 from the state university dormitory income fund, state
43 university dormitory income fund (40350).
- 44 11. \$1,000,000 from the miscellaneous special revenue fund, litigation
45 settlement and civil recovery account (22117).

46 § 27. Section 89-g of the state finance law is REPEALED.

47 § 28. Section 22 of the state finance law, as amended by chapter 762
48 of the laws of 1992, subdivisions 1-c, 14, 15 and 16 as added and para-
49 graphs d-2, e, e-2 and i of subdivision 3 and subdivision 4 as amended
50 by chapter 1 of the laws of 2007, paragraphs a-1, a-2 and a-3 of subdivi-
51 sion 3 as added by chapter 10 of the laws of 2006, paragraph j of
52 subdivision 3 as added by chapter 453 of the laws of 2015, subdivision 9
53 as amended by chapter 260 of the laws of 1993 and subdivisions 5, 6, 7,
54 8, 9, 10, 11, 12 and 13 as renumbered by section 2 of part F of chapter
55 389 of the laws of 1997, is amended to read as follows:

1 § 22. The budget; contents. The budget submitted annually by the
2 governor to the legislature, in accordance with article seven of the
3 constitution, in addition to the information required by the constitu-
4 tion to be set forth therein, shall:

5 1. include a summary financial plan showing for each of the govern-
6 mental fund types: (a) the disbursements estimated to be made before the
7 close of the current fiscal year and the moneys estimated to be avail-
8 able from receipts and other sources therefor; and (b) the disbursements
9 proposed to be made during the ensuing fiscal year, and the moneys esti-
10 mated to be available from receipts and other sources therefor inclusive
11 of any receipts which are expected to result from proposed legislation
12 which [~~he~~ the governor] deems necessary to provide receipts sufficient
13 to meet such proposed disbursements. For the purposes of this summary
14 financial plan, disbursements shall be presented by the following
15 purposes: state purposes, local assistance, capital projects, debt
16 service, and general state charges; receipts shall be presented for each
17 fund type by each revenue source which accounts for at least one per
18 centum of all such receipts and otherwise by categories of revenue
19 sources; receipts and disbursements for special revenue funds shall be
20 presented separately for federal funds and all other special revenue
21 funds. Whenever receipts or disbursements are proposed to be moved to a
22 different fund type, each significant amount so moved shall be identi-
23 fied.

24 1-a. within ten days following the submission of the financial plans
25 presented in accordance with subdivision one of this section, the direc-
26 tor of the budget shall submit to the chairs of the senate finance and
27 the assembly ways and means committees and the comptroller summary
28 financial plans of receipts and disbursements for the internal service,
29 enterprise, and fiduciary fund types.

30 1-b. within ten days of the submission of the financial plan for the
31 special revenue fund type, the director of the budget shall submit to
32 the chairs of the senate finance and assembly ways and means committees
33 a schedule of receipts and disbursements by account within each special
34 revenue fund, excluding those which are financed primarily by federal
35 grants.

36 1-c. within ten days following the submission of the financial plans
37 presented in accordance with subdivision one of this section, the direc-
38 tor of the budget shall submit to the chairs of the senate finance and
39 the assembly ways and means committees and the comptroller an estimate
40 of the fiscal impact of the executive budget general fund changes on
41 local governments and, where practicable, the fiscal impact on local
42 governments of the executive budget all fund changes concerning the
43 medicaid program, homeland security program, and workforce investment
44 programs. Such estimate shall be presented by class of local government
45 and shall measure all of the impacts of the executive budget, including
46 aid program changes, reimbursement changes, statutory changes in author-
47 izations for local taxation, mandates on local governments and other
48 requirements. Such estimate shall show the impact on local governments
49 by local fiscal years affected and shall cover the first local fiscal
50 year affected as well as the ensuing local fiscal year. Where such
51 estimate depends on any local option or action, the estimate shall
52 explicitly describe the assumptions used to calculate the estimate. When
53 under existing law a local tax option or program would end and the exec-
54 utive budget proposes the continuation thereof, the impact shall be
55 identified as a "deferral of sunset" and shall be calculated as a sepa-
56 rate component of such estimate.

1 2. [~~include a summary financial plan showing for each of the govern-~~
2 ~~mental fund types: (a) all of the expenditures estimated to be made, in~~
3 ~~accordance with generally accepted accounting principles, before the~~
4 ~~close of the current fiscal year and all of the expenditures proposed to~~
5 ~~be made, in accordance with generally accepted accounting principles,~~
6 ~~during the ensuing fiscal year; and (b) all of the revenues estimated to~~
7 ~~accrue, in accordance with generally accepted accounting principles,~~
8 ~~before the close of the current fiscal year and during the ensuing~~
9 ~~fiscal year inclusive of any revenues which are expected to result from~~
10 ~~the proposed legislation which he deems necessary to provide receipts~~
11 ~~sufficient to meet proposed disbursements. For the purposes of this~~
12 ~~summary financial plan, expenditures shall be presented by the following~~
13 ~~purposes: state purposes, local assistance, capital projects, debt~~
14 ~~service, and general state charges; and revenues shall be presented by~~
15 ~~each revenue source which accounts for at least one per centum of all~~
16 ~~such revenues and otherwise by categories of revenue sources.~~

17 3.] show for each fund type (unless otherwise specified) in a form
18 suitable for comparison:

19 a. The appropriations, including reappropriations, made for the
20 current fiscal year, the appropriations and reappropriations recommended
21 for the ensuing fiscal year, the disbursements estimated to be made
22 before the close of the current fiscal year and proposed to be made
23 during the ensuing fiscal year based upon available and recommended
24 appropriations and reappropriations. Disbursements proposed to be made
25 shall be shown in separate parts as follows: those disbursements
26 proposed to be made for state purposes shall be set forth in one part,
27 those disbursements proposed to be made for local assistance shall be
28 set forth in another separate and distinct part, those disbursements
29 proposed to be made for capital projects shall be set forth in a third
30 separate and distinct part and those disbursements proposed to be made
31 for debt service shall be set forth in a fourth separate and distinct
32 part. The effect of any proposed changes in the payment dates of partic-
33 ular disbursements on the financial plan presented in accordance with
34 subdivision one of this section shall be set forth separately.

35 a-1. For each state agency, the appropriations, including reappropri-
36 ations, made for the current fiscal year and recommended for the ensuing
37 fiscal year for contracts for services made for state purposes.

38 a-2. For each state agency, the disbursements estimated to be made
39 before the close of the current fiscal year and proposed to be made
40 during the ensuing fiscal year for contracts for services made for state
41 purposes.

42 a-3. For each state agency, the estimated number of employees hired
43 for the current fiscal year and anticipated to be hired during the ensu-
44 ing fiscal year pursuant to contracts for services made for state
45 purposes based upon annual employment reports submitted by contractors
46 pursuant to section one hundred sixty-three of this chapter.

47 b. In separate sections for each fund type, the receipts actually had
48 and received during the preceding fiscal year, the receipts estimated to
49 be available and received during the current and ensuing fiscal years
50 respectively listed by each major source, including statistical and
51 summary tables and a narrative which includes a discussion of the
52 assumptions used in estimating such receipts. The effect of any proposed
53 changes in the rates, bases, payment dates or other aspects of partic-
54 ular sources of receipts on the financial plan presented in accordance
55 with subdivision one of this section shall be set forth separately and
56 the assumptions used in calculating such effect. Whenever a new fee or a

1 new financing mechanism is proposed, a schedule of the new fee or
2 financing mechanism shall be included for purposes of showing the effect
3 of the new fee or financing mechanism on the financial plan.

4 ~~c. [The expenditures estimated to be made in accordance with generally~~
5 ~~accepted accounting principles before the close of the current fiscal~~
6 ~~year and proposed to be made in accordance with generally accepted~~
7 ~~accounting principles during the ensuing fiscal year. Expenditures esti-~~
8 ~~mated and proposed to be made shall be shown in separate parts as~~
9 ~~follows; those expenditures for state purposes shall be set forth in one~~
10 ~~part, those expenditures for local assistance shall be set forth in~~
11 ~~another separate and distinct part, those expenditures for capital~~
12 ~~projects shall be set forth in a third separate and distinct part, and~~
13 ~~those expenditures for debt service shall be set forth in a fourth sepa-~~
14 ~~rate and distinct part.~~

15 ~~d. The revenues actually accrued in the preceding fiscal year, the~~
16 ~~revenues estimated to accrue during current and ensuing fiscal years~~
17 ~~respectively. Revenues from each tax shall be shown both in total and~~
18 ~~net of refunds.~~

19 ~~d-1. A schedule for the general fund showing the differences between~~
20 ~~projected operating results on a cash basis and those on the basis of~~
21 ~~generally accepted accounting principles.~~

22 ~~d-2.]~~ Within ten days following the submission of the financial plans
23 presented in accordance with [~~subdivisions~~] subdivision one [~~and two~~] of
24 this section, the director of the budget shall submit to the comptroller
25 and the chairs of the senate finance committee and the assembly ways and
26 means committee:

27 (i) a detailed schedule by fund of the receipts and disbursements
28 comprising such summary financial plan;

29 (ii) [~~a schedule for each governmental fund type other than the gener-~~
30 ~~al fund showing the differences between projected operating results on a~~
31 ~~cash basis and those on the basis of generally accepted accounting prin-~~
32 ~~ciples,~~

33 [~~iii] a detailed schedule by fund of revenues and expenditures within~~
34 ~~the general fund;~~

35 (iv)] a detailed schedule by fund of receipts for the prior, current
36 and next three fiscal years. Such schedule shall present the major
37 revenue sources for each fund, including detail for each major tax, and
38 major components of miscellaneous receipts; and

39 [~~v)] (iii) an itemized list of transfers to and from the general~~
40 fund.

41 [~~e-] d. The anticipated general fund quarterly schedule and fiscal~~
42 ~~year total for the prior, current and next ensuing fiscal years of:~~
43 ~~disbursements; receipts; repayments of advances; total tax refunds; and~~
44 ~~refunds for the tax imposed under article twenty-two of the tax law.~~
45 Such information shall be presented in the same form as the summary
46 financial plans presented in accordance with [~~subdivisions~~] subdivision
47 one [~~and two~~] of this section. A separate, detailed, report of such
48 schedule shall be provided with receipts shown by each major revenue
49 category, including detail for each major tax and major components of
50 miscellaneous receipts, and with disbursements shown by major function
51 or program. The director of the division of the budget shall submit
52 concurrent with the submission of the financial plan to the legislature
53 pursuant to subdivision [~~two~~] one of this section and with each update
54 thereafter a revised monthly general fund cash flow projection of
55 receipts and disbursements for the current fiscal year that: (1)
56 compares actual results to (i) actual results through the same period

1 for the prior year and (ii) the most recent prior update to the finan-
2 cial plan and to the enacted budget financial plan; (2) summarizes the
3 reasons for any variances; and (3) describes the revisions to the cash
4 flow projections. The monthly general fund cash flow projection shall be
5 stated by major category of local assistance, personal service, nonper-
6 sonal service, general state charges, and debt service, and by major
7 category of revenue. Such reports shall utilize a format that shall
8 facilitate comparison and analysis with those reports submitted to the
9 legislature by the office of audit and control pursuant to subdivision
10 nine of section eight of this chapter.

11 [~~e-1~~] d-1. Within ten days following the submission of the financial
12 plans presented in accordance with [~~subdivisions~~] subdivision one [~~and~~
13 ~~two~~] of this section, the anticipated general fund monthly and govern-
14 mental fund types quarterly schedule and fiscal year total for the ensu-
15 ing fiscal year of: disbursements; receipts; repayments of advances;
16 total tax refunds; and refunds for the tax imposed under article twen-
17 ty-two of the tax law. Such information shall be presented in the same
18 form as the summary financial plans presented in accordance with [~~subdi-~~
19 ~~visions~~] subdivision one [~~and-two~~] of this section.

20 [~~e-2~~] d-2. A description of employment levels for each state depart-
21 ment, division or office, for the prior, current and next ensuing fiscal
22 year containing:

23 (1) separate schedules for each fund type; and
24 (2) an all funds summary. Such information shall be presented in a
25 form that facilitates comparisons among agencies and across fiscal
26 years, and shall include:
27 (i) actual and projected full-time equivalents; and
28 (ii) proposed changes to the work force in the executive budget,
29 including but not limited to: new positions, layoffs, attrition, and
30 changes in funding sources. To the extent practicable, the division of
31 the budget shall facilitate the provision of other relevant information
32 on employment to the legislature in a timely manner during the state
33 fiscal year.

34 [~~f~~] e. A statement explaining any differences between the significant
35 accounting policies used in the preparation of the documents required to
36 be submitted pursuant to this section and those used by the comptroller
37 in the preparation of the financial statements contained in the annual
38 report to the legislature for the preceding fiscal year issued pursuant
39 to subdivision nine of section eight of this chapter.

40 [~~g~~] f. The estimated borrowings in anticipation of the receipt of
41 taxes and revenues and the amount of interest estimated to be paid ther-
42 eon during the current and ensuing fiscal years respectively, and the
43 amounts actually so borrowed and the interest actually paid thereon
44 during the preceding fiscal year.

45 [~~h~~] g. In connection with each statement of receipts from taxes
46 imposed pursuant to state law, the total amounts collected or estimated
47 to be collected therefrom.

48 [~~i~~] h. A statement setting forth state involvement in the fiscal
49 operations of those public authorities and public benefit corporations
50 which may be part of the development of a comprehensive state budget
51 system and provided therefor in the state financial plan. Such statement
52 shall include those public authorities and public benefit corporations
53 with disbursements which are not currently reflected in the state
54 central accounting system from proceeds of any notes or bonds issued by
55 any public authority, and which bonds or notes would be considered as
56 state-supported debt as defined in section sixty-seven-a of this chap-

1 ter. Such statement shall set forth the amount of all of the bonds,
2 notes and other obligations of each public authority, public benefit
3 corporation and all other agencies and instrumentalities of the state
4 for which the full faith and credit of the state has been pledged or on
5 account of which the state has by law given its pledge or assurance for
6 the continued operation and solvency of the authority, public corpo-
7 ration, or other agency or instrumentality of the state, as the case may
8 be. Such statement shall also set forth all proposed appropriations to
9 be made to any public authority, public benefit corporation, and any
10 other agency or instrumentality of the state which has been created or
11 continued by law and which is separate and distinct from the state
12 itself.

13 [~~3~~] 1. Include a summary financial plan for the funds of the state
14 receiving tax check-off monies which shall include estimates of all
15 receipts and all disbursements for the current and succeeding fiscal
16 years, along with the actual results from the prior fiscal year.

17 [~~4-a~~] 3. Include a three year financial projection showing the
18 anticipated disbursements and receipts for each of the governmental fund
19 types of the state. For the purposes of this three year financial
20 projection, disbursements shall be presented by the following purposes:
21 state purposes, local assistance, capital projects, debt service, trans-
22 fers and general state charges with each major function or major program
23 identified separately within each purpose; and receipts shall be
24 presented by each major revenue category, including detail for each
25 major tax, and major components of miscellaneous receipts and with
26 disbursements shown by major function or program for the prior year,
27 current year and next three fiscal years, and otherwise by each major
28 source which is separately estimated and presented pursuant to paragraph
29 b of subdivision [~~three~~] two of this section. Receipts and disbursements
30 for special revenue funds shall be presented separately for federal
31 funds and all other special revenue funds. Whenever receipts and
32 disbursements are proposed to be moved to a different fund type, each
33 significant amount so moved shall be explained. This three year finan-
34 cial projection shall include an explanation of any changes to the
35 financial plans submitted in accordance with subdivision one of this
36 section and include explanations of the economic, statutory and other
37 assumptions used to estimate the disbursements and receipts which are
38 presented. Whenever the projections for receipts and disbursements are
39 based on assumptions other than the current levels of service, such
40 assumptions shall be separately identified and explained. The three year
41 financial projections shall include a description of any projected defi-
42 cits or surpluses.

43 [~~5~~] 4. Include a summary statement of operations for the proprietary
44 and fiduciary fund types. Such summary statement of operations shall
45 include the estimated and projected receipts of and disbursements from
46 appropriations and reappropriations available or recommended from such
47 fund types in the budget bills submitted by the governor pursuant to
48 section twenty-four of this [~~chapter~~] article. Such summary statement
49 of operations shall be revised as soon as is practical after the legis-
50 lature has completed action on such budget bills.

51 [~~6~~] 5. Include a list of proposed legislation submitted pursuant to
52 section three of article seven of the constitution.

53 [~~7~~] 6. Notwithstanding any provision of law to the contrary, budgets
54 submitted pursuant to this section shall not recommend first instance
55 expenditures. Any anticipated reimbursement of proposed expenditures
56 shall be shown as receipts or revenues to the appropriate fund.

1 ~~[8-]~~ 7. Within ten days following the submission of the budget by the
2 governor, the director of the budget shall transmit to the chairs of the
3 senate finance committee and the assembly ways and means committee a
4 report, by agency, program, and fund, including but not limited to, the
5 following information pertaining to financed equipment acquisitions for
6 state departments, agencies and units of the state university and the
7 city university of New York including those financed equipment acquisi-
8 tions financed by the issuance of certificates of participation or simi-
9 lar instruments for state departments, agencies and units of the state
10 and city universities of New York:

11 ~~[1-]~~ a. For new financed equipment acquisitions to be financed in the
12 ensuing fiscal year:

13 ~~[a-]~~ (1) An identification of the purposes of such financings,
14 including:

15 ~~[1-]~~ (i) The nature of the equipment to be financed.

16 ~~[2-]~~ (ii) Whether the purposes are new financings or refinancings of
17 outstanding lease purchase and installment purchase agreements.

18 ~~[3-]~~ (iii) The recommended method of financing.

19 ~~[b-]~~ (2) The estimated purchase cost of the equipment if purchased
20 outright.

21 ~~[e-]~~ (3) The estimated interest rate and term of such financings.

22 ~~[d-]~~ (4) The estimated expenses for the issuances of such certif-
23 icates or similar instruments as such expenses are defined in section
24 sixty-six-b of this chapter.

25 ~~[e-]~~ (5) A schedule of estimated lease purchase payments by state
26 fiscal year for such financings, and estimated total financing costs.

27 ~~[2-]~~ b. For outstanding financed equipment acquisitions as of April
28 first of the ensuing fiscal year the total estimated amount for lease or
29 installment purchase payments for the ensuing fiscal year.

30 ~~[3-]~~ c. For outstanding financed equipment acquisitions financed by
31 certificates of participation the financing costs of outstanding certif-
32 icates of participation and similar instruments issued pursuant to
33 section sixty-six-b of this chapter with estimated payment schedules of
34 all such outstanding obligations.

35 ~~[9-]~~ 8. Include a summary of disbursements by function of state
36 government for the preceding fiscal year and the estimated disbursements
37 for the current and ensuing fiscal years in a form suitable for compar-
38 ison. Such summary shall present such disbursements by purpose as set
39 forth in subdivision one of this section and also including special
40 revenue funds-federal and special revenue funds-other. Such summary
41 shall also describe the state entities, as defined by ~~[subdivisions~~
42 ~~five, six, seven and eight of]~~ section two-a of this chapter, within
43 each function. For the fiscal year beginning in nineteen hundred nine-
44 ty-three, such summary shall be presented within ten days of the budget
45 submission for the general fund, special revenue funds-other, capital
46 projects funds and debt service funds. For the fiscal year beginning in
47 nineteen hundred ninety-four, such summary shall be presented with the
48 budget for the general fund and within ten days of the budget submission
49 for special revenue funds-other, capital projects funds and debt service
50 funds. For fiscal years beginning in nineteen hundred ninety-five and
51 thereafter, such summary shall be presented with the budget.

52 ~~[10-]~~ 9. Include a statement showing projected disbursement for the
53 current fiscal year and proposed disbursements for the ensuing fiscal
54 year by agency and bill and fund type. For the fiscal year beginning in
55 nineteen hundred ninety-three, such statement shall be presented within
56 ten days of the budget submission for the general fund, special revenue

1 funds-other, capital projects funds and debt service funds. For the
2 fiscal year beginning in nineteen hundred ninety-four, such summary
3 shall be presented with the budget for the general fund and within ten
4 days of the budget submission for special revenue funds-other, capital
5 projects funds and debt service funds. For fiscal years beginning in
6 nineteen hundred ninety-five and thereafter, such summary shall be
7 presented with the budget.

8 [~~11-~~] 10. Within ten days following the submission of the financial
9 plans presented in accordance with [~~subdivisions~~] subdivision one [~~and~~
10 ~~two~~] of this section, the director of the budget shall submit to the
11 chairs of the senate finance committee and the assembly ways and means
12 committee for the prior, the current and next ensuing fiscal years
13 detailed schedules by agency for the general fund showing proposed
14 appropriations in the state operations and aid to localities budget
15 bills with disbursements to be made against such appropriations, as well
16 as disbursements to be made against any existing appropriations.

17 [~~12-~~] 11. a. With respect to any proposed appropriations for the
18 purpose of remedying state agency violations or past problems of the
19 environmental conservation law or regulations adopted thereunder within
20 the proposed budget submitted annually by the governor to the legisla-
21 ture shall, set forth the amount recommended to remedy each functional
22 category of violation. A priority criterion to be considered in deter-
23 mining such recommended appropriations shall be the ranking of such
24 violations and past problems as determined by the agency pursuant to
25 paragraph b of subdivision one of section 3-0311 of the environmental
26 conservation law, with any reordering of rankings as determined by the
27 department of environmental conservation. Amounts appropriated shall be
28 disbursed for remediation of the violation or problem only after review
29 and determination by the department of environmental conservation of the
30 adequacy of the remedial plan pursuant to paragraph g of subdivision
31 three of section 3-0311 of the environmental conservation law.

32 b. Within thirty days following the submission of the budget by the
33 governor for each fiscal year, beginning with the nineteen hundred nine-
34 ty-three--ninety-four fiscal year, the director of the budget shall
35 transmit to the chairs of the senate finance committee and the assembly
36 ways and means committee a report which includes project specific infor-
37 mation for proposed appropriations for the purposes of remedying state
38 agency environmental violations or problems, as identified pursuant to
39 section 3-0311 of the environmental conservation law, contained within
40 such submitted budget.

41 [~~13-~~] 12. Include a summary financial plan for all research institutes
42 which shall set forth:

43 a. estimates of all revenues and all expenses for the current and
44 succeeding fiscal years, along with the actual results from the prior
45 fiscal year; and

46 b. any agreement whereby any state agency will provide financial
47 support or any other assistance to cover any operating loss for such
48 research institute.

49 [~~14-~~] 13. a. With respect to information technology projects, depend-
50 ent on funding in the executive budget, involving one or more contracts
51 projected to total ten million dollars or more, within thirty days
52 following the submission of the budget by the governor for each fiscal
53 year, beginning with the two thousand eight--two thousand nine fiscal
54 year, the director of the budget shall transmit to the chairs of the
55 senate finance committee and the assembly ways and means committee a
56 report which shall set forth the following:

1 (1) project summary describing the project purpose, proposed approach,
2 key milestones, current status and timetable;

3 (2) the proposed method of procurement, including whether the project
4 will, in whole or in part, utilize a centralized contract or a sole-
5 source contract; and

6 (3) the proposed funding source, financing method and estimated costs
7 by fiscal year.

8 b. Information provided pursuant to paragraph a of this subdivision
9 may not be disclosed to any party other than a governmental entity as
10 defined in section one hundred thirty-nine-j of this chapter, if such
11 disclosure would impair the fairness or competitiveness of a pending or
12 potential procurement process.

13 Estimated costs by fiscal year shall not be disclosed.

14 ~~[15-]~~ 14. The division of the budget shall prepare the reports, sched-
15 ules, and other information described in this subdivision. To the extent
16 practicable, such reports, schedules, and information shall be in a
17 form, and presented at a level of detail, that facilitates comparison on
18 an annual basis and against actual results, as appropriate, and in a
19 manner consistent with the other reporting requirements enumerated in
20 this section. The reports, schedules, and other information required by
21 this subdivision shall be submitted to the chair of the senate finance
22 committee, the chair of the assembly ways and means committee, the
23 minority leaders of both houses, and the comptroller according to the
24 schedules set forth in this section. In determining the final content
25 and format of the information required by this section, the division of
26 the budget shall consult annually with the designees of the temporary
27 president of the senate, the speaker of the assembly, the minority lead-
28 ers of both houses, and the comptroller. All information described in
29 this subdivision shall be made available to the public.

30 a. The executive budget, the enacted budget report and each quarterly
31 update to the financial plan shall include an updated general fund fore-
32 cast of receipts and disbursements for the current and two succeeding
33 fiscal years. Such updated forecast shall clearly identify and explain
34 the revisions to the receipts and disbursements projections from the
35 most recent prior update to the financial plan, and any significant
36 revisions to the underlying factors affecting receipts and disbursements
37 by major function, and may include, but not be limited to: caseload,
38 service, and utilization rates; demographic trends; economic variables;
39 pension fund performance; incarceration rates; prescription drug prices;
40 health insurance premiums; inflation; contractual obligations; liti-
41 gation; and state employment trends.

42 b. The capital program and financing plan submitted pursuant to
43 section twenty-two-c of this article, and the update thereto required
44 pursuant to section twenty-three of this article, shall include a report
45 on the management of state-supported debt. Such report may include, but
46 is not limited to: (1) an assessment of the affordability of state debt,
47 including debt as a percent of personal income, debt per capita, and
48 debt service costs as a percent of the budget; (2) a summary and analy-
49 sis of the interest rate exchange agreements and variable rate exposure;
50 and (3) an assessment of financing opportunities related to the state's
51 debt portfolio.

52 ~~[16-]~~ 15. The governor shall make all practicable efforts to amend or
53 supplement the budget and submit supplemental bills or amendments to any
54 bills pursuant to article seven of the constitution within twenty-one
55 days after the budget is submitted to the legislature.

1 16. The amended executive budget required to be submitted within thir-
2 ty days after the submission of the executive budget to the legislature
3 in accordance with article seven of the constitution of the state of New
4 York, in addition to the information required by the constitution of the
5 state of New York to be set forth therein, shall include:

6 a. a summary financial plan showing for each of the governmental fund
7 types: (1) all of the expenditures estimated to be made, in accordance
8 with generally accepted accounting principles, before the close of the
9 current fiscal year and all of the expenditures proposed to be made, in
10 accordance with generally accepted accounting principles, during the
11 ensuing fiscal year; and (2) all of the revenues estimated to accrue, in
12 accordance with generally accepted accounting principles, before the
13 close of the current fiscal year and during the ensuing fiscal year
14 inclusive of any revenues which are expected to result from the proposed
15 legislation which is deemed necessary to provide receipts sufficient to
16 meet proposed disbursements. For the purposes of such summary financial
17 plan, expenditures shall be presented by the following purposes: state
18 purposes, local assistance, capital projects, debt service, and general
19 state charges; and revenues shall be presented by each revenue source
20 which accounts for at least one per centum of all such revenues and
21 otherwise by categories of revenue sources;

22 b. the expenditures estimated to be made in accordance with generally
23 accepted accounting principles before the close of the current fiscal
24 year and proposed to be made in accordance with generally accepted
25 accounting principles during the ensuing fiscal year. Expenditures esti-
26 imated and proposed to be made shall be shown in separate parts as
27 follows: those expenditures for state purposes shall be set forth in one
28 part, those expenditures for local assistance shall be set forth in
29 another separate and distinct part, those expenditures for capital
30 projects shall be set forth in a third separate and distinct part, and
31 those expenditures for debt service shall be set forth in a fourth sepa-
32 rate and distinct part;

33 c. the revenues actually accrued in the preceding fiscal year and the
34 revenues estimated to accrue during current and ensuing fiscal years,
35 respectively. Revenues from each tax shall be shown both in total and
36 net of refunds;

37 d. a schedule for the general fund showing the differences between
38 projected operating results on a cash basis and those on the basis of
39 generally accepted accounting principles;

40 e. a schedule for each governmental fund type other than the general
41 fund showing the differences between projected operating results on a
42 cash basis and those on the basis of generally accepted accounting prin-
43 ciples; and

44 f. a detailed schedule by fund of revenues and expenditures within the
45 general fund.

46 § 29. Subparagraph (vi) of paragraph (d) of subdivision 3 of section
47 22-c of the state finance law, as amended by section 3 of part F of
48 chapter 389 of the laws of 1997, is amended to read as follows:

49 (vi) the total amount of disbursements for the project estimated to be
50 made during the current fiscal year and during each of the next ensuing
51 five fiscal years, provided however, that (A) the information required
52 by this subparagraph may be provided for groupings of projects in those
53 cases where the governor determines it cannot be provided on a project
54 by project basis, and (B) the total of all disbursements estimated in
55 accordance with the requirements of this subparagraph to be made for all
56 capital projects during the current fiscal year and during each of the

1 next ensuing five fiscal years, excluding those disbursements which are
2 estimated in accordance with the requirements of this subparagraph to be
3 made by public benefit corporations and which are not subject to appro-
4 priations, shall be equal, respectively, to the total of all disburse-
5 ments estimated, in the financial projections required by subdivisions
6 one and [~~four~~] three of section twenty-two of this article, to be made
7 for all capital projects during the then current fiscal year and during
8 each of the next ensuing five fiscal years,

9 § 30. Subdivisions 3 and 4 of section 23 of the state finance law, as
10 amended by chapter 1 of the laws of 2007, are amended to read as
11 follows:

12 3. Financial plans and capital improvement program; revisions. Not
13 later than thirty days after the legislature has completed action on the
14 budget bills submitted by the governor and the period for the governor's
15 review has elapsed, the governor shall cause to be submitted to the
16 legislature the revisions to the financial plans and the capital plan
17 required by subdivisions one, two, three, four and [~~five~~] paragraph (a)
18 of subdivision sixteen of section twenty-two of this article as are
19 necessary to account for all enactments affecting the financial plans
20 and the capital plan. The financial plan shall also contain a cash flow
21 analysis of projected receipts and disbursements and other financing
22 sources or uses for each month of the state's fiscal year. Notwithstand-
23 ing any other law to the contrary, such revised plans and accompanying
24 cash flow analysis shall be submitted to the legislature and the comp-
25 troller in the same form as the plans required by such subdivisions.

26 4. Financial plan updates. Quarterly, throughout the fiscal year, the
27 governor shall submit to the comptroller, the chairs of the senate
28 finance and the assembly ways and means committees, within thirty days
29 of the close of the quarter to which it shall pertain, a report which
30 summarizes the actual experience to date and projections for the remain-
31 ing quarters of the current fiscal year and for each of the next two
32 fiscal years of receipts, disbursements, tax refunds, and repayments of
33 advances presented in forms suitable for comparison with the financial
34 plan submitted pursuant to subdivisions one, three and four [~~, and five,~~]
35 of section twenty-two of this article and revised in accordance with the
36 provisions of subdivision three of this section. The governor shall
37 submit with the budget a similar report that summarizes revenue and
38 expenditure experience to date in a form suitable for comparison with
39 the financial plan submitted pursuant to paragraph a of subdivision
40 [~~two~~] sixteen of section twenty-two of this article and revised in
41 accordance with the provisions of subdivision three of this section.
42 Such reports shall provide an explanation of the causes of any major
43 deviations from the revised financial plans and, shall provide for the
44 amendment of the plan or plans to reflect those deviations. The governor
45 may, if [~~he~~] the governor determines it advisable, provide more frequent
46 reports to the legislature regarding actual experience as compared to
47 the financial plans. The quarterly financial plan update most proximate
48 to October thirty-first of each year shall include the calculation of
49 the limitations on the issuance of state-supported debt computed pursu-
50 ant to the provisions of subdivisions one and two of section sixty-sev-
51 en-b of this chapter.

52 § 31. Notwithstanding any law to the contrary, the comptroller is
53 hereby authorized and directed to transfer, upon request of the director
54 of the budget, on or before March 31, 2026 the following amounts from
55 the following special revenue accounts or enterprise funds to the gener-
56 al fund, for the purposes of offsetting principal and interest costs,

1 incurred by the state pursuant to section 52 of part RR of chapter 56 of
2 the laws of 2023, provided that the annual amount of the transfer shall
3 be no more than the principal and interest that would have otherwise
4 been due to the power authority of the state of New York, from any state
5 agency, in a given state fiscal year. Amounts pertaining to special
6 revenue accounts assigned to the state university of New York shall be
7 considered interchangeable between the designated special revenue
8 accounts as to meet the requirements of this section and section 52 of
9 part RR of chapter 56 of the laws of 2023:

10 1. \$15,000,000 from the miscellaneous special revenue fund, state
11 university general income reimbursable account (22653).

12 2. \$5,000,000 from state university dormitory income fund, state
13 university dormitory income fund (40350).

14 3. \$5,000,000 from the enterprise fund, city university senior college
15 operating fund (60851).

16 § 32. Notwithstanding any law to the contrary, the comptroller is
17 hereby authorized to transfer, on or before March 31, 2026, up to
18 \$25,000,000 from various state bond funds (30600 through 30690) to the
19 general debt service fund (40150), for the purposes of redeeming or
20 defeasing outstanding state bonds.

21 § 33. Paragraph (a) of subdivision 2 of section 47-e of the private
22 housing finance law, as amended by section 29 of part XX of chapter 56
23 of the laws of 2024, is amended to read as follows:

24 (a) Subject to the provisions of chapter fifty-nine of the laws of two
25 thousand, in order to enhance and encourage the promotion of housing
26 programs and thereby achieve the stated purposes and objectives of such
27 housing programs, the agency shall have the power and is hereby author-
28 ized from time to time to issue negotiable housing program bonds and
29 notes in such principal amount as shall be necessary to provide suffi-
30 cient funds for the repayment of amounts disbursed (and not previously
31 reimbursed) pursuant to law or any prior year making capital appropri-
32 ations or reappropriations for the purposes of the housing program;
33 provided, however, that the agency may issue such bonds and notes in an
34 aggregate principal amount not exceeding [~~fourteen billion five hundred~~
35 ~~twenty-six million eighty-nine thousand dollars \$14,526,089,000, plus a~~
36 ~~principal amount of bonds issued to fund the debt service reserve fund~~
37 ~~in accordance with the debt service reserve fund requirement established~~
38 ~~by the agency and to fund any other reserves that the agency reasonably~~
39 ~~deems necessary for the security or marketability of such bonds and to~~
40 ~~provide for the payment of fees and other charges and expenses, includ-~~
41 ~~ing underwriters' discount, trustee and rating agency fees, bond insur-~~
42 ~~ance, credit enhancement and liquidity enhancement related to the issu-~~
43 ~~ance of such bonds and notes]~~ sixteen billion five hundred six million
44 three hundred sixty-four thousand dollars \$16,506,364,000, excluding
45 bonds issued after April first, two thousand twenty-five to (i) fund one
46 or more debt service reserve funds, (ii) pay costs of issuance of such
47 bonds, and (iii) refund or otherwise repay such bonds or notes previous-
48 ly issued, provided that nothing herein shall affect the exclusion of
49 refunding debt issued prior to such date. No reserve fund securing the
50 housing program bonds shall be entitled or eligible to receive state
51 funds apportioned or appropriated to maintain or restore such reserve
52 fund at or to a particular level, except to the extent of any deficiency
53 resulting directly or indirectly from a failure of the state to appro-
54 priate or pay the agreed amount under any of the contracts provided for
55 in subdivision four of this section.

1 § 34. Paragraph (b) of subdivision 1 of section 385 of the public
2 authorities law, as amended by section 30 of part XX of chapter 56 of
3 the laws of 2024, is amended to read as follows:

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

6 (i) to issue special emergency highway and bridge trust fund bonds and
7 notes for a term not to exceed thirty years and to incur obligations
8 secured by the moneys appropriated from the dedicated highway and bridge
9 trust fund established in section eighty-nine-b of the state finance
10 law; (ii) to make available the proceeds in accordance with instructions
11 provided by the director of the budget from the sale of such special
12 emergency highway and bridge trust fund bonds, notes or other obli-
13 gations, net of all costs to the authority in connection therewith, for
14 the purposes of financing all or a portion of the costs of activities
15 for which moneys in the dedicated highway and bridge trust fund estab-
16 lished in section eighty-nine-b of the state finance law are authorized
17 to be utilized or for the financing of disbursements made by the state
18 for the activities authorized pursuant to section eighty-nine-b of the
19 state finance law; and (iii) to enter into agreements with the commis-
20 sioner of transportation pursuant to section ten-e of the highway law
21 with respect to financing for any activities authorized pursuant to
22 section eighty-nine-b of the state finance law, or agreements with the
23 commissioner of transportation pursuant to sections ten-f and ten-g of
24 the highway law in connection with activities on state highways pursuant
25 to these sections, and (iv) to enter into service contracts, contracts,
26 agreements, deeds and leases with the director of the budget or the
27 commissioner of transportation and project sponsors and others to
28 provide for the financing by the authority of activities authorized
29 pursuant to section eighty-nine-b of the state finance law, and each of
30 the director of the budget and the commissioner of transportation are
31 hereby authorized to enter into service contracts, contracts, agree-
32 ments, deeds and leases with the authority, project sponsors or others
33 to provide for such financing. The authority shall not issue any bonds
34 or notes in an amount in excess of [~~twenty-one billion four hundred~~
35 ~~fifty-eight million three hundred nine thousand dollars \$21,458,309,000~~
36 twenty-two billion three hundred nine million two hundred ninety-four
37 thousand dollars \$22,309,294,000, plus a principal amount of bonds or
38 notes: (A) to fund capital reserve funds; (B) to provide capitalized
39 interest; and, (C) to fund other costs of issuance. In computing for the
40 purposes of this subdivision, the aggregate amount of indebtedness
41 evidenced by bonds and notes of the authority issued pursuant to this
42 section, as amended by a chapter of the laws of nineteen hundred nine-
43 ty-six, there shall be excluded the amount of bonds or notes issued that
44 would constitute interest under the United States Internal Revenue Code
45 of 1986, as amended, and the amount of indebtedness issued to refund or
46 otherwise repay bonds or notes.

47 § 35. Paragraph (c) of subdivision 14 of section 1680 of the public
48 authorities law, as amended by section 31 of part XX of chapter 56 of
49 the laws of 2024, is amended to read as follows:

50 (c) Subject to the provisions of chapter fifty-nine of the laws of two
51 thousand, (i) the dormitory authority shall not deliver a series of
52 bonds for city university community college facilities, except to refund
53 or to be substituted for or in lieu of other bonds in relation to city
54 university community college facilities pursuant to a resolution of the
55 dormitory authority adopted before July first, nineteen hundred eighty-
56 five or any resolution supplemental thereto, if the principal amount of

1 bonds so to be issued when added to all principal amounts of bonds
2 previously issued by the dormitory authority for city university commu-
3 nity college facilities, except to refund or to be substituted in lieu
4 of other bonds in relation to city university community college facili-
5 ties will exceed the sum of four hundred twenty-five million dollars and
6 (ii) the dormitory authority shall not deliver a series of bonds issued
7 for city university facilities, including community college facilities,
8 pursuant to a resolution of the dormitory authority adopted on or after
9 July first, nineteen hundred eighty-five, except to refund or to be
10 substituted for or in lieu of other bonds in relation to city university
11 facilities and except for bonds issued pursuant to a resolution supple-
12 mental to a resolution of the dormitory authority adopted prior to July
13 first, nineteen hundred eighty-five, if the principal amount of bonds so
14 to be issued when added to the principal amount of bonds previously
15 issued pursuant to any such resolution, except bonds issued to refund or
16 to be substituted for or in lieu of other bonds in relation to city
17 university facilities, will exceed [~~eleven billion seven hundred sixty-~~
18 ~~three million twenty two thousand dollars \$11,763,022,000~~] twelve
19 billion two hundred fifteen million three hundred sixty-eight thousand
20 dollars \$12,215,368,000, excluding bonds issued after April first, two
21 thousand twenty-five to (i) fund one or more debt service reserve funds,
22 (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise
23 repay such bonds or notes previously issued, provided that nothing here-
24 in shall affect the exclusion of refunding debt issued prior to such
25 date. The legislature reserves the right to amend or repeal such limit,
26 and the state of New York, the dormitory authority, the city university,
27 and the fund are prohibited from covenanting or making any other agree-
28 ments with or for the benefit of bondholders which might in any way
29 affect such right.

30 § 36. Subdivision 1 of section 1689-i of the public authorities law,
31 as amended by section 32 of part XX of chapter 56 of the laws of 2024,
32 is amended to read as follows:

33 1. The dormitory authority is authorized to issue bonds, at the
34 request of the commissioner of education, to finance eligible library
35 construction projects pursuant to section two hundred seventy-three-a of
36 the education law, in amounts certified by such commissioner not to
37 exceed a total principal amount of [~~four hundred eleven million dollars~~
38 ~~\$411,000,000~~] four hundred forty-five million dollars \$445,000,000.

39 § 37. Paragraph (c) of subdivision 19 of section 1680 of the public
40 authorities law, as amended by section 33 of part XX of chapter 56 of
41 the laws of 2024, is amended to read as follows:

42 (c) Subject to the provisions of chapter fifty-nine of the laws of two
43 thousand, the dormitory authority shall not issue any bonds for state
44 university educational facilities purposes if the principal amount of
45 bonds to be issued when added to the aggregate principal amount of bonds
46 issued by the dormitory authority on and after July first, nineteen
47 hundred eighty-eight for state university educational facilities will
48 exceed [~~eighteen billion nine hundred eighty-eight million one hundred~~
49 ~~sixty-four thousand dollars \$18,988,164,000; provided, however, that~~
50 ~~bonds issued or to be issued shall be excluded from such limitation if:~~
51 ~~(1) such bonds are issued to refund state university construction bonds~~
52 ~~and state university construction notes previously issued by the housing~~
53 ~~finance agency; or (2) such bonds are issued to refund bonds of the~~
54 ~~authority or other obligations issued for state university educational~~
55 ~~facilities purposes and the present value of the aggregate debt service~~
56 ~~on the refunding bonds does not exceed the present value of the aggre-~~

~~gate debt service on the bonds refunded thereby, provided, further that upon certification by the director of the budget that the issuance of refunding bonds or other obligations issued between April first, nineteen hundred ninety-two and March thirty-first, nineteen hundred ninety-three will generate long term economic benefits to the state, as assessed on a present value basis, such issuance will be deemed to have met the present value test noted above. For purposes of this subdivision, the present value of the aggregate debt service of the refunding bonds and the aggregate debt service of the bonds refunded, shall be calculated by utilizing the true interest cost of the refunding bonds, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding bonds from the payment dates thereof to the date of issue of the refunding bonds to the purchase price of the refunding bonds, including interest accrued thereon prior to the issuance thereof. The maturity of such bonds, other than bonds issued to refund outstanding bonds, shall not exceed the weighted average economic life, as certified by the state university construction fund, of the facilities in connection with which the bonds are issued, and in any case not later than the earlier of thirty years or the expiration of the term of any lease, sublease or other agreement relating thereto, provided that no note, including renewals thereof, shall mature later than five years after the date of issuance of such note]~~ twenty billion five hundred thirty-eight million one hundred sixty-four thousand dollars \$20,538,164,000, excluding bonds issued after April first, two thousand twenty-five to (i) fund one or more debt service reserve funds, (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise repay such bonds or notes previously issued, provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the state university of New York, and the state university construction fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

§ 38. Subdivision 10-a of section 1680 of the public authorities law, as amended by section 34 of part XX of chapter 56 of the laws of 2024, is amended to read as follows:

10-a. Subject to the provisions of chapter fifty-nine of the laws of two thousand, but notwithstanding any other provision of the law to the contrary, the maximum amount of bonds and notes to be issued after March thirty-first, two thousand two, on behalf of the state, in relation to any locally sponsored community college, shall be [~~one billion three hundred sixty-five million three hundred eight thousand dollars \$1,365,308,000~~] one billion four hundred ninety-five million seven hundred seventy-four thousand dollars \$1,495,774,000. Such amount shall be exclusive of bonds and notes issued to fund any reserve fund or funds, costs of issuance and to refund any outstanding bonds and notes, issued on behalf of the state, relating to a locally sponsored community college.

§ 39. Paragraph b of subdivision 2 of section 9-a of section 1 of chapter 392 of the laws of 1973, constituting the New York state medical care facilities finance agency act, as amended by section 35 of part XX of chapter 56 of the laws of 2024, is amended to read as follows:

b. The agency shall have power and is hereby authorized from time to time to issue negotiable bonds and notes in conformity with applicable provisions of the uniform commercial code in such principal amount as,

1 in the opinion of the agency, shall be necessary, after taking into
2 account other moneys which may be available for the purpose, to provide
3 sufficient funds to the facilities development corporation, or any
4 successor agency, for the financing or refinancing of or for the design,
5 construction, acquisition, reconstruction, rehabilitation or improvement
6 of mental health services facilities pursuant to paragraph a of this
7 subdivision, the payment of interest on mental health services improve-
8 ment bonds and mental health services improvement notes issued for such
9 purposes, the establishment of reserves to secure such bonds and notes,
10 the cost or premium of bond insurance or the costs of any financial
11 mechanisms which may be used to reduce the debt service that would be
12 payable by the agency on its mental health services facilities improve-
13 ment bonds and notes and all other expenditures of the agency incident
14 to and necessary or convenient to providing the facilities development
15 corporation, or any successor agency, with funds for the financing or
16 refinancing of or for any such design, construction, acquisition, recon-
17 struction, rehabilitation or improvement and for the refunding of mental
18 hygiene improvement bonds issued pursuant to section 47-b of the private
19 housing finance law; provided, however, that the agency shall not issue
20 mental health services facilities improvement bonds and mental health
21 services facilities improvement notes in an aggregate principal amount
22 exceeding ~~[twelve billion nine hundred twenty one million seven hundred~~
23 ~~fifty six thousand dollars \$12,921,756,000, excluding mental health~~
24 ~~services facilities improvement bonds and mental health services facili-~~
25 ~~ties improvement notes issued to refund outstanding mental health~~
26 ~~services facilities improvement bonds and mental health services facili-~~
27 ~~ties improvement notes, provided, however, that upon any such refunding~~
28 ~~or repayment of mental health services facilities improvement bonds~~
29 ~~and/or mental health services facilities improvement notes the total~~
30 ~~aggregate principal amount of outstanding mental health services facili-~~
31 ~~ties improvement bonds and mental health facilities improvement notes~~
32 ~~may be greater than twelve billion nine hundred twenty one million seven~~
33 ~~hundred fifty six thousand dollars \$12,921,756,000, only if, except as~~
34 ~~hereinafter provided with respect to mental health services facilities~~
35 ~~bonds and mental health services facilities notes issued to refund~~
36 ~~mental hygiene improvement bonds authorized to be issued pursuant to the~~
37 ~~provisions of section 47-b of the private housing finance law, the pres-~~
38 ~~ent value of the aggregate debt service of the refunding or repayment~~
39 ~~bonds to be issued shall not exceed the present value of the aggregate~~
40 ~~debt service of the bonds to be refunded or repaid. For purposes hereof,~~
41 ~~the present values of the aggregate debt service of the refunding or~~
42 ~~repayment bonds, notes or other obligations and of the aggregate debt~~
43 ~~service of the bonds, notes or other obligations so refunded or repaid,~~
44 ~~shall be calculated by utilizing the effective interest rate of the~~
45 ~~refunding or repayment bonds, notes or other obligations, which shall be~~
46 ~~that rate arrived at by doubling the semi-annual interest rate~~
47 ~~(compounded semi-annually) necessary to discount the debt service~~
48 ~~payments on the refunding or repayment bonds, notes or other obligations~~
49 ~~from the payment dates thereof to the date of issue of the refunding or~~
50 ~~repayment bonds, notes or other obligations and to the price bid includ-~~
51 ~~ing estimated accrued interest or proceeds received by the authority~~
52 ~~including estimated accrued interest from the sale thereof. Such bonds,~~
53 ~~other than bonds issued to refund outstanding bonds, shall be scheduled~~
54 ~~to mature over a term not to exceed the average useful life, as certi-~~
55 ~~fied by the facilities development corporation, of the projects for~~
56 ~~which the bonds are issued, and in any case shall not exceed thirty~~

1 ~~years and the maximum maturity of notes or any renewals thereof shall~~
2 ~~not exceed five years from the date of the original issue of such notes.~~
3 ~~Notwithstanding the provisions of this section, the agency shall have~~
4 ~~the power and is hereby authorized to issue mental health services~~
5 ~~facilities improvement bonds and/or mental health services facilities~~
6 ~~improvement notes to refund outstanding mental hygiene improvement bonds~~
7 ~~authorized to be issued pursuant to the provisions of section 47-b of~~
8 ~~the private housing finance law and the amount of bonds issued or~~
9 ~~outstanding for such purposes shall not be included for purposes of~~
10 ~~determining the amount of bonds issued pursuant to this section]~~ thir-
11 teen billion six hundred thirty-nine million five hundred fifty-four
12 thousand dollars \$13,639,554,000, excluding bonds issued after April
13 first, two thousand twenty-five to (i) fund one or more debt service
14 reserve funds, (ii) pay costs of issuance of such bonds, and (iii)
15 refund or otherwise repay such bonds or notes previously issued,
16 provided that nothing herein shall affect the exclusion of refunding
17 debt issued prior to such date. The director of the budget shall allo-
18 cate the aggregate principal authorized to be issued by the agency among
19 the office of mental health, office for people with developmental disa-
20 bilities, and the office of addiction services and supports, in consul-
21 tation with their respective commissioners to finance bondable appropri-
22 ations previously approved by the legislature.

23 § 40. Subdivision (a) of section 48 of part K of chapter 81 of the
24 laws of 2002, relating to providing for the administration of certain
25 funds and accounts related to the 2002-2003 budget, as amended by
26 section 36 of part XX of chapter 56 of the laws of 2024, is amended to
27 read as follows:

28 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
29 notwithstanding the provisions of section 18 of the urban development
30 corporation act, the corporation is hereby authorized to issue bonds or
31 notes in one or more series in an aggregate principal amount not to
32 exceed [~~five hundred twenty-two million five hundred thousand dollars~~
33 ~~\$522,500,000~~] five hundred fifty million five hundred thousand dollars
34 \$550,500,000, excluding bonds issued to fund one or more debt service
35 reserve funds, to pay costs of issuance of such bonds, and bonds or
36 notes issued to refund or otherwise repay such bonds or notes previously
37 issued, for the purpose of financing capital costs related to homeland
38 security and training facilities for the division of state police, the
39 division of military and naval affairs, and any other state agency,
40 including the reimbursement of any disbursements made from the state
41 capital projects fund, and is hereby authorized to issue bonds or notes
42 in one or more series in an aggregate principal amount not to exceed
43 [~~one billion eight hundred fifty-five million two hundred eighty-six~~
44 ~~thousand dollars \$1,855,286,000~~] two billion one hundred sixty-eight
45 million three hundred thirty-one thousand dollars \$2,168,331,000,
46 excluding bonds issued to fund one or more debt service reserve funds,
47 to pay costs of issuance of such bonds, and bonds or notes issued to
48 refund or otherwise repay such bonds or notes previously issued, for the
49 purpose of financing improvements to State office buildings and other
50 facilities located statewide, including the reimbursement of any
51 disbursements made from the state capital projects fund. Such bonds and
52 notes of the corporation shall not be a debt of the state, and the state
53 shall not be liable thereon, nor shall they be payable out of any funds
54 other than those appropriated by the state to the corporation for debt
55 service and related expenses pursuant to any service contracts executed

1 pursuant to subdivision (b) of this section, and such bonds and notes
2 shall contain on the face thereof a statement to such effect.

3 § 41. Subdivision 1 of section 47 of section 1 of chapter 174 of the
4 laws of 1968, constituting the New York state urban development corpo-
5 ration act, as amended by section 37 of part XX of chapter 56 of the
6 laws of 2024, is amended to read as follows:

7 1. Notwithstanding the provisions of any other law to the contrary,
8 the dormitory authority and the corporation are hereby authorized to
9 issue bonds or notes in one or more series for the purpose of funding
10 project costs for the office of information technology services, depart-
11 ment of law, and other state costs associated with such capital
12 projects. The aggregate principal amount of bonds authorized to be
13 issued pursuant to this section shall not exceed [~~one billion seven~~
14 ~~hundred forty-two million seven hundred twelve thousand dollars~~
15 ~~\$1,742,712,000~~] one billion eight hundred seventy-three million four
16 hundred twelve thousand dollars \$1,873,412,000, excluding bonds issued
17 to fund one or more debt service reserve funds, to pay costs of issuance
18 of such bonds, and bonds or notes issued to refund or otherwise repay
19 such bonds or notes previously issued. Such bonds and notes of the
20 dormitory authority and the corporation shall not be a debt of the
21 state, and the state shall not be liable thereon, nor shall they be
22 payable out of any funds other than those appropriated by the state to
23 the dormitory authority and the corporation for principal, interest, and
24 related expenses pursuant to a service contract and such bonds and notes
25 shall contain on the face thereof a statement to such effect. Except for
26 purposes of complying with the internal revenue code, any interest
27 income earned on bond proceeds shall only be used to pay debt service on
28 such bonds.

29 § 42. Subdivision (b) of section 11 of chapter 329 of the laws of
30 1991, amending the state finance law and other laws relating to the
31 establishment of the dedicated highway and bridge trust fund, as amended
32 by section 38 of part XX of chapter 56 of the laws of 2024, is amended
33 to read as follows:

34 (b) Any service contract or contracts for projects authorized pursuant
35 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
36 14-k of the transportation law, and entered into pursuant to subdivision
37 (a) of this section, shall provide for state commitments to provide
38 annually to the thruway authority a sum or sums, upon such terms and
39 conditions as shall be deemed appropriate by the director of the budget,
40 to fund, or fund the debt service requirements of any bonds or any obli-
41 gations of the thruway authority issued to fund or to reimburse the
42 state for funding such projects having a cost not in excess of [~~fourteen~~
43 ~~billion eight hundred forty-four million five hundred eighty-seven thou-~~
44 ~~sand dollars \$14,844,587,000 cumulatively by the end of fiscal year~~
45 ~~2024-25~~] fifteen billion seven hundred twenty-two million three hundred
46 eighty-four thousand dollars \$15,722,384,000. Such limit shall exclude
47 bonds issued after April first, two thousand twenty-five to (i) fund one
48 or more debt service reserve funds, (ii) pay costs of issuance of such
49 bonds, and (iii) refund or otherwise repay such bonds or notes previous-
50 ly issued, provided that nothing herein shall affect the exclusion of
51 refunding debt issued prior to such date. For purposes of this subdivi-
52 sion, such projects shall be deemed to include capital grants to cities,
53 towns and villages for the reimbursement of eligible capital costs of
54 local highway and bridge projects within such municipality, where allo-
55 cations to cities, towns and villages are based on the total number of
56 New York or United States or interstate signed touring route miles for

1 which such municipality has capital maintenance responsibility, and
2 where such eligible capital costs include the costs of construction and
3 repair of highways, bridges, highway-railroad crossings, and other
4 transportation facilities for projects with a service life of ten years
5 or more.

6 § 43. Subdivision 1 of section 53 of section 1 of chapter 174 of the
7 laws of 1968, constituting the New York state urban development corpo-
8 ration act, as amended by section 39 of part XX of chapter 56 of the
9 laws of 2024, is amended to read as follows:

10 1. Notwithstanding the provisions of any other law to the contrary,
11 the dormitory authority and the urban development corporation are hereby
12 authorized to issue bonds or notes in one or more series for the purpose
13 of funding project costs for the acquisition of equipment, including but
14 not limited to the creation or modernization of information technology
15 systems and related research and development equipment, health and safe-
16 ty equipment, heavy equipment and machinery, the creation or improvement
17 of security systems, and laboratory equipment and other state costs
18 associated with such capital projects. The aggregate principal amount
19 of bonds authorized to be issued pursuant to this section shall not
20 exceed [~~five hundred ninety-three million dollars \$593,000,000~~] six
21 hundred ninety-three million dollars \$693,000,000, excluding bonds
22 issued to fund one or more debt service reserve funds, to pay costs of
23 issuance of such bonds, and bonds or notes issued to refund or otherwise
24 repay such bonds or notes previously issued. Such bonds and notes of the
25 dormitory authority and the urban development corporation shall not be a
26 debt of the state, and the state shall not be liable thereon, nor shall
27 they be payable out of any funds other than those appropriated by the
28 state to the dormitory authority and the urban development corporation
29 for principal, interest, and related expenses pursuant to a service
30 contract and such bonds and notes shall contain on the face thereof a
31 statement to such effect. Except for purposes of complying with the
32 internal revenue code, any interest income earned on bond proceeds shall
33 only be used to pay debt service on such bonds.

34 § 44. Subdivision 3 of section 1285-p of the public authorities law,
35 as amended by section 40 of part XX of chapter 56 of the laws of 2024,
36 is amended to read as follows:

37 3. The maximum amount of bonds that may be issued for the purpose of
38 financing environmental infrastructure projects authorized by this
39 section shall be [~~ten billion eight hundred sixty-six million five~~
40 ~~hundred sixty thousand dollars \$10,866,560,000~~] thirteen billion two
41 hundred nineteen million one hundred sixty thousand dollars
42 \$13,219,160,000, exclusive of bonds issued to fund any debt service
43 reserve funds, pay costs of issuance of such bonds, and bonds or notes
44 issued to refund or otherwise repay bonds or notes previously issued.
45 Such bonds and notes of the corporation shall not be a debt of the
46 state, and the state shall not be liable thereon, nor shall they be
47 payable out of any funds other than those appropriated by the state to
48 the corporation for debt service and related expenses pursuant to any
49 service contracts executed pursuant to subdivision one of this section,
50 and such bonds and notes shall contain on the face thereof a statement
51 to such effect.

52 § 45. Subdivision 1 and paragraph (a) of subdivision 2 of section 17
53 of part D of chapter 389 of the laws of 1997, relating to the financing
54 of the correctional facilities improvement fund and the youth facility
55 improvement fund, subdivision 1 as amended by section 41 of part XX of
56 chapter 56 of the laws of 2024, and paragraph (a) of subdivision 2 as

1 amended by section 20 of part P2 of chapter 62 of the laws of 2003, are
2 amended to read as follows:

3 1. Subject to the provisions of chapter 59 of the laws of 2000, but
4 notwithstanding the provisions of section 18 of section 1 of chapter 174
5 of the laws of 1968, the New York state urban development corporation is
6 hereby authorized to issue bonds, notes and other obligations in an
7 aggregate principal amount not to exceed [~~one billion sixty-six million~~
8 ~~seven hundred fifty-five thousand dollars \$1,066,755,000, which~~] one
9 billion two hundred seventeen million seven hundred fifty-five thousand
10 dollars \$1,217,755,000, excluding bonds issued after April first, two
11 thousand twenty-five to (a) fund one or more debt service reserve funds,
12 (b) to pay costs of issuance of such bonds, and (c) refund or otherwise
13 repay such bonds or notes previously issued, provided that nothing here-
14 in shall affect the exclusion of refunding debt issued prior to such
15 date. Which authorization increases the aggregate principal amount of
16 bonds, notes and other obligations authorized by section 40 of chapter
17 309 of the laws of 1996, and shall include all bonds, notes and other
18 obligations issued pursuant to chapter 211 of the laws of 1990, as
19 amended or supplemented. The proceeds of such bonds, notes or other
20 obligations shall be paid to the state, for deposit in the youth facili-
21 ties improvement fund or the capital projects fund, to pay for all or
22 any portion of the amount or amounts paid by the state from appropri-
23 ations or reappropriations made to the office of children and family
24 services from the youth facilities improvement fund or the capital
25 projects fund for capital projects. [~~The aggregate amount of bonds,~~
26 ~~notes and other obligations authorized to be issued pursuant to this~~
27 ~~section shall exclude bonds, notes or other obligations issued to refund~~
28 ~~or otherwise repay bonds, notes or other obligations theretofore issued,~~
29 ~~the proceeds of which were paid to the state for all or a portion of the~~
30 ~~amounts expended by the state from appropriations or reappropriations~~
31 ~~made to the office of children and family services; provided, however,~~
32 ~~that upon any such refunding or repayment the total aggregate principal~~
33 ~~amount of outstanding bonds, notes or other obligations may be greater~~
34 ~~than one billion sixty-six million seven hundred fifty-five thousand~~
35 ~~dollars \$1,066,755,000, only if the present value of the aggregate debt~~
36 ~~service of the refunding or repayment bonds, notes or other obligations~~
37 ~~to be issued shall not exceed the present value of the aggregate debt~~
38 ~~service of the bonds, notes or other obligations so to be refunded or~~
39 ~~repaid. For the purposes hereof, the present value of the aggregate debt~~
40 ~~service of the refunding or repayment bonds, notes or other obligations~~
41 ~~and of the aggregate debt service of the bonds, notes or other obli-~~
42 ~~gations so refunded or repaid, shall be calculated by utilizing the~~
43 ~~effective interest rate of the refunding or repayment bonds, notes or~~
44 ~~other obligations, which shall be that rate arrived at by doubling the~~
45 ~~semi-annual interest rate (compounded semi-annually) necessary to~~
46 ~~discount the debt service payments on the refunding or repayment bonds,~~
47 ~~notes or other obligations from the payment dates thereof to the date of~~
48 ~~issue of the refunding or repayment bonds, notes or other obligations~~
49 ~~and to the price bid including estimated accrued interest or proceeds~~
50 ~~received by the corporation including estimated accrued interest from~~
51 ~~the sale thereof.]~~

52 (a) The New York state office of general services shall be responsible
53 for the undertaking of studies, planning, site acquisition, design,
54 construction, reconstruction, renovation and development of youth facil-
55 ities and the Tonawanda Indian Community House, including the making of

1 any purchases therefor, on behalf of the New York state office of chil-
2 dren and family services.

3 § 46. Subdivision 1 of section 386-b of the public authorities law, as
4 amended by section 42 of part XX of chapter 56 of the laws of 2024, is
5 amended to read as follows:

6 1. Notwithstanding any other provision of law to the contrary, the
7 authority, the dormitory authority and the urban development corporation
8 are hereby authorized to issue bonds or notes in one or more series for
9 the purpose of financing peace bridge projects and capital costs of
10 state and local highways, parkways, bridges, the New York state thruway,
11 Indian reservation roads, and facilities, and transportation infrastruc-
12 ture projects including aviation projects, non-MTA mass transit
13 projects, and rail service preservation projects, including work appur-
14 tenant and ancillary thereto. The aggregate principal amount of bonds
15 authorized to be issued pursuant to this section shall not exceed
16 [~~fifteen billion two hundred forty million six hundred sixty-nine thou-~~
17 ~~sand dollars \$15,240,669,000~~] seventeen billion four million twenty-sev-
18 en thousand dollars \$ 17,004,027,000, excluding bonds issued to fund one
19 or more debt service reserve funds, to pay costs of issuance of such
20 bonds, and to refund or otherwise repay such bonds or notes previously
21 issued. Such bonds and notes of the authority, the dormitory authority
22 and the urban development corporation shall not be a debt of the state,
23 and the state shall not be liable thereon, nor shall they be payable out
24 of any funds other than those appropriated by the state to the authori-
25 ty, the dormitory authority and the urban development corporation for
26 principal, interest, and related expenses pursuant to a service contract
27 and such bonds and notes shall contain on the face thereof a statement
28 to such effect. Except for purposes of complying with the internal
29 revenue code, any interest income earned on bond proceeds shall only be
30 used to pay debt service on such bonds.

31 § 47. Subdivision 1 of section 44 of section 1 of chapter 174 of the
32 laws of 1968, constituting the New York state urban development corpo-
33 ration act, as amended by section 43 of part XX of chapter 56 of the
34 laws of 2024, is amended to read as follows:

35 1. Notwithstanding the provisions of any other law to the contrary,
36 the dormitory authority and the corporation are hereby authorized to
37 issue bonds or notes in one or more series for the purpose of funding
38 project costs for the regional economic development council initiative,
39 the economic transformation program, state university of New York
40 college for nanoscale and science engineering, projects within the city
41 of Buffalo or surrounding environs, the New York works economic develop-
42 ment fund, projects for the retention of professional football in west-
43 ern New York, the empire state economic development fund, the clarkson-
44 trudeau partnership, the New York genome center, the cornell university
45 college of veterinary medicine, the olympic regional development author-
46 ity, projects at nano Utica, onondaga county revitalization projects,
47 Binghamton university school of pharmacy, New York power electronics
48 manufacturing consortium, regional infrastructure projects, high tech
49 innovation and economic development infrastructure program, high tech-
50 nology manufacturing projects in Chautauqua and Erie county, an indus-
51 trial scale research and development facility in Clinton county, upstate
52 revitalization initiative projects, downstate revitalization initiative,
53 market New York projects, fairground buildings, equipment or facilities
54 used to house and promote agriculture, the state fair, the empire state
55 trail, the moynihan station development project, the Kingsbridge armory
56 project, strategic economic development projects, the cultural, arts and

1 public spaces fund, water infrastructure in the city of Auburn and town
2 of Owasco, a life sciences laboratory public health initiative, not-for-
3 profit pounds, shelters and humane societies, arts and cultural facili-
4 ties improvement program, restore New York's communities initiative,
5 heavy equipment, economic development and infrastructure projects,
6 Roosevelt Island operating corporation capital projects, Lake Ontario
7 regional projects, Pennsylvania station and other transit projects,
8 athletic facilities for professional football in Orchard Park, New York,
9 Rush - NY, New York AI Consortium, New York Creates UEV Tool, and other
10 state costs associated with such projects. The aggregate principal
11 amount of bonds authorized to be issued pursuant to this section shall
12 not exceed [~~twenty billion eight hundred seventy eight million one~~
13 ~~hundred ninety four thousand dollars \$20,878,194,000~~] twenty-two billion
14 eight hundred forty-nine million nine hundred fifty-three thousand
15 dollars \$22,849,953,000, excluding bonds issued to fund one or more debt
16 service reserve funds, to pay costs of issuance of such bonds, and bonds
17 or notes issued to refund or otherwise repay such bonds or notes previ-
18 ously issued. Such bonds and notes of the dormitory authority and the
19 corporation shall not be a debt of the state, and the state shall not be
20 liable thereon, nor shall they be payable out of any funds other than
21 those appropriated by the state to the dormitory authority and the
22 corporation for principal, interest, and related expenses pursuant to a
23 service contract and such bonds and notes shall contain on the face
24 thereof a statement to such effect. Except for purposes of complying
25 with the internal revenue code, any interest income earned on bond
26 proceeds shall only be used to pay debt service on such bonds.

27 § 48. Subdivision (a) of section 28 of part Y of chapter 61 of the
28 laws of 2005, relating to providing for the administration of certain
29 funds and accounts related to the 2005-2006 budget, as amended by
30 section 44 of part XX of chapter 56 of the laws of 2024, is amended to
31 read as follows:

32 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
33 notwithstanding any provisions of law to the contrary, one or more
34 authorized issuers as defined by section 68-a of the state finance law
35 are hereby authorized to issue bonds or notes in one or more series in
36 an aggregate principal amount not to exceed [~~two hundred ninety seven~~
37 ~~million dollars \$297,000,000~~] three hundred ninety-seven million dollars
38 \$397,000,000, excluding bonds issued to finance one or more debt service
39 reserve funds, to pay costs of issuance of such bonds, and bonds or
40 notes issued to refund or otherwise repay such bonds or notes previously
41 issued, for the purpose of financing capital projects for public
42 protection facilities in the Division of Military and Naval Affairs,
43 debt service and leases; and to reimburse the state general fund for
44 disbursements made therefor. Such bonds and notes of such authorized
45 issuer shall not be a debt of the state, and the state shall not be
46 liable thereon, nor shall they be payable out of any funds other than
47 those appropriated by the state to such authorized issuer for debt
48 service and related expenses pursuant to any service contract executed
49 pursuant to subdivision (b) of this section and such bonds and notes
50 shall contain on the face thereof a statement to such effect. Except for
51 purposes of complying with the internal revenue code, any interest
52 income earned on bond proceeds shall only be used to pay debt service on
53 such bonds.

54 § 49. Subdivision 1 of section 50 of section 1 of chapter 174 of the
55 laws of 1968, constituting the New York state urban development corpo-

1 ration act, as amended by section 45 of part XX of chapter 56 of the
2 laws of 2024, is amended to read as follows:

3 1. Notwithstanding the provisions of any other law to the contrary,
4 the dormitory authority and the urban development corporation are hereby
5 authorized to issue bonds or notes in one or more series for the purpose
6 of funding project costs undertaken by or on behalf of the state educa-
7 tion department, special act school districts, state-supported schools
8 for the blind and deaf, approved private special education schools,
9 non-public schools, community centers, day care facilities, residential
10 camps, day camps, Native American Indian Nation schools, and other state
11 costs associated with such capital projects. The aggregate principal
12 amount of bonds authorized to be issued pursuant to this section shall
13 not exceed [~~three hundred ninety six million eight hundred ninety eight~~
14 ~~thousand dollars \$396,898,000~~] four hundred forty million three hundred
15 ninety-seven thousand dollars \$440,397,000, excluding bonds issued to
16 fund one or more debt service reserve funds, to pay costs of issuance of
17 such bonds, and bonds or notes issued to refund or otherwise repay such
18 bonds or notes previously issued. Such bonds and notes of the dormitory
19 authority and the urban development corporation shall not be a debt of
20 the state, and the state shall not be liable thereon, nor shall they be
21 payable out of any funds other than those appropriated by the state to
22 the dormitory authority and the urban development corporation for prin-
23 cipal, interest, and related expenses pursuant to a service contract and
24 such bonds and notes shall contain on the face thereof a statement to
25 such effect. Except for purposes of complying with the internal revenue
26 code, any interest income earned on bond proceeds shall only be used to
27 pay debt service on such bonds.

28 § 50. Subdivision 1 of section 1680-k of the public authorities law,
29 as amended by section 46 of part XX of chapter 56 of the laws of 2024,
30 is amended to read as follows:

31 1. Subject to the provisions of chapter fifty-nine of the laws of two
32 thousand, but notwithstanding any provisions of law to the contrary, the
33 dormitory authority is hereby authorized to issue bonds or notes in one
34 or more series in an aggregate principal amount not to exceed [~~forty-one~~
35 ~~million sixty thousand dollars \$41,060,000~~] forty-one million one
36 hundred seventy-five thousand dollars \$41,175,000, excluding bonds
37 issued to finance one or more debt service reserve funds, to pay costs
38 of issuance of such bonds, and bonds or notes issued to refund or other-
39 wise repay such bonds or notes previously issued, for the purpose of
40 financing the construction of the New York state agriculture and markets
41 food laboratory. Eligible project costs may include, but not be limited
42 to the cost of design, financing, site investigations, site acquisition
43 and preparation, demolition, construction, rehabilitation, acquisition
44 of machinery and equipment, and infrastructure improvements. Such bonds
45 and notes of such authorized issuers shall not be a debt of the state,
46 and the state shall not be liable thereon, nor shall they be payable out
47 of any funds other than those appropriated by the state to such author-
48 ized issuers for debt service and related expenses pursuant to any
49 service contract executed pursuant to subdivision two of this section
50 and such bonds and notes shall contain on the face thereof a statement
51 to such effect. Except for purposes of complying with the internal
52 revenue code, any interest income earned on bond proceeds shall only be
53 used to pay debt service on such bonds.

54 § 51. Subdivision 1 of section 1680-r of the public authorities law,
55 as amended by section 46 of part PP of chapter 56 of the laws of 2023,
56 is amended to read as follows:

1 1. Notwithstanding the provisions of any other law to the contrary,
2 the dormitory authority and the urban development corporation are hereby
3 authorized to issue bonds or notes in one or more series for the purpose
4 of funding project costs for the capital restructuring financing program
5 for health care and related facilities licensed pursuant to the public
6 health law or the mental hygiene law and other state costs associated
7 with such capital projects, the health care facility transformation
8 programs, the essential health care provider program, and other health
9 care capital project costs. The aggregate principal amount of bonds
10 authorized to be issued pursuant to this section shall not exceed [~~five~~
11 ~~billion one hundred fifty three million dollars \$5,153,000,000~~] six
12 billion one hundred sixty-eight million dollars \$6,168,000,000, exclud-
13 ing bonds issued to fund one or more debt service reserve funds, to pay
14 costs of issuance of such bonds, and bonds or notes issued to refund or
15 otherwise repay such bonds or notes previously issued. Such bonds and
16 notes of the dormitory authority and the urban development corporation
17 shall not be a debt of the state, and the state shall not be liable
18 thereon, nor shall they be payable out of any funds other than those
19 appropriated by the state to the dormitory authority and the urban
20 development corporation for principal, interest, and related expenses
21 pursuant to a service contract and such bonds and notes shall contain on
22 the face thereof a statement to such effect. Except for purposes of
23 complying with the internal revenue code, any interest income earned on
24 bond proceeds shall only be used to pay debt service on such bonds.

25 § 52. Subdivision 1 of section 386-a of the public authorities law, as
26 amended by section 55 of part XX of chapter 56 of the laws of 2024, is
27 amended to read as follows:

28 1. Notwithstanding any other provision of law to the contrary, the
29 authority, the dormitory authority and the urban development corporation
30 are hereby authorized to issue bonds or notes in one or more series for
31 the purpose of assisting the metropolitan transportation authority in
32 the financing of transportation facilities as defined in subdivision
33 seventeen of section twelve hundred sixty-one of this chapter or other
34 capital projects. The aggregate principal amount of bonds authorized to
35 be issued pursuant to this section shall not exceed [~~twelve billion five~~
36 ~~hundred fifteen million eight hundred fifty six thousand dollars~~
37 ~~\$12,515,856,000~~] fifteen billion five hundred fifteen million eight
38 hundred fifty-six thousand dollars \$15,515,856,000, excluding bonds
39 issued to fund one or more debt service reserve funds, to pay costs of
40 issuance of such bonds, and to refund or otherwise repay such bonds or
41 notes previously issued. Such bonds and notes of the authority, the
42 dormitory authority and the urban development corporation shall not be a
43 debt of the state, and the state shall not be liable thereon, nor shall
44 they be payable out of any funds other than those appropriated by the
45 state to the authority, the dormitory authority and the urban develop-
46 ment corporation for principal, interest, and related expenses pursuant
47 to a service contract and such bonds and notes shall contain on the face
48 thereof a statement to such effect. Except for purposes of complying
49 with the internal revenue code, any interest income earned on bond
50 proceeds shall only be used to pay debt service on such bonds. Notwith-
51 standing any other provision of law to the contrary, including the limi-
52 tations contained in subdivision four of section sixty-seven-b of the
53 state finance law, (A) any bonds and notes issued prior to April first,
54 two thousand twenty-seven pursuant to this section may be issued with a
55 maximum maturity of fifty years, and (B) any bonds issued to refund such

1 bonds and notes may be issued with a maximum maturity of fifty years
2 from the respective date of original issuance of such bonds and notes.

3 § 53. Subdivision (a) of section 27 of part Y of chapter 61 of the
4 laws of 2005, relating to providing for the administration of certain
5 funds and accounts related to the 2005-2006 budget, as amended by
6 section 28 of part PP of chapter 56 of the laws of 2023, is amended to
7 read as follows:

8 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
9 notwithstanding any provisions of law to the contrary, the urban devel-
10 opment corporation is hereby authorized to issue bonds or notes in one
11 or more series in an aggregate principal amount not to exceed [~~five~~
12 ~~hundred thirty eight million one hundred thousand dollars \$538,100,000~~]
13 five hundred fifty million one hundred thousand dollars \$550,100,000,
14 excluding bonds issued to finance one or more debt service reserve
15 funds, to pay costs of issuance of such bonds, and bonds or notes issued
16 to refund or otherwise repay such bonds or notes previously issued, for
17 the purpose of financing capital projects including IT initiatives for
18 the division of state police, debt service and leases; and to reimburse
19 the state general fund for disbursements made therefor. Such bonds and
20 notes of such authorized issuer shall not be a debt of the state, and
21 the state shall not be liable thereon, nor shall they be payable out of
22 any funds other than those appropriated by the state to such authorized
23 issuer for debt service and related expenses pursuant to any service
24 contract executed pursuant to subdivision (b) of this section and such
25 bonds and notes shall contain on the face thereof a statement to such
26 effect. Except for purposes of complying with the internal revenue code,
27 any interest income earned on bond proceeds shall only be used to pay
28 debt service on such bonds.

29 § 54. Subdivision 3 of section 1285-q of the public authorities law,
30 as amended by section 43 of part BB of chapter 56 of the laws of 2015,
31 is amended to read as follows:

32 3. The maximum amount of bonds that may be issued for the purpose of
33 financing hazardous waste site remediation projects and environmental
34 restoration projects authorized by this section shall not exceed [~~two~~
35 ~~billion two hundred million dollars~~] three billion four hundred fifty
36 million dollars \$3,450,000,000 and shall not exceed one hundred million
37 dollars for appropriations enacted for any state fiscal year, provided
38 that the bonds not issued for such appropriations may be issued pursuant
39 to reappropriation in subsequent fiscal years. [~~No bonds shall be issued~~
40 ~~for the repayment of any new appropriation enacted after March thirty-~~
41 ~~first, two thousand twenty six for hazardous waste site remediation~~
42 ~~projects authorized by this section.~~] Amounts authorized to be issued by
43 this section shall be exclusive of bonds issued to fund any debt service
44 reserve funds, pay costs of issuance of such bonds, and bonds or notes
45 issued to refund or otherwise repay bonds or notes previously issued.
46 Such bonds and notes of the corporation shall not be a debt of the
47 state, and the state shall not be liable thereon, nor shall they be
48 payable out of any funds other than those appropriated by this state to
49 the corporation for debt service and related expenses pursuant to any
50 service contracts executed pursuant to subdivision one of this section,
51 and such bonds and notes shall contain on the face thereof a statement
52 to such effect.

53 § 55. Subdivision 1 of section 16 of part D of chapter 389 of the laws
54 of 1997, relating to the financing of the correctional facilities
55 improvement fund and the youth facility improvement fund, as amended by

1 section 28 of part XX of chapter 56 of the laws of 2024, is amended to
2 read as follows:

3 1. Subject to the provisions of chapter 59 of the laws of 2000, but
4 notwithstanding the provisions of section 18 of section 1 of chapter 174
5 of the laws of 1968, the New York state urban development corporation is
6 hereby authorized to issue bonds, notes and other obligations in an
7 aggregate principal amount not to exceed [~~ten billion two hundred nine-~~
8 ~~ty nine million three hundred fifty nine thousand dollars~~
9 ~~\$10,299,359,000, and shall include all bonds, notes and other obli-~~
10 ~~gations issued pursuant to chapter 56 of the laws of 1983, as amended or~~
11 ~~supplemented. The proceeds of such bonds, notes or other obligations~~
12 ~~shall be paid to the state, for deposit in the correctional facilities~~
13 ~~capital improvement fund to pay for all or any portion of the amount or~~
14 ~~amounts paid by the state from appropriations or reappropriations made~~
15 ~~to the department of corrections and community supervision from the~~
16 ~~correctional facilities capital improvement fund for capital projects.~~
17 ~~The aggregate amount of bonds, notes or other obligations authorized to~~
18 ~~be issued pursuant to this section shall exclude bonds, notes or other~~
19 ~~obligations issued to refund or otherwise repay bonds, notes or other~~
20 ~~obligations theretofore issued, the proceeds of which were paid to the~~
21 ~~state for all or a portion of the amounts expended by the state from~~
22 ~~appropriations or reappropriations made to the department of corrections~~
23 ~~and community supervision; provided, however, that upon any such refund-~~
24 ~~ing or repayment the total aggregate principal amount of outstanding~~
25 ~~bonds, notes or other obligations may be greater than ten billion two~~
26 ~~hundred ninety nine million three hundred fifty nine thousand dollars~~
27 ~~\$10,299,359,000, only if the present value of the aggregate debt service~~
28 ~~of the refunding or repayment bonds, notes or other obligations to be~~
29 ~~issued shall not exceed the present value of the aggregate debt service~~
30 ~~of the bonds, notes or other obligations so to be refunded or repaid.~~
31 ~~For the purposes hereof, the present value of the aggregate debt service~~
32 ~~of the refunding or repayment bonds, notes or other obligations and of~~
33 ~~the aggregate debt service of the bonds, notes or other obligations so~~
34 ~~refunded or repaid, shall be calculated by utilizing the effective~~
35 ~~interest rate of the refunding or repayment bonds, notes or other obli-~~
36 ~~gations, which shall be that rate arrived at by doubling the semi-annual~~
37 ~~interest rate (compounded semi-annually) necessary to discount the debt~~
38 ~~service payments on the refunding or repayment bonds, notes or other~~
39 ~~obligations from the payment dates thereof to the date of issue of the~~
40 ~~refunding or repayment bonds, notes or other obligations and to the~~
41 ~~price bid including estimated accrued interest or proceeds received by~~
42 ~~the corporation including estimated accrued interest from the sale ther-~~
43 ~~eof]~~ eleven billion one hundred seventeen million three hundred fifty-
44 nine thousand dollars \$11,117,359,000, excluding bonds issued after
45 April first, two thousand twenty-five to (i) fund one or more debt
46 service reserve funds, (ii) pay costs of issuance of such bonds, and
47 (iii) refund or otherwise repay such bonds or notes previously issued,
48 provided that nothing herein shall affect the exclusion of refunding
49 debt issued prior to such date.

50 § 56. The opening paragraph of section 3573 of the public authorities
51 law, as added by chapter 5 of the laws of 1997, is amended to read as
52 follows:

53 Notwithstanding any provision of this article or any other provision
54 of law to the contrary, so long as bonds issued by the dormitory author-
55 ity [~~to finance facilities for~~] on or before March thirty-first, two
56 thousand twenty-five to make loans to the department of health of the

1 state of New York to finance state hospital facilities listed in section
2 four hundred three of the public health law remain outstanding as
3 defined in the bond resolution under which such bonds were issued, the
4 following provisions shall be applicable:

5 § 57. Paragraph (a) of subdivision 2 of section 409 of the public
6 health law, as amended by chapter 5 of the laws of 1997, is amended and
7 a new subdivision 6 is added to read as follows:

8 (a) The commissioner shall, after the first day of July, nineteen
9 hundred seventy-one, pay over moneys received by the department includ-
10 ing, subject to subdivision six of this section, moneys received from
11 the Roswell Park Cancer Institute corporation for the care, maintenance
12 and treatment of patients at state hospitals in the department as
13 enumerated in section four hundred three of this chapter, together with
14 money received from fees, including parking fees, refunds, reimburse-
15 ments, payments received pursuant to leases, sales of property and
16 miscellaneous receipts of such hospitals other than gifts, grants,
17 bequests and moneys received under research contracts, and clinical
18 practice income received pursuant to a clinical practice plan estab-
19 lished pursuant to subdivision fourteen of section two hundred six of
20 this chapter except for the amount of money required by the comptroller
21 to be maintained on deposit in the department of health income fund
22 pursuant to paragraph (c) of this subdivision less payments required to
23 be made into pools created by this chapter and for assessments estab-
24 lished pursuant to this chapter and less refunds made pursuant to law,
25 to the comptroller to be deposited by [~~him~~] the comptroller in the
26 department of health income fund. Such moneys shall be kept separate and
27 shall not be commingled with any other moneys in the hands of the comp-
28 troller. All deposits of such money shall, if required by the comp-
29 troller, be secured by obligations of the United States or of the state
30 of market value equal at all times to the amount of the deposit and all
31 banks and trust companies are authorized to give such securities for
32 such deposits. The commissioner shall identify to the comptroller moneys
33 received from Roswell Park Cancer Institute corporation or its subsid-
34 iaries.

35 6. Notwithstanding the foregoing provisions of this section, upon the
36 payment or provision for payment of all outstanding bonds issued on or
37 before March thirty-first, two thousand twenty-five by the dormitory
38 authority to make loans to the department to finance or refinance state
39 hospital facilities in accordance with the terms of the bond resolution
40 under which such bonds were issued, the provisions of subdivisions two
41 and five of this section requiring (i) the payment and identification by
42 the department to the comptroller of moneys received from the Roswell
43 Park Cancer Institute corporation, (ii) the deposit and maintenance of
44 such moneys from the Roswell Park Cancer Institute corporation by the
45 comptroller in the department of health income fund, and (iii) the
46 release of excess moneys in the department of health income fund attri-
47 buted to the operation of the Roswell Park Cancer Institute corporation
48 or its subsidiaries, shall no longer be applicable and, thereafter, all
49 such moneys from the operation of the Roswell Park Cancer Institute
50 corporation shall remain in the custody and/or control of the corpo-
51 ration and/or its subsidiaries.

52 § 58. Paragraph (b) of subdivision 1 of section 54-b of section 1 of
53 chapter 174 of the laws of 1968 constituting the urban development
54 corporation act, as amended by section 54 of part XX of chapter 56 of
55 the laws of 2024, is amended to read as follows:

1 (b) Notwithstanding any other provision of law to the contrary,
2 including, specifically, the provisions of chapter 59 of the laws of
3 2000 and section sixty-seven-b of the state finance law, the dormitory
4 authority of the state of New York and the corporation are hereby
5 authorized to issue personal income tax revenue anticipation notes with
6 a maturity no later than March 31[~~, 2025~~] of the state fiscal year in
7 which such notes are issued, in one or more series in an aggregate prin-
8 cipal amount for each fiscal year not to exceed three billion dollars,
9 and to pay costs of issuance of such notes, for the purpose of temporar-
10 ily financing budgetary needs of the state. Such purpose shall consti-
11 tute an authorized purpose under subdivision two of section
12 sixty-eight-a of the state finance law for all purposes of article
13 five-C of the state finance law with respect to the notes authorized by
14 this paragraph. Such notes shall not be renewed, extended or refunded.
15 For so long as any notes authorized by this paragraph shall be outstand-
16 ing, the restrictions, limitations and requirements contained in article
17 five-B of the state finance law shall not apply.

18 § 59. Subdivision 8 of section 68-b of the state finance law, as
19 amended by section 60 of part JJJ of chapter 59 of the laws of 2021, is
20 amended to read as follows:

21 8. Revenue bonds may only be issued for authorized purposes, as
22 defined in section sixty-eight-a of this article. Notwithstanding the
23 foregoing, the dormitory authority of the state of New York, the urban
24 development corporation [~~and~~], the New York state thruway authority, the
25 New York state housing finance agency, and the New York state environ-
26 mental facilities corporation may issue revenue bonds for any authorized
27 purpose of any other such authorized issuer [~~through March thirty-first,~~
28 ~~two thousand twenty-five~~]. Any such revenue bonds issued by the New York
29 state thruway authority shall be subject to the approval of the New York
30 state public authorities control board, pursuant to section fifty-one of
31 the public authorities law. The authorized issuers shall not issue any
32 revenue bonds in an amount in excess of statutory authorizations for
33 such authorized purposes. Authorizations for such authorized purposes
34 shall be reduced in an amount equal to the amount of revenue bonds
35 issued for such authorized purposes under this article. Such reduction
36 shall not be made in relation to revenue bonds issued to fund reserve
37 funds, if any, and costs of issuance, [~~if these items are not counted~~
38 ~~under existing authorizations~~], nor shall revenue bonds issued to refund
39 bonds issued under existing authorizations reduce the amount of such
40 authorizations.

41 § 60. Subdivision 1 of section 56 of the state finance law, as amended
42 by chapter 415 of the laws of 1986, is amended to read as follows:

43 1. Whenever in [~~his~~] the comptroller's opinion it is to the advantage
44 of the state the comptroller when issuing and selling any bonds of the
45 state may reserve to the state on such conditions as [~~he~~] the comp-
46 troller may deem advisable and proper the privilege of refunding or of
47 redeeming [~~at not more than three per centum above par value~~] all or any
48 part of such bonds prior to the date on which they shall be due and
49 payable.

50 § 61. This act shall take effect immediately and shall be deemed to
51 have been in full force and effect on and after April 1, 2025; provided,
52 however, that the provisions of sections one, two, three, four, five,
53 six, seven, eight, thirteen, fourteen, fifteen, sixteen, seventeen,
54 eighteen, nineteen, twenty and twenty-one of this act shall expire March
55 31, 2026.

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PART FF

Section 1. Section 13-638.2 of the administrative code of the city of New York is amended by adding two new subdivisions k-3 and k-4 to read as follows:

k-3. For NYCERS, NYCTRS and BERS, all installments of contribution resulting from any unfunded accrued liability established for any such retirement system prior to the establishment of the unfunded accrued liability as of June thirtieth, two thousand twenty-three for such retirement systems pursuant to the provisions of paragraph one of subdivision k-4 of this section which are payable to such retirement system on or after July first, two thousand twenty-four are hereby canceled and shall not be due and payable on or after such July first.

k-4. (1) (i) The actuary for each of such retirement systems, upon the basis of the latest mortality and other tables applicable at the time such actuary performs the calculations, and the valuation rate of interest (as defined in paragraph eleven of subdivision a of this section), shall calculate separately for NYCERS, NYCTRS and BERS, as of June thirtieth, two thousand twenty-three and as of each succeeding June thirtieth, an unfunded accrued liability for each retirement system in accordance with the succeeding subparagraphs of this paragraph.

(ii) The actuary shall calculate, as of the applicable June thirtieth, an amount equal to the sum of (A) the total actuarial present value of all benefits payable by NYCERS, NYCTRS and BERS pursuant to applicable law, as determined by the actuary, and (B) the liability of each retirement system, as determined by the actuary, for amounts which the retirement system may be required by applicable law to pay to any other fund on account of related benefits financed through the retirement system, without a corresponding offset in the liabilities of the retirement system.

(iii) The unfunded accrued liability of each of such retirement systems as of the applicable June thirtieth shall be the amount obtained by deducting from the amount of such total liability of the retirement system on account of benefits, as determined by the actuary pursuant to subparagraph (ii) of this paragraph, the sum of:

(A) the actuarial present value of entry age normal contributions payable to such retirement system, as determined by the actuary as of the applicable June thirtieth in a manner consistent with the entry age actuarial cost method, and with the applicable methodologies set forth for NYCERS in subparagraph (d) of paragraph two of subdivision b of section 13-127 of this title, for the NYCTRS in paragraph five of subdivision b of section 13-527 of this title or for BERS in item (v) of subparagraph four of paragraph (c) of subdivision sixteen of section twenty-five hundred seventy-five of the education law;

(B) the present value of future member contributions of all members of such retirement system, as determined by the actuary as of the applicable June thirtieth;

(C) the total funds on hand of such retirement system for valuation purposes, as determined by the actuary as of the applicable June thirtieth;

(D) the present value of future installments of unfunded accrued liability contributions to be paid to such retirement system as of the applicable June thirtieth;

(E) the present value of the pending normal contribution to such retirement system as of the applicable June thirtieth as determined by the actuary and established in the valuation for the prior year; and

1 (F) the present value of pending contributions to such retirement
2 system for administrative expenses in accordance with the provisions of
3 subdivision f of section 13-103 of this title for NYCERS, subdivision d
4 of section 13-518 of this title for the NYCTRS or paragraph (e) of
5 subdivision twenty-three of section twenty-five hundred seventy-five of
6 the education law for BERS.

7 (iv) The actuary, in determining the unfunded accrued liability pursu-
8 ant to this paragraph, may make any adjustments which such actuary deems
9 appropriate due to the calculation of the unfunded accrued liability as
10 of the second June thirtieth preceding the fiscal year in which the
11 first installment of such unfunded accrued liability becomes payable or
12 creditable.

13 (2) (i) The unfunded accrued liability calculated by the actuary as of
14 June thirtieth, two thousand twenty-three shall be known as the "2023
15 UAL" or, with respect to NYCERS as the "NYCERS 2023 UAL", with respect
16 to NYCTRS as the "NYCTRS 2023 UAL", and with respect to BERS as the
17 "BERS 2023 UAL".

18 (ii) The 2023 UAL for NYCERS, NYCTRS and BERS shall be amortized in
19 twenty annual installments, as determined by the actuary, with payments
20 commencing with the two thousand twenty-four--two thousand twenty-five
21 fiscal year. The actuary for each of such retirement systems shall
22 determine the schedule of contribution installments such that each
23 installment after the first shall decline, relative to the next preced-
24 ing installment, by a constant dollar amount equal to five percent of
25 such first installment.

26 (3) (i) Notwithstanding paragraph three of subdivision k-2 of this
27 section or any other law to the contrary, the unfunded accrued liability
28 calculated pursuant to paragraph one of this subdivision by the actuary
29 as of June thirtieth, two thousand twenty-four, and as of each succeed-
30 ing June thirtieth, shall be known as a "post-2023 UAL adjustment". With
31 respect to NYCERS, NYCTRS and BERS, such unfunded accrued liability
32 shall be known by the name consisting of the applicable abbreviation for
33 each retirement system, as defined in paragraph three, four or seven of
34 subdivision a of this section, followed by the calendar year as of which
35 the unfunded accrued liability was established, followed by the term
36 "UAL adjustment".

37 (ii) Notwithstanding paragraph three of subdivision k-2 of this
38 section or any other law to the contrary, each post-2023 UAL adjustment
39 for NYCERS, NYCTRS and BERS, excluding adjustments due to investment
40 gains and losses or enacted changes in benefits as described in subpara-
41 graphs (iii) and (iv) respectively of this paragraph, shall be amortized
42 in twenty equal annual installments, as determined by the actuary, with
43 payments or credits commencing with the second fiscal year succeeding
44 the June thirtieth as of which the unfunded accrued liability was estab-
45 lished.

46 (iii) Post-2023 UAL adjustments due to investment gains and losses
47 shall be amortized over twenty installments such that installments one
48 through five increase by a constant dollar amount, installments seven-
49 teen through twenty decrease by that same amount, and installments six
50 through sixteen equal installment five, as determined by the actuary.
51 Deferred investment gains and losses established prior to the Post-2023
52 UAL adjustments will continue to be recognized based on their existing
53 recognition schedule and amortized in twenty equal annual installments,
54 as determined by the actuary, with payments or credits commencing with
55 the second fiscal year succeeding the June thirtieth as of which they
56 are recognized.

1 (iv) Post-2023 UAL adjustments due to enacted changes in benefits
 2 shall be amortized over a number of installments equal to the rounded
 3 number of years of the remaining working lifetimes of those covered by
 4 the benefit changes. Where the length of the amortization period for an
 5 UAL adjustment is not specified in the law, the actuary, in such
 6 actuary's discretion, may select an amortization period that is reason-
 7 ably consistent with past practice for amortizing UAL adjustments
 8 attributable to the particular type of changes.

9 (v) In the event that the total unfunded accrued liability as of June
 10 thirtieth for NYCERS, NYCTRS or BERS, as determined by the actuary, is
 11 less than or equal to zero based on the market value of assets, results
 12 in the total amortization installment being negative while the total
 13 unfunded accrued liability is positive, or results in any other math-
 14 ematical inconsistency as determined by the actuary, the actuary, in
 15 their discretion, shall void all previously established remaining amor-
 16 tization installments scheduled for or after the second fiscal year
 17 succeeding the June thirtieth as of which the determination was made and
 18 shall establish a new amortization schedule of twenty installments that
 19 will be applied as charges or credits against the normal contribution of
 20 any such retirement system's obligors commencing in that second fiscal
 21 year.

22 § 2. This act shall take effect immediately and shall be deemed to
 23 have been in full force and effect on and after July 1, 2024.

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

SUMMARY: This proposed legislation (see Appendix) would modify exist-
 ing statutory language to amortize the Unfunded Accrued Liabilities
 (UAL) for the New York City Employees' Retirement System (NYCERS), the
 New York City Teachers' Retirement System (TRS), and the New York City
 Board of Education Retirement System (BERS) on an alternate schedule
 effective upon enactment and deemed to have been in effect on and after
 July 1, 2024.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
 by Fiscal Year for the first 25 years (\$ in Millions)

Year	NYCERS	TRS	BERS	TOTAL
2025	48.2	(523.8)	(36.2)	(511.8)
2026	(129.2)	(661.4)	(41.0)	(831.6)
2027	(338.3)	(644.0)	(67.5)	(1,049.8)
2028	(526.5)	(693.8)	(64.3)	(1,284.6)
2029	(682.2)	(582.9)	(31.0)	(1,296.1)
2030	(1,020.3)	(611.7)	(26.4)	(1,658.4)
2031	(1,258.7)	(673.4)	(16.7)	(1,948.8)
2032	(1,477.0)	(924.6)	(9.6)	(2,411.2)
2033	1,162.3	1,526.3	128.5	2,817.1
2034	1,010.7	1,382.9	120.1	2,513.7
2035	1,170.1	1,329.6	72.3	2,572.0
2036	1,075.1	1,253.5	84.2	2,412.8
2037	727.7	880.5	42.1	1,650.3
2038	709.9	722.6	32.2	1,464.7
2039	782.4	674.5	18.3	1,475.2
2040	553.0	250.1	(33.2)	769.9
2041	442.4	278.0	2.0	722.4
2042	331.8	209.4	1.5	542.7
2043	221.2	139.6	1.0	361.8
2044	110.6	69.8	0.5	180.9
2045	0.0	0.0	0.0	0.0

2046	0.0	0.0	0.0	0.0
2047	0.0	0.0	0.0	0.0
2048	0.0	0.0	0.0	0.0
2049	0.0	0.0	0.0	0.0

Allocation of the impact above to New York City and other obligors will vary by year.

IMPACT ON EMPLOYER CONTRIBUTIONS: For NYCERS, TRS, and BERS, the proposed legislation would amend the UAL amortization schedule; change the smoothing method used for investment gains and losses; and allow a reset of the UAL amortization schedule under certain scenarios. While the proposed changes will impact the timing of employer contributions, there is no change to the benefits paid and therefore no ultimate savings or cost.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
as of June 30, 2023 (\$ in Millions)

Present Value (PV)	NYCERS	TRS	BERS
(1) PV of Employer Contributions:	0.0	0.0	0.0
(2) PV of Employee Contributions:	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
Total PV of Benefits (1) + (2):	0.0	0.0	0.0

IMPACT ON UAL AMORTIZATION: Pursuant to Chapter 3 of the Laws of 2013, an Initial UAL amortization base was established for each of the New York City Retirement Systems and Pension Funds (NYCRS) such that the annual amortization payments would increase by 3% per year consistent with the expected annual increases in total payroll, with the final payment scheduled to occur in Fiscal Year 2032. Subsequent changes in the UAL have their own statutorily defined amortization period, generally amortized using level dollar payments.

The proposed legislation would re-amortize all outstanding UAL balances for NYCERS, TRS, and BERS as of June 30, 2023, adjusted for pending employer contributions, over a 20-year period such that the amortization payments decrease by a constant dollar amount annually. New amortization bases would be added on an annual basis using level dollar amortization. Actuarial gains and losses (currently amortized over 14 payments), assumption and method changes (currently amortized over 19 payments) would be amortized over 20 payments. Future benefit changes would be amortized over the expected future working lifetime of the impacted population.

This legislation also includes provisions that allow the NYCERS Actuary to reset the amortization schedule over a 20-year period when a NYCERS, TRS, or BERS plan becomes overfunded based on the Market Value of Assets (MVA) or if the Actuary observes any anomalies in the amortization schedule, such as a negative net amortization payment being applied to a positive UAL.

IMPACT ON ASSET SMOOTHING: This legislation modifies the approach used to smooth investment gains and losses. The current asset smoothing method phases in the recognition of investment gains and losses over a five-year period producing an Actuarial Value of Assets (AVA) used to determine the UAL and related amortization payments that is different from the Market Value of Assets (MVA).

The proposed legislation would recognize the full investment gain or loss immediately with a five-year phase-in and five-year phase-out of the payments over a twenty-year period in total. This alternate method produces a contribution smoothing effect similar to the current method and eliminates the need to calculate an AVA different from the MVA. The smoothing corridor currently used to constrain the AVA within plus or minus twenty percent of the MVA becomes obsolete under this legislation.

Unrecognized investment gains and losses as of June 30, 2023 will be recognized in future valuations based on their recognition schedule established prior to this legislation, though those deferred gains and losses will be amortized over 20 payments instead of the current 14 payments. This Fiscal Note does not reflect the difference in timing of recognizing currently deferred investment gains and losses, though the net impact of this difference is zero on a present value basis.

COST BASIS: The estimates presented herein are based on census data collected as of June 30, 2023 and the Preliminary June 30, 2023 Actuarial Valuation. The Final June 30, 2023 Actuarial Valuation may reflect subsequent events, such as data corrections or other legislative changes that impact the timing of employer contributions shown in this Fiscal Note.

ASSUMPTIONS AND METHODS: The estimates presented herein, except for those changes described in this Fiscal Note, have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted NYCERS.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2025-16 dated February 19, 2025 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2025 Legislative Session.

1

PART GG

2 Section 1. The correction law is amended by adding a new section 135
3 to read as follows:

4 § 135. New York state department of corrections and community super-
5 vision body-worn cameras program. 1. There is hereby created within the
6 department a body-worn cameras program. The purpose of such program is

1 to increase accountability and evidence for departmental and law
2 enforcement purposes, department staff, residents of the state, and
3 those under the department's care by providing body-worn cameras to all
4 correction officers, security supervisors, and any civilian staff as
5 identified by the commissioner.

6 2. The department shall provide body-worn cameras that will be powered
7 on and worn by correction officers and security supervisors at all
8 times, while on duty. Incidents and activities that require staff to
9 manually activate their body-worn cameras, regardless of the presence of
10 fixed cameras, include but are not limited to:

11 (a) during any interaction with an incarcerated individual or visitor,
12 in any location. This paragraph shall not apply when the office of
13 special investigations or crisis intervention unit is conducting an
14 interview with an incarcerated individual providing confidential infor-
15 mation where a record of interview is completed;

16 (b) when staff observe unauthorized activity by an incarcerated indi-
17 vidual, a department employee or any other person in the facility;

18 (c) during general movement of incarcerated individuals;

19 (d) when staff is responding to an emergency call for assistance;

20 (e) during all incarcerated individual escorts;

21 (f) during incarcerated individual transports, as directed by the
22 facility watch commander or higher-ranking supervisor. When an employee
23 enters a non-department facility, the employee will comply with the
24 facility local policy on wearing the camera and recording. If a local
25 policy does not exist, the employee shall default to department policy;

26 (g) when a firearm, oleoresin capsicum spray, or a baton is removed
27 from its holster or holder;

28 (h) any instance where department staff feels there is an imminent
29 threat or the need to document their time on duty;

30 (i) during all uses of force, including any physical aggression or use
31 of a non-lethal or lethal weapon;

32 (j) during a disciplinary hearing when fixed video monitoring systems
33 are not available where the disciplinary hearing is conducted. Such
34 recordings will be securely preserved as part of the official hearing
35 record for all Tier II and Tier III hearings pursuant to section 270.3
36 of the New York codes, rules and regulations. Audio recordings of all
37 hearings will continue to be made regardless of whether the video moni-
38 toring system captures audio;

39 (k) as directed by the deputy commissioner or chief of investigations
40 for the office of special investigations, or such deputy commissioner's
41 or chief of investigations' designee, office of special investigations
42 investigators may utilize body-worn camera systems pursuant to the
43 office of special investigations policy. The use of such cameras by the
44 office of special investigations investigators may include but is not
45 limited to absconder/fugitive operations, facility inspections, monitor-
46 ing of frisks, canine operations, high-risk in-state transports of
47 incarcerated individuals or releasees, and investigative activities
48 which are deemed appropriate to record;

49 (l) in congregate shower areas; provided, however, that staff shall
50 provide a verbal announcement that a body-worn camera is in use and
51 avoid intentional recording of an incarcerated individual in a state of
52 undress unless they are required to do so as part of the performance of
53 their duties;

54 (m) during all correctional emergency response team activations; and

1 (n) during a strip search or strip frisk; provided, however, that
2 incarcerated individuals shall be given verbal notice that they are
3 being recorded, and the following rules apply:

4 (i) The wearer of the body-worn camera shall be of the same gender as
5 the gender designation of the facility. Video recordings of strip frisks
6 or strip searches shall not be viewed by anyone, except as expressly
7 authorized in writing by the facility's deputy superintendent for secu-
8 rity or higher authority. If the recording is approved for review, the
9 deputy superintendent for security shall assure this fact is documented
10 to include date, time, authorization, reviewer name, explanation of why
11 the review is necessary, and the result of such review.

12 (ii) A body-worn camera recording of any strip search or strip frisk
13 shall immediately be turned over to an officer assigned to upload,
14 charge, and issue such cameras to assigned staff for uploading and stor-
15 age.

16 (iii) The video footage of a strip frisk or other incident depicting
17 an incarcerated individual in a state of complete undress shall only be
18 viewed by department staff who are of the same gender as the gender
19 designation of the facility.

20 3. The commissioner shall have the authority to require civilian staff
21 assigned to a correctional facility to wear body-worn cameras while on
22 duty where the civilian employee has direct supervision of an incarcer-
23 ated individual with only intermittent security supervision. In
24 instances where the commissioner has required a civilian to wear a body-
25 worn camera while on duty, such cameras shall be activated and shall
26 record:

27 (a) while interacting with an incarcerated individual, regardless of
28 the existence of fixed-video monitoring; and

29 (b) while such employee is in the area of a use of force incident,
30 including any physical aggression or use of a non-lethal or lethal weap-
31 on.

32 4. The department shall preserve recordings of such body-worn cameras
33 for at least ninety days.

34 5. The department shall perform all necessary maintenance on the
35 equipment used in such body-worn camera program established pursuant to
36 this section.

37 6. The commissioner of the department shall solely determine the
38 timing and appropriateness of any review or provision of body-worn
39 camera footage to an employee prior to that employee being required to
40 answer questions subject to paragraph (g) of subdivision one of section
41 two hundred nine-a of the civil service law, or prior to an employment
42 disciplinary hearing regarding the potential misconduct of such employ-
43 ee.

44 § 2. This act shall take effect on the sixtieth day after it shall
45 have become a law. Effective immediately, the addition, amendment and/or
46 repeal of any rule or regulation necessary for the implementation of
47 this act on its effective date are authorized to be made and completed
48 on or before such effective date.

49

PART HH

50 Section 1. Subdivision 1 of section 41 of the correction law, as added
51 by chapter 865 of the laws of 1975, is amended to read as follows:

52 1. There shall be within the executive department a state commission
53 of correction. It shall consist of three persons to be appointed by the
54 governor, by and with the advice and consent of the senate. The governor

1 shall designate one of the appointed members as [~~chairman~~] chair to
2 serve as such at the pleasure of the governor. The members shall devote
3 full time to their duties and shall hold no other salaried public posi-
4 tion.

5 § 2. Paragraph 3 of subdivision (a) of section 42 of the correction
6 law, as added by chapter 865 of the laws of 1975, is amended to read as
7 follows:

8 3. Any member chosen to fill in a vacancy created other than by expi-
9 ration of term shall be appointed for the unexpired term of the
10 succeeded member [~~whom he is to succeed~~]. Vacancies caused by the expi-
11 ration of term or otherwise shall be filled in the same manner as
12 original appointments.

13 § 3. Paragraph 4 of subdivision (a) of section 42 of the correction
14 law, as amended by chapter 55 of the laws of 1992, is amended to read as
15 follows:

16 4. The members of the council other than the [~~chairman~~] chair shall
17 receive no compensation for their services but each member other than
18 the [~~chairman~~] chair shall be entitled to receive [~~his or her~~] actual
19 and necessary expenses incurred in the performance of [~~his or her~~] coun-
20 cil duties.

21 § 4. Paragraph 5 of subdivision (a) of section 42 of the correction
22 law, as amended by section 14 of subpart A of part C of chapter 62 of
23 the laws of 2011, is amended to read as follows:

24 5. No appointed member of the council shall qualify or enter upon the
25 duties of [~~his~~] office, or remain therein, while [~~he is~~] an officer or
26 employee of the department of corrections and community supervision or
27 any correctional facility or is in a position [~~where he exercises~~] to
28 exercise administrative supervision over any correctional facility. The
29 council shall have such staff as shall be necessary to assist it in the
30 performance of its duties within the amount of the appropriation there-
31 for as determined by the [~~chairman~~] chair of the commission.

32 § 5. Paragraph 1 of subdivision (c) of section 42 of the correction
33 law, as added by chapter 865 of the laws of 1975, is amended to read as
34 follows:

35 1. Advise and assist the commission in developing policies, plans and
36 programs for improving the commission's performance of its duties and
37 for coordinating the efforts of the commission and of correctional offi-
38 cials to improve conditions of care, treatment, safety, supervision,
39 rehabilitation, recreation, training and education in correctional
40 facilities. Such advice and assistance shall minimally consist of an
41 annual report of the council to the commission;

42 § 6. Paragraph 3 of subdivision (c) of section 42 of the correction
43 law, as added by chapter 865 of the laws of 1975, is amended to read as
44 follows:

45 3. Meet at least once per calendar month at a time and place desig-
46 nated by the [~~chairman~~] chair of the council.

47 § 7. Subdivision 1 of section 43 of the correction law, as amended by
48 chapter 379 of the laws of 1988, is amended to read as follows:

49 1. There shall be within the commission a correction medical review
50 board. It shall consist of six persons to be appointed by the governor
51 by and with the advice and consent of the senate. In addition, the
52 governor shall designate one of the full-time members other than the
53 [~~chairman~~] chair of the commission and the [~~chairman~~] chair of the coun-
54 cil as [~~chairman~~] chair of the board to serve as such at the pleasure of
55 the governor. Of the appointed members of the board one shall be a
56 physician duly licensed to practice in this state; one shall be a physi-

1 cian duly licensed to practice in this state and a board certified
2 forensic pathologist; one shall be a physician duly licensed to practice
3 in this state and shall be a board certified forensic psychiatrist; one
4 shall be an attorney admitted to practice in this state; two shall be
5 members appointed at large.

6 § 8. Subdivision 3 of section 43 of the correction law, as added by
7 chapter 865 of the laws of 1975, is amended to read as follows:

8 3. Any member chosen to fill a vacancy created other than by expira-
9 tion of term shall be appointed for the unexpired term of the succeeded
10 member [~~whom he is to succeed~~]. Vacancies caused by expiration of term
11 or otherwise shall be filled in the same manner as original appoint-
12 ments.

13 § 9. Section 44 of the correction law, as added by chapter 865 of the
14 laws of 1975, is amended to read as follows:

15 § 44. [~~Chairman~~] Chair of commission. 1. The [~~chairman~~] chair shall be
16 the executive officer of the commission, the board and the council, and
17 may serve as the chair of the board or council at any time necessitated
18 by a commission member vacancy.

19 2. The [~~chairman~~] chair may appoint such assistants, officers and
20 employees, committees and consultants for the board and the council as
21 [~~he may determine~~] necessary, prescribe their powers and duties, fix
22 their compensation and provide for reimbursement of their expenses with-
23 in amounts appropriated therefor.

24 3. The [~~chairman~~] chair may, from time to time, create, abolish,
25 transfer and consolidate bureaus and other units within the commission,
26 the board and the council not expressly established by law as [~~he may~~
27 ~~determine~~] necessary for the efficient operation of the commission, the
28 board and the council, subject to the approval of the director of the
29 budget.

30 4. The [~~chairman~~] chair may request and receive from any department,
31 division, board, bureau, commission or other agency of the state or any
32 political subdivision thereof or any public authority such assistance,
33 information and data as will enable the commission, the board and the
34 council properly to carry out its functions, powers and duties.

35 § 10. Subdivision 3 of section 45 of the correction law, as amended by
36 chapter 322 of the laws of 2021, is amended to read as follows:

37 3. [~~Except in circumstances involving health, safety or alleged~~
38 ~~violations of established standards of the commission, visit~~] Visit,
39 [~~and~~] inspect [~~correctional facilities consistent with a schedule deter-~~
40 ~~mined by the chairman of the commission, taking into consideration~~
41 ~~available resources, workload and staffing,~~] and appraise the management
42 of [~~such~~] correctional facilities with specific attention to matters
43 such as safety, security, health of incarcerated individuals, sanitary
44 conditions, rehabilitative programs, disturbance and fire prevention and
45 control preparedness, and adherence to laws and regulations governing
46 the rights of incarcerated individuals. Such visits, inspections and
47 appraisals shall occur, at a minimum, annually for jails, specialized
48 secure juvenile detention facilities for older youth, facilities oper-
49 ated by the department, and secure facilities operated by the office of
50 children and family services.

51 § 11. Subdivision 4 of section 45 of the correction law, as amended by
52 chapter 322 of the laws of 2021, is amended to read as follows:

53 4. Establish procedures to assure effective investigation of griev-
54 ances of, and conditions affecting, incarcerated individuals of local
55 correctional facilities. Such procedures shall include but not be limit-
56 ed to receipt of written complaints, interviews of persons, and on-site

1 monitoring of conditions. In addition, the commission shall establish
2 procedures for the speedy and impartial review of grievances referred to
3 it by the commissioner [~~of the department of corrections and community~~
4 ~~supervision~~]. The commission shall maintain a website that allows for
5 the submission of written complaints regarding any correctional facili-
6 ty, and provides the commission's address for the receipt of complaints
7 by mail. The commission shall promulgate rules and regulations requiring
8 correctional facilities to provide incarcerated individuals, in writing,
9 the commission's website and mailing address.

10 § 12. Subdivision 17 of section 45 of the correction law, as amended
11 by chapter 322 of the laws of 2021, is amended to read as follows:

12 17. Make an annual report to the governor, the [~~chairman~~] chair of the
13 assembly committee on correction and the [~~chairman~~] chair of the senate
14 committee on crime victims, crime and correction concerning incarcerated
15 individuals confined in local correctional facilities pursuant to an
16 agreement authorized by section five hundred-o of this chapter. Such
17 report shall include but not be limited to the number of counties main-
18 taining such agreements and the number of incarcerated individuals
19 confined pursuant to such agreements.

20 § 13. Subdivision 1 of section 46 of the correction law, as amended by
21 chapter 322 of the laws of 2021, is amended to read as follows:

22 1. The commission, any member or any employee designated by the
23 commission must be granted access at any and all times to any correc-
24 tional facility or part thereof and to all books, records, medical and
25 substance use disorder treatment and transition services records of
26 incarcerated individuals and data pertaining to any correctional facili-
27 ty deemed necessary for carrying out the commission's functions, powers
28 and duties. The commission, any member or any employee designated by the
29 [~~chairman~~] chair may require from the officers or employees of a correc-
30 tional facility any information deemed necessary for the purpose of
31 carrying out the commission's functions, powers and duties. Commission
32 members and employees may conduct private interviews of correctional
33 facility officers and employees, who may be accompanied by counsel or a
34 union representative acting on such officer or employee's behalf.
35 Commission members and employees may also conduct private interviews of
36 incarcerated individuals, upon such individual's consent.

37 § 14. Paragraph (d) of subdivision 1 of section 47 of the correction
38 law, as amended by chapter 322 of the laws of 2021, is amended to read
39 as follows:

40 (d) Upon review of the cause of death and circumstances surrounding
41 the death of any incarcerated individual, the board shall submit its
42 report thereon to the commission and to the governor, the [~~chairman~~]
43 chair of the assembly committee on correction and the [~~chairman~~] chair
44 of the senate committee on crime victims, crime and correction and,
45 where appropriate, make recommendations to prevent the recurrence of
46 such deaths to the commission and the administrator of the appropriate
47 correctional facility. The report provided to the governor, the [~~chair-~~
48 ~~man~~] chair of the assembly committee on correction and the [~~chairman~~]
49 chair of the senate committee on crime victims, crime and correction
50 shall not be redacted except as otherwise required to protect confiden-
51 tial medical records and behavioral health records in accordance with
52 state and federal laws, rules, and regulations.

53 § 15. Subparagraph (i) of paragraph (e) of subdivision 1 of section 47
54 of the correction law, as amended by chapter 322 of the laws of 2021, is
55 amended to read as follows:

1 (i) Investigate and report to the commission on the condition of
2 systems for the delivery of medical care to incarcerated individuals of
3 correctional facilities and where appropriate recommend such changes as
4 it shall deem necessary and proper to improve the quality and availabil-
5 ity of such medical care. Such report and recommendation shall minimally
6 consist of an annual report of the board to the commission.

7 § 16. This act shall take effect one year after it shall have become a
8 law; provided, however, that the amendments to subdivision 17 of section
9 45 of the correction law made by section twelve of this act shall not
10 affect the repeal of such subdivision and shall expire and be deemed
11 repealed therewith.

12 PART II

13 Section 1. Notwithstanding the provisions of sections 79-a and 79-b of
14 the correction law, the governor is authorized to close up to five
15 correctional facilities of the department of corrections and community
16 supervision, in the state fiscal year 2025--2026, as the governor deter-
17 mines to be necessary for the cost-effective and efficient operation of
18 the correctional system, provided that the governor provides at least 90
19 days' notice prior to any such closures to the temporary president of
20 the senate and the speaker of the assembly. Such notice shall include
21 the list of facilities the governor plans to close, the number of incar-
22 cerated individuals in said facilities, and the number of staff working
23 in said facilities. The commissioner of corrections and community super-
24 vision shall also report in detail to the temporary president of the
25 senate and the speaker of the assembly on the results of staff relo-
26 cation efforts within 60 days after such closures.

27 § 2. This act shall take effect immediately and shall be deemed to
28 have been in full force and effect on and after April 1, 2025; provided,
29 however that this act shall expire and be deemed repealed March 31,
30 2026.

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

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