

STATE OF NEW YORK

3005--B

IN SENATE

January 22, 2025

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

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chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the expiration thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend chapter 152 of the laws of 2001 amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in relation to the effectiveness thereof; and to amend chapter 55 of the laws of 2018, amending the criminal procedure law relating to the pre-criminal proceeding settlements in the City of New York, in relation to the effectiveness thereof (Part A); intentionally omitted (Part B); 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); intentionally omitted (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); intentionally omitted (Part N); intentionally omitted (Part O); intentionally omitted (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); intentionally omitted (Part T); intentionally omitted (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); intentionally omitted (Part W); to amend the state technology law, in relation to cybersecurity awareness training for government employees, data protection standards and cybersecurity protection (Part X); intentionally omitted (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); intentionally omitted (Part BB); to amend the workers' compensation law, in relation to temporary payment of compensation for medical treatment and care (Part CC); intentionally omitted (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 part D of chapter 63 of the laws of 2005, relating to the composition and responsibilities of the New York state higher education capital matching grant board, in relation to higher education capital matching grants; 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 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 required contents of the budget; and providing for the repeal of certain provisions upon expiration thereof (Part EE); intentionally omitted (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); 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); to amend the legislative law, in relation to relieving reporting requirements on small nonprofits (Part JJ); to amend the legislative law, in relation to the law revision commission (Part KK); to amend the judiciary law, in relation to increasing the amount of allowance that trial and grand jurors are entitled to in each court of the unified court system (Part LL); to amend the correction law, in relation to available transportation for correction facility visitation (Part MM); to amend the correction law, in relation to creating an identification card program for incarcerated individuals in local correctional facilities; and to amend the vehicle and traffic law, in relation to issuance of and waiver of fees for identification cards issued pursuant to identification card programs under the correction law (Part NN); to amend the family court act, in relation to enacting the "family court adjusted service time (FAST) act"; and providing for the repeal of such provisions upon expiration thereof (Part OO); to amend the correction law, in relation to establishing a uniform electronic medical records system for correctional facilities (Part PP); to amend the executive law, in relation to authorizing the state inspector general to receive and investigate complaints of sexual assault in correctional facilities and other places operated by the department of corrections and community supervision for the confinement of persons (Part QQ); to amend the judiciary law, in relation to requiring the state commission on judicial conduct to transmit its annual budget request to the governor for inclusion in the executive budget without revision; to complaints regarding judges; and to extending the jurisdiction of the state commission on judicial conduct as to judges who resign or retire while under investigation or formal charges (Part RR); to amend the judiciary law, in relation to audio-visual coverage of judicial proceedings by the media; and to repeal section 218 of the judiciary law and section 52 of the civil rights law relating thereto (Part SS); to amend the criminal procedure law and the mental hygiene law, in relation to determining the capacity of a defendant to stand trial (Part TT); to amend the executive law, in relation to defining the term "mass shooting" for purposes of emergency response measures and access to emergency funding (Part UU); to amend the executive law, in relation to establishing the office of gun violence prevention and the gun violence advisory council (Part VV); to amend the executive law, the public authorities law and the public buildings law, in relation to the utilization of renewable energy at

state-owned facilities in Albany (Part WW); to amend the executive law, in relation to establishing the office of Native American affairs (Part XX); to amend the state technology law, in relation to establishing the position of chief artificial intelligence officer and the functions, powers and duties therefor (Part YY); to amend the retirement and social security law, in relation to death benefits for active New York city transit authority members (Part ZZ); to amend the retirement and social security law, in relation to removing eligibility or receipt of primary social security disability benefits as a condition for ordinary disability retirement for certain members (Part AAA); to amend the administrative code of the city of New York, in relation to the verification of participation in the rescue, recovery, and clean-up operations at the site of the World Trade Center terror attacks on September 11, 2001 (Part BBB); to amend the administrative code of the city of New York, in relation to promotions of police detectives, sergeants, and lieutenants for retirement purposes (Part CCC); to amend the retirement and social security law, in relation to the restoration of 20 year service retirement for New York city police officers (Part DDD); to amend the criminal procedure law and the judiciary law, in relation to motions to vacate judgment; and to repeal certain provisions of the criminal procedure law relating thereto (Part EEE); to amend the retirement and social security law, in relation to establishing a twenty-five year retirement plan for firefighters employed by the division of military and naval affairs (Part FFF); to amend the retirement and social security law, in relation to death benefits for the beneficiaries of certain members of the retirement system (Part GGG); to amend the alcoholic beverage control law, in relation to permitting certain retail licensees to purchase wine and liquor from certain other retail licensees (Part HHH); to amend the state finance law, in relation to funding a seed to sale track and trace system (Part III); to amend chapter 729 of the laws of 2023 acknowledging the fundamental injustice, cruelty, brutality and inhumanity of slavery in the City of New York and the State of New York, in relation to reports to the legislature (Part JJJ); to amend the retirement and social security law, in relation to increasing the earning limitations for retired persons in positions of public service (Part KKK); to amend the retirement and social security law, in relation to establishing alternative twenty and twenty-five year plans for certain officers of state law enforcement (Part LLL); to amend the election law, in relation to providing for automatic voter registration and pre-registration for persons applying for certain department of motor vehicles documentation, and for Medicaid enrollees (Part MMM); to amend the retirement and social security law, in relation to the calculation of past service credit for members in the title of deputy sheriff transferring between the New York state and local employees' retirement system to the New York state and local police and fire retirement system (Part NNN); to amend part HH of chapter 56 of the laws of 2022 amending the retirement and social security law relating to waiving approval and income limitations on retirees employed in school districts and board of cooperative educational services, in relation to the effectiveness thereof (Part OOO); in relation to establishing the New York state aid and incentives for municipalities redesign task force; and providing for the repeal of such provisions upon expiration thereof (Part PPP); to amend the state finance law, in relation to increasing the citizens empowerment tax credit award valuation and maximum award amounts (Part QQQ); to amend

the general municipal law, in relation to the organization of industrial development agencies and the definition of labor organization (Part RRR); creating the Oak Orchard wastewater project; and providing for the repeal of such provisions upon expiration thereof (Part SSS); to amend the real property tax law, in relation to subjecting certain state lands in Ulster county to real property taxation (Part TTT); to amend chapter 55 of the laws of 2022, amending the general municipal law and the town law relating to authorizing fees and charges for emergency medical services, in relation to making such provisions permanent (Part UUU); and to amend the general municipal law and the public authorities law, in relation to prohibiting the use of funds, financial incentives or subsidies where facilities or property are used primarily for e-commerce storage and transfers, or the facilitation thereof (Part VVV)

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 VVV. The effec-
5 tive date for each particular provision contained within such Part is
6 set forth in the last section of such Part. Any provision in any section
7 contained within a Part, including the effective date of the Part, which
8 makes a reference to a section "of this act", when used in connection
9 with that particular component, shall be deemed to mean and refer to the
10 corresponding section of the Part in which it is found. Section three of
11 this act sets forth the general effective date of this act.

12 PART A

13 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the
14 correction law relating to the psychological testing of candidates, as
15 amended by section 1 of part A of chapter 55 of the laws of 2023, is
16 amended to read as follows:

17 § 2. This act shall take effect on the one hundred eightieth day after
18 it shall have become a law and shall remain in effect until September 1,
19 [~~2025~~] 2027.

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

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

29 § 3. Section 3 of chapter 886 of the laws of 1972, amending the
30 correction law and the penal law relating to prisoner furloughs in
31 certain cases and the crime of absconding therefrom, as amended by
32 section 3 of part A of chapter 55 of the laws of 2023, is amended to
33 read as follows:

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

1 § 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
2 50, 53 and 54 of the laws of 1987, the correction law, the penal law and
3 other chapters and laws relating to correctional facilities, as amended
4 by section 4 of part A of chapter 55 of the laws of 2023, is amended to
5 read as follows:

6 § 20. This act shall take effect immediately except that section thir-
7 teen of this act shall expire and be of no further force or effect on
8 and after September 1, [~~2025~~] 2027 and shall not apply to persons
9 committed to the custody of the department after such date, and provided
10 further that the commissioner of corrections and community supervision
11 shall report each January first and July first during such time as the
12 earned eligibility program is in effect, to the [~~chairmen~~] chairs of the
13 senate crime victims, crime and correction committee, the senate codes
14 committee, the assembly correction committee, and the assembly codes
15 committee, the standards in effect for earned eligibility during the
16 prior six-month period, the number of [~~inmates~~] incarcerated individuals
17 subject to the provisions of earned eligibility, the number who actually
18 received certificates of earned eligibility during that period of time,
19 the number of [~~inmates~~] incarcerated individuals with certificates who
20 are granted parole upon their first consideration for parole, the number
21 with certificates who are denied parole upon their first consideration,
22 and the number of individuals granted and denied parole who did not have
23 earned eligibility certificates.

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

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

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

35 § 10. This act shall take effect 30 days after it shall have become a
36 law and shall remain in effect until September 1, [~~2025~~] 2027, and
37 provided further that the commissioner of correctional services shall
38 report each January first, and July first, to the [~~chairman~~] chairs of
39 the senate crime victims, crime and correction committee, the senate
40 codes committee, the assembly correction committee, and the assembly
41 codes committee, the number of eligible [~~inmates~~] incarcerated individ-
42 uals in each facility under the custody and control of the commissioner
43 who have applied for participation in any program offered under the
44 provisions of work release, furlough, or leave, and the number of such
45 [~~inmates~~] incarcerated individuals who have been approved for partic-
46 ipation.

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

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

1 § 8. Subdivision (aa) of section 427 of chapter 55 of the laws of
2 1992, amending the tax law and other laws relating to taxes, surcharges,
3 fees and funding, as amended by section 8 of part A of chapter 55 of the
4 laws of 2023, is amended to read as follows:

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

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

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

17 § 10. Subdivision (p) of section 406 of chapter 166 of the laws of
18 1991, amending the tax law and other laws relating to taxes, as amended
19 by section 10 of part A of chapter 55 of the laws of 2023, is amended to
20 read as follows:

21 (p) The amendments to section 1809 of the vehicle and traffic law made
22 by sections three hundred thirty-seven and three hundred thirty-eight of
23 this act shall not apply to any offense committed prior to such effec-
24 tive date; provided, further, that section three hundred forty-one of
25 this act shall take effect immediately and shall expire November 1, 1993
26 at which time it shall be deemed repealed; sections three hundred
27 forty-five and three hundred forty-six of this act shall take effect
28 July 1, 1991; sections three hundred fifty-five, three hundred fifty-
29 six, three hundred fifty-seven and three hundred fifty-nine of this act
30 shall take effect immediately and shall expire June 30, 1995 and shall
31 revert to and be read as if this act had not been enacted; section three
32 hundred fifty-eight of this act shall take effect immediately and shall
33 expire June 30, 1998 and shall revert to and be read as if this act had
34 not been enacted; section three hundred sixty-four through three hundred
35 sixty-seven of this act shall apply to claims filed on or after such
36 effective date; sections three hundred sixty-nine, three hundred seven-
37 ty-two, three hundred seventy-three, three hundred seventy-four, three
38 hundred seventy-five and three hundred seventy-six of this act shall
39 remain in effect until September 1, [~~2025~~] 2027, at which time they
40 shall be deemed repealed; provided, however, that the mandatory
41 surcharge provided in section three hundred seventy-four of this act
42 shall apply to parking violations occurring on or after said effective
43 date; and provided further that the amendments made to section 235 of
44 the vehicle and traffic law by section three hundred seventy-two of this
45 act, the amendments made to section 1809 of the vehicle and traffic law
46 by sections three hundred thirty-seven and three hundred thirty-eight of
47 this act and the amendments made to section 215-a of the labor law by
48 section three hundred seventy-five of this act shall expire on September
49 1, [~~2025~~] 2027 and upon such date the provisions of such subdivisions
50 and sections shall revert to and be read as if the provisions of this
51 act had not been enacted; the amendments to subdivisions 2 and 3 of
52 section 400.05 of the penal law made by sections three hundred seventy-
53 seven and three hundred seventy-eight of this act shall expire on July
54 1, 1992 and upon such date the provisions of such subdivisions shall
55 revert and shall be read as if the provisions of this act had not been
56 enacted; the state board of law examiners shall take such action as is

1 necessary to assure that all applicants for examination for admission to
2 practice as an attorney and counsellor at law shall pay the increased
3 examination fee provided for by the amendment made to section 465 of the
4 judiciary law by section three hundred eighty of this act for any exam-
5 ination given on or after the effective date of this act notwithstanding
6 that an applicant for such examination may have prepaid a lesser fee for
7 such examination as required by the provisions of such section 465 as of
8 the date prior to the effective date of this act; the provisions of
9 section 306-a of the civil practice law and rules as added by section
10 three hundred eighty-one of this act shall apply to all actions pending
11 on or commenced on or after September 1, 1991, provided, however, that
12 for the purposes of this section service of such summons made prior to
13 such date shall be deemed to have been completed on September 1, 1991;
14 the provisions of section three hundred eighty-three of this act shall
15 apply to all money deposited in connection with a cash bail or a
16 partially secured bail bond on or after such effective date; and the
17 provisions of sections three hundred eighty-four and three hundred
18 eighty-five of this act shall apply only to jury service commenced
19 during a judicial term beginning on or after the effective date of this
20 act; provided, however, that nothing contained herein shall be deemed to
21 affect the application, qualification, expiration or repeal of any
22 provision of law amended by any section of this act and such provisions
23 shall be applied or qualified or shall expire or be deemed repealed in
24 the same manner, to the same extent and on the same date as the case may
25 be as otherwise provided by law;

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

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

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

36 § 6. This act shall take effect on the first day of April next
37 succeeding the date on which it shall have become a law; provided,
38 however, that effective immediately, the addition, amendment or repeal
39 of any rule or regulation necessary for the implementation of the fore-
40 going sections of this act on their effective date is authorized and
41 directed to be made and completed on or before such effective date and
42 shall remain in full force and effect until the first day of September,
43 [~~2025~~] 2027 when upon such date the provisions of this act shall be
44 deemed repealed.

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

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

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

1 § 4. This act shall take effect 120 days after it shall have become a
2 law and shall remain in full force and effect until September 1, [~~2025~~
3 2027], when upon such date it shall expire.

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

8 2. Subdivision 4 of section 140.10 of the criminal procedure law as
9 added by section thirty-two of this act shall take effect January 1,
10 1996 and shall expire and be deemed repealed on September 1, [~~2025~~
11 2027].

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

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

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

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

29 § 18. Section 2 of chapter 689 of the laws of 1993, amending the crim-
30 inal procedure law relating to electronic court appearance in certain
31 counties, as amended by section 18 of part A of chapter 55 of the laws
32 of 2023, is amended to read as follows:

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

38 § 19. Section 3 of chapter 688 of the laws of 2003, amending the exec-
39 utive law relating to enacting the interstate compact for adult offender
40 supervision, as amended by section 19 of part A of chapter 55 of the
41 laws of 2023, is amended to read as follows:

42 § 3. This act shall take effect immediately, except that section one
43 of this act shall take effect on the first of January next succeeding
44 the date on which it shall have become a law, and shall remain in effect
45 until the first of September, [~~2025~~ 2027], upon which date this act
46 shall be deemed repealed and have no further force and effect; provided
47 that section one of this act shall only take effect with respect to any
48 compacting state which has enacted an interstate compact entitled
49 "Interstate compact for adult offender supervision" and having an iden-
50 tical effect to that added by section one of this act and provided
51 further that with respect to any such compacting state, upon the effec-
52 tive date of section one of this act, section 259-m of the executive law
53 is hereby deemed REPEALED and section 259-mm of the executive law, as
54 added by section one of this act, shall take effect; and provided
55 further that with respect to any state which has not enacted an inter-
56 state compact entitled "Interstate compact for adult offender super-

1 vision" and having an identical effect to that added by section one of
2 this act, section 259-m of the executive law shall take effect and the
3 provisions of section one of this act, with respect to any such state,
4 shall have no force or effect until such time as such state shall adopt
5 an interstate compact entitled "Interstate compact for adult offender
6 supervision" and having an identical effect to that added by section one
7 of this act in which case, with respect to such state, effective imme-
8 diately, section 259-m of the executive law is deemed repealed and
9 section 259-mm of the executive law, as added by section one of this
10 act, shall take effect.

11 § 20. Section 8 of part H of chapter 56 of the laws of 2009, amending
12 the correction law relating to limiting the closing of certain correc-
13 tional facilities, providing for the custody by the department of
14 correctional services of inmates serving definite sentences, providing
15 for custody of federal prisoners and requiring the closing of certain
16 correctional facilities, as amended by section 20 of part A of chapter
17 55 of the laws of 2023, is amended to read as follows:

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

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

25 § 3. This act shall take effect immediately; provided however that the
26 amendments made to subdivision 1 of section 221 of the military law by
27 section two of this act shall expire and be deemed repealed September 1,
28 [~~2025~~] 2027.

29 § 22. Section 5 of chapter 554 of the laws of 1986, amending the
30 correction law and the penal law relating to providing for community
31 treatment facilities and establishing the crime of absconding from the
32 community treatment facility, as amended by section 22 of part A of
33 chapter 55 of the laws of 2023, is amended to read as follows:

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

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

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

52 § 24. This act shall take effect immediately.

53

PART B

54

Intentionally Omitted

1

PART C

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

4 9-a. The provisions of this section requiring a person to be a resi-
5 dent of the state shall not apply to any person employed as a correction
6 officer trainee or correction officer who is employed at a state correc-
7 tional facility.

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

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

14 Notwithstanding the foregoing, any member in service in the division
15 on August fifteenth, two thousand seven, and who on that date was enti-
16 tled to receive retirement benefits on the thirty-first day of December
17 in the year in which [~~he or she~~] such member attained fifty-seven years
18 of age as provided in paragraph three of subdivision b of this section,
19 may elect to retain such entitlement, provided the member remains in
20 service on the thirtieth day of December in the year in which [~~he or~~
21 ~~she~~] such member attains fifty-seven years of age, and any member in
22 service in the division on August thirty-first, two thousand twenty-
23 five, and who on that date was entitled to receive retirement benefits
24 on the thirty-first day of December in the year in which such member
25 attained sixty years of age as provided in paragraph three of subdivi-
26 sion b of this section, may elect to retain such entitlement, provided
27 the member remains in service on the thirtieth day of December in the
28 year in which such member attains sixty years of age. The provisions of
29 this subdivision shall not apply to the superintendent.

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

32 3. The sworn members of the New York state police shall be appointed
33 by the superintendent and permanent appointees may be removed by the
34 superintendent only after a hearing. No person shall be appointed to the
35 New York state police force as a sworn member unless [~~he or she~~] such
36 person shall be a citizen of the United States[, ~~between the ages of~~
37 ~~twenty one and twenty nine years except that in the superintendent's~~
38 ~~discretion, the maximum age may be extended to thirty five years.~~
39 ~~Notwithstanding any other provision of law or any general or special law~~
40 ~~to the contrary the time spent on military duty, not exceeding a total~~
41 ~~of six years, shall be subtracted from the age of any applicant who has~~
42 ~~passed his or her twenty ninth birthday, solely for the purpose of~~
43 ~~permitting qualification as to age and for no other purpose. Such limi-~~
44 ~~tations as to age however shall not apply to persons appointed to the~~
45 ~~positions of counsel, first assistant counsel, assistant counsel, and~~
46 ~~assistant deputy superintendent for employee relations nor to any person~~
47 ~~appointed to the bureau of criminal investigation pursuant to section~~
48 ~~two hundred sixteen of this article nor shall any person] who is at
49 least twenty-one years of age. No person shall be appointed unless [~~he~~
50 ~~or she~~] such person has fitness and good moral character and shall have
51 passed a physical and mental examination based upon standards provided
52 by the rules and regulations of the superintendent. Appointments shall
53 be made for a probationary period which, in the case of appointees
54 required to attend and complete a basic training program at the state
55 police academy, shall include such time spent attending the basic school~~

1 and terminate one year after successful completion thereof. All other
2 sworn members shall be subject to a probationary period of one year from
3 the date of appointment. Following satisfactory completion of the proba-
4 tionary period the member shall be a permanent appointee. Voluntary
5 resignation or withdrawal from the New York state police during such
6 appointment shall be submitted to the superintendent for approval.
7 Reasonable time shall be required to account for all equipment issued or
8 for debts or obligations to the state to be satisfied. Resignation or
9 withdrawal from the division during a time of emergency, so declared by
10 the governor, shall not be approved if contrary to the best interest of
11 the state and shall be a misdemeanor. No sworn member removed from the
12 New York state police shall be eligible for reappointment. The super-
13 intendent shall make rules and regulations subject to approval by the
14 governor for the discipline and control of the New York state police and
15 for the examination and qualifications of applicants for appointment as
16 members thereto and such examinations shall be held and conducted by the
17 superintendent subject to such rules and regulations. The superintendent
18 is authorized to charge a fee of twenty dollars as an application fee
19 for any person applying to take a competitive examination for the posi-
20 tion of trooper, and a fee of five dollars for any competitive examina-
21 tion for a civilian position. The superintendent shall promulgate regu-
22 lations subject to the approval of the director of the budget, to
23 provide for a waiver of the application fee when the fee would cause an
24 unreasonable hardship on the applicant and to establish a fee schedule
25 and charge fees for the use of state police facilities.

26 § 4. Section 58 of the civil service law, as amended by chapter 560 of
27 the laws of 1978, subdivisions 1 and 2 as amended by chapter 244 of the
28 laws of 2013, paragraphs (c) and (d) of subdivision 1 as amended by
29 section 16 and subdivision 5 as amended by section 17 of part BBB of
30 chapter 59 of the laws of 2021, subdivision 1-b as added by chapter 1016
31 of the laws of 1983, subdivision 1-c as added by chapter 840 of the laws
32 of 1985, subdivision 3 as amended by chapter 561 of the laws of 2015,
33 subdivision 4 as separately amended by chapters 375 and 397 of the laws
34 of 1990, paragraphs (a) and (b) of subdivision 4 as amended by chapter
35 561 of the laws of 2015, paragraph (c) of subdivision 4 as amended by
36 chapter 190 of the laws of 2008, subparagraphs (ii) and (iv) of para-
37 graph (c) of subdivision 4 as amended by section 58 of subpart B of part
38 C of chapter 62 of the laws of 2011 and subdivision 6 as added by chap-
39 ter 558 of the laws of 1979, is amended to read as follows:

40 § 58. Requirements for [~~provisional or permanent~~] appointment of
41 certain police officers. 1. Notwithstanding any other provision of this
42 law or any general, special or local law to the contrary, no person
43 shall be eligible for [~~provisional or permanent~~] appointment [~~in the~~
44 ~~competitive class of the civil service~~] as a police officer of the
45 department of environmental conservation or of any police force or
46 police department of any county, city, town, village, housing authority
47 or police district unless [~~he or she~~] they shall satisfy the following
48 basic requirements:

49 (a) [~~he or she is~~] they are not less than twenty years of age as of
50 the date of appointment [~~nor more than thirty-five years of age as of~~
51 ~~the date when the applicant takes the written examination, provided that~~
52 ~~the maximum age requirement of thirty five years of age as set forth in~~
53 ~~this paragraph shall not apply to eligible lists finalized pursuant to~~
54 ~~an examination administered prior to May thirty-first, nineteen hundred~~
55 ~~ninety-nine or a police officer in the department of environmental~~
56 ~~conservation, provided, however, that:~~

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

5 ~~(ii) such maximum age requirement of thirty-five years shall not apply~~
6 ~~to any police officer as defined in subdivision thirty four of section~~
7 ~~1.20 of the criminal procedure law, who was continuously employed by the~~
8 ~~Buffalo municipal housing authority between January first, two thousand~~
9 ~~five and June thirtieth, two thousand five and who takes the next writ-~~
10 ~~ten exam offered after the effective date of this subparagraph by the~~
11 ~~city of Buffalo civil service commission for employment as a police~~
12 ~~officer in the city of Buffalo police department, or June thirtieth, two~~
13 ~~thousand six, whichever is later; and~~

14 ~~(iii) such maximum age requirement of thirty-five years shall not~~
15 ~~apply to any police officer of any county, town, city or village police~~
16 ~~force not otherwise provided for in this section if the eligible list~~
17 ~~has been exhausted and there are no other eligible candidates; provided,~~
18 ~~however, the police officer themselves are on the eligible list of such~~
19 ~~county, town, city or village and meet all other requirements of merit~~
20 ~~and fitness set forth by this chapter and do not exceed the maximum age~~
21 ~~of thirty nine];~~

22 (b) [~~he or she is~~] they are a high school graduate or a holder of a
23 high school equivalency diploma issued by an education department of any
24 of the states of the United States or a holder of a comparable diploma
25 issued by any commonwealth, territory or possession of the United States
26 or by the Canal Zone or a holder of a report from the United States
27 armed forces certifying [~~his or her~~] their successful completion of the
28 tests of general educational development, high school level;

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

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

37 1-b. Notwithstanding the provisions of any other section of law,
38 general, special or local, in political subdivisions maintaining a
39 police department serving a population of one hundred fifty thousand or
40 less, no person shall be eligible for appointment nor shall [~~he or she~~]
41 they be appointed to any rank above the rank of police officer unless
42 [~~he or she has~~] they have been appointed a police officer from an eligi-
43 ble list established according to merit and fitness as provided by
44 section six of article five of the constitution of the state of New York
45 or has previously served as a member of the New York state police.

46 1-c. Notwithstanding the provisions of any other section of law,
47 general, special or local, any political subdivision maintaining a
48 police department serving a population of one hundred fifty thousand or
49 less and with positions for more than four full-time police officers,
50 shall maintain the office of chief of police.

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

1 3. As used in this section, the term "police officer" means a police
2 officer in the department of environmental conservation, the state
3 university police, a member of the regional state park police or a
4 police force, police department, or other organization of a county,
5 city, town, village, housing authority, transit authority or police
6 district, who is responsible for the prevention and detection of crime
7 and the enforcement of the general criminal laws of the state, but shall
8 not include any person serving as such solely by virtue of [~~his or her~~]
9 occupying any other office or position, nor shall such term include a
10 sheriff, under-sheriff, commissioner of police, deputy or assistant
11 commissioner of police, chief of police, deputy or assistant chief of
12 police or any person having an equivalent title who is appointed or
13 employed to exercise equivalent supervisory authority.

14 4. (a) [~~Any person who has received provisional or permanent appoint-~~
15 ~~ment in the competitive class of the civil service as a police officer~~
16 ~~of the regional state park police, the state university of New York~~
17 ~~police, the department of environmental conservation or any police force~~
18 ~~or police department of any county, city, town, village, housing author-~~
19 ~~ity, transit authority or police district shall be eligible to resign~~
20 ~~from any police force or police department, and to be appointed as a~~
21 ~~police officer in the same or any other police force or police depart-~~
22 ~~ment without satisfying the age requirements set forth in paragraph (a)~~
23 ~~of subdivision one of this section at the time of such second or subse-~~
24 ~~quent appointment, provided such second or subsequent appointment occurs~~
25 ~~within thirty days of the date of resignation.~~

26 (b) Any person who has received permanent appointment in the compet-
27 itive class of the civil service as a police officer of the regional
28 state park police, the state university of New York police, the depart-
29 ment of environmental conservation or any police force or police depart-
30 ment of any county, city, town, village, housing authority, transit
31 authority or police district shall be eligible to resign from any police
32 force or police department and, subject to such civil service rules as
33 may be applicable, shall be eligible for reinstatement in the same
34 police force or police department or in any other police force or police
35 department to which [~~he or she was~~] they were eligible for transfer,
36 without satisfying the age requirements set forth in paragraph (a) of
37 subdivision one of this section at the time of such reinstatement,
38 provided such reinstatement occurs within one year of the date of resig-
39 nation.

40 [~~(a)~~] (b) (i) Legislative findings and declaration. The legislature
41 hereby finds and declares that it is frequently impracticable to ascer-
42 tain fitness for the positions of detective and investigator within
43 various police or sheriffs departments around the state by means of a
44 competitive examination due to the unique nature of the duties assigned
45 and the intangible personal qualities needed to perform such duties. The
46 legislature further finds that competitive examination has never been
47 employed in many police, correction or sheriffs departments, to ascer-
48 tain fitness for the positions of detective and investigator within such
49 police, correction or sheriffs departments; such fitness has always been
50 determined by evaluation of the capabilities of an individual (who has
51 in any case received permanent appointment to the position of police
52 officer, correction officer of any rank or deputy sheriff) by superviso-
53 ry personnel. The legislature further finds that an individual who
54 performs in an investigatory position in a manner sufficiently satisfac-
55 tory to the appropriate supervisors to hold such an assignment for a
56 period of eighteen months, has demonstrated fitness for the position of

1 detective or investigator within such police, correction or sheriffs
2 department at least as sufficiently as could be ascertained by means of
3 a competitive examination.

4 (ii) Notwithstanding any other provision of law, in any jurisdiction,
5 other than a city with a population of one million or more or the state
6 department of corrections and community supervision, which does not
7 administer examinations for designation to detective or investigator,
8 any person who has received permanent appointment to the position of
9 police officer, correction officer of any rank or deputy sheriff and is
10 temporarily assigned to perform the duties of detective or investigator
11 shall, whenever such assignment to the duties of a detective or investi-
12 gator exceeds eighteen months, be permanently designated as a detective
13 or investigator and receive the compensation ordinarily paid to persons
14 in such designation.

15 (iii) Nothing contained in subparagraph (ii) of this paragraph shall
16 be construed to limit any jurisdiction's ability to administer examina-
17 tions for appointment to the positions of detective and investigator,
18 provided however that any person temporarily assigned to perform the
19 duties of detective or investigator within the period commencing Septem-
20 ber twenty-third, nineteen hundred ninety-three through and including
21 the date upon which this paragraph shall have become a law and who has
22 not been designated as a detective or investigator and who has not been
23 subject to an examination for which there is a certified eligible list,
24 shall be permanently designated as a detective or investigator whenever
25 such assignment to the duties of detective or investigator exceeds eigh-
26 teen months.

27 (iv) Detectives and investigators designated since September twenty-
28 third, nineteen hundred ninety and prior to February twenty-fourth,
29 nineteen hundred ninety-five by any state, county, town, village or city
30 (other than a city with a population of one million or more or the state
31 department of corrections and community supervision) police, correction
32 or sheriffs department, pursuant to the provisions of this paragraph in
33 effect during such period, who continue to serve in such positions,
34 shall retain their detective or investigator status without any right to
35 retroactive financial entitlement.

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

39 6. The provisions of this section shall not apply to any individual
40 holding the position of deputy sheriff in Westchester county prior to
41 July first, nineteen hundred seventy-nine upon the transfer of such
42 individual to service in the Westchester county department of public
43 safety services.

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

45 PART D

46 Intentionally Omitted

47 PART E

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

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

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

21 § 2. Subparagraph (xii) of paragraph (c) of subdivision 1 of section
22 803-b of the correction law, as amended by chapter 322 of the laws of
23 2021, is amended and a new subparagraph (xiii) is added to read as
24 follows:

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

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

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

38

PART F

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

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

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

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

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

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

1 defined in section 230.34 of the penal law, or sex trafficking of a
2 child as defined in section 230.34-a of the penal law may be brought
3 against any party whose intentional or negligent acts or omissions are
4 alleged to have resulted in the commission of the said conduct, within
5 twenty years. Nothing in this section shall be construed to require that
6 a criminal charge be brought or a criminal conviction be obtained as a
7 condition of bringing a civil cause of action or receiving a civil judg-
8 ment pursuant to this section or be construed to require that any of the
9 rules governing a criminal proceeding be applicable to any such civil
10 action.

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

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

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

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

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

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

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

1 the penal law committed against a child less than eighteen years of age;
2 or

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

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

7 2. Notwithstanding anything to the contrary hereinbefore contained in
8 this section, no action or special proceeding founded upon tort shall be
9 prosecuted or maintained against any of the parties named in this
10 section or against any teacher or member of the supervisory or adminis-
11 trative staff or employee where the alleged tort was committed by such
12 teacher or member or employee acting in the discharge of [~~his~~] their
13 duties within the scope of [~~his~~] their employment and/or under the
14 direction of the board of education, trustee or trustees, or governing
15 body of the school unless a notice of claim shall have been made and
16 served in compliance with section fifty-e of the general municipal law.
17 Every such action shall be commenced pursuant to the provisions of
18 section fifty-i of the general municipal law; provided, however, that
19 this section shall not apply to: (i) any claim to recover damages for
20 physical, psychological, or other injury or condition suffered as a
21 result of conduct which would constitute a sexual offense as defined in
22 article one hundred thirty of the penal law committed against a child
23 less than eighteen years of age, sex trafficking as defined in section
24 230.34 of the penal law committed against a child less than eighteen
25 years of age, sex trafficking of a child as defined in section 230.34-a
26 of the penal law, incest as defined in section 255.27, 255.26 or 255.25
27 of the penal law committed against a child less than eighteen years of
28 age, or the use of a child in a sexual performance as defined in section
29 263.05 of the penal law committed against a child less than eighteen
30 years of age; or

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

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

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

45

PART G

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

52 (i) a surviving spouse of a crime victim who died from causes not
53 directly related to the crime when such victim died prior to filing a
54 claim with the office or subsequent to filing a claim but prior to the

1 rendering of a decision by the office. Such award shall be limited to
2 out-of-pocket loss incurred as a direct result of the crime; [~~and~~]

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

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

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

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

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

55 5. (a) [~~In~~] Except as provided in paragraph (g) of this subdivision,
56 in determining the amount of an award, the office shall determine wheth-

1 er, because of [~~his~~] such victim's conduct, the victim of such crime
2 contributed to the infliction of [~~his~~] such victim's injury, and the
3 office shall reduce the amount of the award or reject the claim alto-
4 gether, in accordance with such determination.

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

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

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

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

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

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

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

49 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
50 sion, in the case of cash losses which were the result of an act or
51 series of acts of larceny as defined in article one hundred fifty-five
52 of the penal law, perpetrated by the same actor indicated by a report or
53 reports obtained from a criminal justice agency as defined in subdivi-
54 sion one of this section, and a receipt, receipts or similar documenta-
55 tion is provided showing such cash loss or losses, a single claim may be
56 filed and an award may be made for cash losses of essential personal

1 property for each act up to a cumulative amount of no more than twenty-
2 five hundred dollars.

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

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

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

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

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

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

39 PART H

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

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

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

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

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

9 § 2. Paragraph (c) of subdivision 1 of section 2805-i of the public
10 health law, as amended by section 1 of subpart S of part XX of chapter
11 55 of the laws of 2020, is amended to read as follows:

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

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

31 PART I

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

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

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

1 an independently verified physical or mental impairment resulting from
 2 domestic violence, anticipated to last for three months or longer, or if
 3 the individual is unable to work because of the need to care for a
 4 dependent child who is disabled as a result of domestic violence.
 5 Provided, however, that pursuant to section one hundred forty-two of the
 6 welfare reform act of 1997 victims of domestic violence may be exempted
 7 from the application of subdivision two of section three hundred forty-
 8 nine of this article on the basis of hardship.

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

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

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

20 PART J

21 Section 1. The state finance law is amended by adding a new section
 22 139-m to read as follows:

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

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

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

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

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

53 4. Any bid hereafter made to the state or any public department, agen-
 54 cy or official thereof, by a corporate bidder for work or services

1 performed or to be performed or goods sold or to be sold, where such bid
2 contains the statement required by subdivision one of this section,
3 shall be deemed to have been authorized by the board of directors of
4 such bidder, and such authorization shall be deemed to include the sign-
5 ing and submission of such bid and the inclusion therein of such state-
6 ment as the act and deed of the corporation.

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

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

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

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

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

1 2. Each state agency shall designate at least one domestic violence
2 agency liaison who shall ensure agency compliance with the domestic
3 violence provisions of the gender-based violence and the workplace poli-
4 cy, be trained to assist victimized employees, and serve as the primary
5 contact for the policy distributed by the agency.

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

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

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

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

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

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

1 gender-based violence and the workplace policy required by section one
2 hundred seventy-i of this chapter. Such model gender-based violence and
3 the workplace policy shall be publicly available and posted on the
4 websites of the office, the department of labor and the division of
5 human rights.

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

11 PART K

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

14 ARTICLE 19-C

15 CYBERSECURITY INCIDENT REPORTING REQUIREMENTS FOR MUNICIPAL CORPORATIONS
 16 Section 995-a. Definitions.

17 995-b. Reporting of cybersecurity incidents.

18 995-c. Notice and explanation of ransom payment.

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

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

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

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

37 (b) a method of defeating a security control or exploitation of a
 38 security vulnerability;

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

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

45 (e) malicious cyber command and control;

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

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

51 (h) any combination thereof.

52 4. "Defensive measure" means an action, device, procedure, signature,
 53 technique, or other measure applied to an information system or informa-
 54 tion that is stored on, processed by, or transiting an information

1 system that detects, prevents, or mitigates a known or suspected
2 cybersecurity threat or security vulnerability. The term "defensive
3 measure" does not include a measure that destroys, renders unusable,
4 provides unauthorized access to, or substantially harms an information
5 system or information stored on, processed by, or transiting such infor-
6 mation system not owned by the municipal corporation operating the meas-
7 ure, or federal entity that is authorized to provide consent and has
8 provided consent to that municipal corporation for operation of such
9 measure.

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

13 6. "Municipal corporation" means:

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

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

18 7. "Public authority" means any state authority or local authority, as
19 such terms are defined in section two of the public authorities law, or
20 any subsidiary thereof.

21 8. "Ransom payment" means the transmission of any money or other prop-
22 erty or asset, including virtual currency, or any portion thereof, which
23 has at any time been delivered as ransom in connection with a ransomware
24 attack.

25 9. "Ransomware attack":

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

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

35 (i) not genuine; or

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

38 § 995-b. Reporting of cybersecurity incidents. 1. Notwithstanding any
39 other provision of law, all municipal corporations and all public
40 authorities shall report cybersecurity incidents and when applicable,
41 the demand of a ransom payment, to the commissioner of the division of
42 homeland security and emergency services in the form and method
43 prescribed by such commissioner. Public authorities shall also submit
44 such cybersecurity incidents to the director of the public authorities'
45 budget office in the form and method prescribed by such director.

46 2. All municipal corporations and public authorities shall report
47 cybersecurity incidents no later than seventy-two hours after the muni-
48 cipality or public authority reasonably believes the cybersecurity inci-
49 dent has occurred.

50 3. Any cybersecurity incident report and any records related to a
51 ransom payment submitted to the commissioner of the division of homeland
52 security and emergency services or to the director of the public author-
53 ity's budget office pursuant to the requirements of this article shall
54 be exempt from disclosure under article six of the public officers law.

55 § 995-c. Notice and explanation of ransom payment. 1. Notwithstanding
56 any other provision of law, each municipal corporation and public

1 authority shall, in the event of a ransom payment made in connection
2 with a cybersecurity incident involving the municipal corporation,
3 provide the commissioner of the division of homeland security and emer-
4 gency services through means prescribed by such commissioner with the
5 following:

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

8 (b) within thirty days of the ransom payment, a written description of
9 the reasons payment was necessary, the amount of the ransom payment, the
10 means by which the ransom payment was made, a description of alterna-
11 tives to payment considered, all diligence performed to find alterna-
12 tives to payment and all diligence performed to ensure compliance with
13 applicable state and federal rules and regulations including those of
14 the federal office of foreign assets control.

15 2. Any such notice and explanation of ransom payment provided by a
16 public authority to the commissioner of the division of homeland securi-
17 ty and emergency services shall also be provided to the director of the
18 authorities' budget office in the same time and manner pursuant to the
19 requirements of this article.

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

22 § 711-c. Cybersecurity incident reviews. 1. The commissioner, or their
23 designee, shall review each cybersecurity incident report and notice and
24 explanation of ransom payment submitted pursuant to sections nine
25 hundred ninety-five-b and nine hundred ninety-five-c of the general
26 municipal law to assess potential impacts of cybersecurity incidents and
27 ransom payments on the health, safety, welfare or security of the state,
28 or its residents.

29 2. The commissioner, or their designee, may work with appropriate
30 state agencies, federal law enforcement, and federal homeland security
31 agencies to provide municipal corporations with reports of cybersecurity
32 incidents and trends, including but not limited to, to the maximum
33 extent practicable, related contextual information, cyber threat indica-
34 tors, and defensive measures. The commissioner may coordinate and share
35 such reported information with municipal corporations, state agencies,
36 and federal law enforcement and homeland security agencies to respond to
37 and mitigate cybersecurity threats.

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

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

44 PART L

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

47 § 263.10 Promoting an obscene sexual performance by a child.

48 A person is guilty of promoting an obscene sexual performance by a
49 child when, knowing the character and content thereof, [~~he~~] such person
50 produces, directs or promotes any obscene performance which includes
51 sexual conduct by a child less than seventeen years of age, including a
52 performance created or altered by digitization as defined in section
53 245.15 of this part.

1 Promoting an obscene sexual performance by a child is a class D felo-
2 ny.

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

5 § 263.11 Possessing an obscene sexual performance by a child.

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

13 Possessing an obscene sexual performance by a child is a class E felo-
14 ny.

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

17 § 263.15 Promoting a sexual performance by a child.

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

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

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

26 § 263.16 Possessing a sexual performance by a child.

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

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

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

36 PART M

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

39 § 230.34 Sex trafficking.

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

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

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

51 3. by withholding, destroying, or confiscating any actual or purported
52 passport, immigration document, or any other actual or purported govern-
53 ment identification document of another person with intent to impair
54 said person's freedom of movement; provided, however, that this subdivi-

1 sion shall not apply to an attempt to correct a social security adminis-
2 tration record or immigration agency record in accordance with any
3 local, state, or federal agency requirement, where such attempt is not
4 made for the purpose of any express or implied threat;

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

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

12 (a) cause physical injury, serious physical injury, or death to a
13 person; or

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

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

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

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

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

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

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

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

40 Sex trafficking is a class B felony.

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

43 PART N

44 Intentionally Omitted

45 PART O

46 Intentionally Omitted

47 PART P

48 Intentionally Omitted

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 two new paragraphs (e) and (f) to read as
11 follows:

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

19 (f) Storage warehouse. No benefits shall be granted pursuant to this
20 title for construction work on real property where any portion of such
21 property is to be used as a storage warehouse. For the purposes of this
22 this title, "storage warehouse" means any real property or portion ther-
23 eof in a city on which exists a building or structure which a consumer's
24 household goods are received for storage for compensation, except ware-
25 houses in which such goods are stored by or on behalf of a merchant for
26 resale or other use in the course of the merchant's business, operated
27 in a manner that requires a license for the operation of a storage ware-
28 house issued by the consumer and worker protection agency of such city.

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

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

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

42 3. (a) No benefits authorized pursuant to this title shall be granted
43 for construction work performed pursuant to a building permit issued
44 after April first, two thousand thirty, except that for property defined
45 as a peaking unit, no benefits authorized pursuant to paragraph (b-1) of
46 subdivision three of section four hundred eighty-nine-bbbbbbb of this
47 title shall be granted for construction work performed pursuant to a
48 building permit issued after April first, two thousand twenty-nine.

49 (b) If no building permit was required, then no benefits authorized
50 pursuant to this title shall be granted for construction work that is
51 commenced after April first, two thousand thirty, except that for prop-
52 erty defined as a peaking unit, no benefits authorized pursuant to para-
53 graph (b-1) of subdivision three of section four hundred eighty-nine-

1 bbbbbb of this title shall be granted for construction work that is
 2 commenced after April first, two thousand twenty-nine.

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

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

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

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

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

32 (c) the area in the borough of Manhattan south of the center line of
 33 59th street, other than: (i) the areas designated renovation areas by
 34 paragraphs (a) and (b) of this subdivision, or (ii) as of January first,
 35 two thousand twenty-six, Governor's Island.

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

39 4. Commercial exclusion area. Except as provided in paragraph (f) of
 40 subdivision three of section four hundred eighty-nine-bbbbbbb of this
 41 title, any area in the borough of Manhattan lying south of the center
 42 line of 96th Street, other than: (a) the areas designated renovation
 43 areas by subdivision three of this section and (b) as of January first,
 44 two thousand twenty-six, Governor's Island, shall be a commercial exclu-
 45 sion area. Commercial construction projects in the commercial exclu-
 46 sion area shall not be eligible to receive tax abatements pursuant to this
 47 title.

48 § 8. Section 11-268 of the administrative code of the city of New York
 49 is amended by adding three new subdivisions k-1, o-1 and o-2 to read as
 50 follows:

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

55 o-1. "Self-storage facility" shall mean any real property or a portion
 56 thereof that is designed and used for the purpose of occupying storage

1 space by occupants who are to have access thereto for the purpose of
2 storing and removing personal property, pursuant to subdivision one of
3 section one hundred eighty-two of the lien law.

4 o-2. "Storage warehouse" means any real property or portion thereof on
5 which exists a building or structure in which a consumer's household
6 goods are received for storage for compensation operated in a manner
7 that requires a license for the operation of a storage warehouse issued
8 by the department of consumer and worker protection.

9 § 9. Subdivision c of section 11-270 of the administrative code of the
10 city of New York is amended by adding three new paragraphs 4, 5, and 6
11 to read as follows:

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

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

18 (6) Storage warehouse. No benefits shall be granted pursuant to this
19 part for construction work on real property where any portion of such
20 property is to be used as a storage warehouse.

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

24 (1) Application for benefits pursuant to this part may be made imme-
25 diately following the effective date of the local law that added this
26 section and continuing until March first, two thousand thirty or, with
27 respect to an application for benefits for property defined as a peaking
28 unit authorized pursuant to paragraph (2-a) of subdivision c of section
29 11-269 of this part until March first, two thousand twenty-nine.

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

33 c. (1) No benefits authorized pursuant to this part shall be granted
34 for construction work performed pursuant to a building permit issued
35 after April first, two thousand thirty, except that for property defined
36 as a peaking unit, no benefits authorized pursuant to paragraph (2-a) of
37 subdivision c of section 11-269 of this part shall be granted for
38 construction work performed pursuant to a building permit issued after
39 April first, two thousand twenty-nine.

40 (2) If no building permit was required, then no benefits authorized
41 pursuant to this part shall be granted for construction work that is
42 commenced after April first, two thousand thirty, except that for prop-
43 erty defined as a peaking unit, no benefits authorized pursuant to para-
44 graph (2-a) of subdivision c of section 11-269 of this part shall be
45 granted for construction work that is commenced after April first, two
46 thousand twenty-nine.

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

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

1 § 13. Paragraph 5 of subdivision b 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 (5) The commission may designate any area other than the area lying
5 south of the center line of 96th Street in the borough of Manhattan not
6 including Governor's Island, to be a special commercial abatement area
7 if it determines that market conditions in the area are such that the
8 availability of a special abatement is required in order to encourage
9 commercial construction work in such area. In making such determination,
10 the commission shall consider, among other factors, the existence in
11 such area of a special need for commercial and job development, high
12 unemployment, economic distress or unusually large numbers of vacant,
13 underutilized, unsuitable or substandard structures, or other substand-
14 ard, unsanitary, deteriorated or deteriorating conditions, with or with-
15 out tangible blight; provided that, however, in making such determi-
16 nation with respect to Governor's Island, the temporary commercial
17 incentive area boundary commission shall only be required to consider,
18 among other factors, whether such designation continues to be necessary
19 to adequately promote commercial activity on Governor's Island the
20 density of existing developments and the nature and purpose of planned
21 developments on Governor's Island, and the development of emerging
22 industries in the city.

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

26 (3) the area in the borough of Manhattan south of the center line of
27 59th street, other than the areas: (i) designated renovation areas by
28 paragraphs (1) and (2) of this subdivision, or (ii) as of January first,
29 two thousand twenty-six, Governor's Island.

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

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

41 § 16. This act shall take effect immediately, provided that: (i) para-
42 graph 4 of subdivision c of section 11-270 of the administrative code of
43 the city of New York, as added by section nine of this act shall be
44 deemed to have been in full force and effect as of July 1, 2020, and
45 shall apply to projects for which the first building permit is issued
46 after July 1, 2020 or if no permit is required, for which construction
47 commences after July 1, 2020; and (ii) paragraph (e) of subdivision 3 of
48 section 489-cccccc of the real property tax law, as added by section one
49 of this act, and paragraph 5 of subdivision c of section 11-270 of the
50 administrative code of the city of New York, as added by section nine of
51 this act, shall only apply to a project for which the first building
52 permit is issued on or after 90 days after this act takes effect, or if
53 no permit is required, for which construction commences on or after such
54 date.

1 Intentionally Omitted

2 PART U

3 Intentionally Omitted

4 PART V

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

8 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
9 sion, the state civil service department, subject to the approval of the
10 director of the budget, a municipal commission, subject to the approval
11 of the governing board or body of the city or county, as the case may
12 be, or a regional commission or personnel officer, pursuant to govern-
13 mental agreement, may elect to waive application fees, or to abolish
14 fees for specific classes of positions or types of examinations or
15 candidates, or to establish a uniform schedule of reasonable fees
16 different from those prescribed in paragraph (a) of this subdivision,
17 specifying in such schedule the classes of positions or types of exam-
18 inations or candidates to which such fees shall apply; provided, howev-
19 er, that fees shall be waived for candidates who certify to the state
20 civil service department, a municipal commission or a regional commis-
21 sion that they are unemployed and primarily responsible for the support
22 of a household, or are receiving public assistance. Provided further,
23 the state civil service department shall waive the state application fee
24 for examinations for original appointment for all veterans. Provided
25 further, the state civil service department shall, and a municipal
26 commission may, subject to the approval of the governing board or body
27 of the city or county, as the case may be, or a regional commission or
28 personnel officer, pursuant to governmental agreement, waive application
29 fees for all examinations held between July first, two thousand twenty-
30 three and December thirty-first, two thousand [~~twenty-five~~]
31 twenty-seven. Notwithstanding any other provision of law, for purposes
32 of this section, the term "veteran" shall mean a person who has served
33 in the armed forces of the United States or the reserves thereof, or in
34 the army national guard, air national guard, New York guard, or the New
35 York naval militia, and who (1) has been honorably discharged or
36 released from such service under honorable conditions, or (2) has a
37 qualifying condition, as defined in section one of the veterans'
38 services law, and has received a discharge other than bad conduct or
39 dishonorable from such service, or (3) is a discharged LGBT veteran, as
40 defined in section one of the veterans' services law, and has received a
41 discharge other than bad conduct or dishonorable from such service. The
42 term "armed forces" shall mean the army, navy, air force, marine corps,
43 and coast guard.

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

48 § 2. This act shall take effect immediately and shall expire and be
49 deemed repealed on December 31, [~~2025~~] 2027; provided that this act

1 shall be deemed to have been in full force and effect on and after April
2 1, 2023.

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

8 PART W

9 Intentionally Omitted

10 PART X

11 Section 1. The state technology law is amended by adding a new section
12 103-f to read as follows:

13 § 103-f. Cybersecurity awareness training. 1. (a) Employees of the
14 state who use technology as a part of their official job duties shall
15 take annual cybersecurity awareness training beginning January first,
16 two thousand twenty-six. Employees of the state shall be required to
17 complete the training provided by the office.

18 (b) For purposes of this section, "employees of the state" shall
19 include employees of all state agencies and all public benefit corpo-
20 rations, the heads of which are appointed by the governor.

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

28 § 1-a. The state technology law is amended by adding a new section 210
29 to read as follows:

30 § 210. Cybersecurity protection. 1. Definitions. For purposes of this
31 section, the following terms shall have the following meanings:

32 (a) "Breach of the security of the system" means (i) unauthorized
33 exfiltration, acquisition, or acquisition without valid authorization,
34 of computerized information which compromises the security, confiden-
35 tiality, or integrity of state entity-maintained personal information,
36 (ii) unauthorized access, or access without valid authorization, to
37 state entity-maintained personal information or to an information system
38 used for personal information, or (iii) unauthorized modification of the
39 access permissions, including through the use of encryption, to an
40 information system used for personal information. "Breach of the securi-
41 ty of the system" does not include good faith acquisition of or access
42 to personal information, or access to an information system by an
43 employee or agent of a state entity for the purposes of the state enti-
44 ty; provided that the private information or information system is not
45 used in an unauthorized manner, accessed for an unlawful or inappropri-
46 ate purpose, modified to change access permissions without authori-
47 zation, or subject to unauthorized disclosure. In determining whether
48 state entity-maintained personal information or an information system
49 used for personal information has been exfiltrated, acquired, accessed,
50 or experienced a change in access permissions without authorization or

1 without valid authorization, such state entity may consider the follow-
2 ing factors, among others:

3 (1) indications that the information is in the physical possession and
4 control of an unauthorized person, such as a lost or stolen computer or
5 other device containing information;

6 (2) indications that the information has been downloaded or copied;

7 (3) indications that the information was used by an unauthorized
8 person, such as fraudulent accounts opened or instances of identity
9 theft reported; or

10 (4) indications that the information or information system was
11 accessed without authorization or without valid authorization, including
12 but not limited to data in information system access logs, changes modi-
13 fying access to the information or information system, modification or
14 deletion of stored information, injecting or installing malicious code
15 on the information system, or unauthorized encryption of stored informa-
16 tion.

17 (b) "Data subject" means the person who is the subject of the personal
18 information.

19 (c) "Data validation" means ensuring the accuracy, quality, and valid-
20 ity of source data before using, importing, saving, storing, or other-
21 wise processing data.

22 (d) "Immutable" means data that is stored unchanged over time or
23 unable to be changed. For the purposes of backups, "immutable" shall
24 mean that, once ingested, no external or internal operation can modify
25 the data and must never be available in a read/write state to the
26 client. "Immutable" shall specifically apply to the characteristics and
27 attributes of a backup system's file system and may not be applied to
28 temporary systems state, time-bound or expiring configurations, or
29 temporary conditions created by a physical air gap as is implemented in
30 most legacy systems, provided that immutable backups must be capable of
31 deletion and replacement, as applicable, in accordance with the data
32 retention and deletion policy governing the data. An immutable file
33 system must demonstrate characteristics that do not permit the editing
34 or changing of any data backed up to provide agencies with complete
35 recovery capabilities.

36 (e) "Information system" means any good, service or a combination
37 thereof, used by any computer, cloud service, or interconnected system
38 that is maintained for or used by a state entity in the acquisition,
39 storage, manipulation, management, movement, control, display, switch-
40 ing, interchange, transmission, or reception of data or voice including,
41 but not limited to, hardware, software, information appliances, firm-
42 ware, programs, systems, networks, infrastructure, media, and related
43 material used to automatically and electronically collect, receive,
44 access, transmit, display, store, record, retrieve, analyze, evaluate,
45 process, classify, manipulate, manage, assimilate, control, communicate,
46 exchange, convert, coverage, interface, switch, or disseminate data or
47 information of any kind or form.

48 (f) "Mission critical" means information or information systems that
49 are essential to the functioning of the state entity.

50 (g) "Segmented storage" means the method of data storage whereby (i)
51 information is partitioned or separated, with overlapping or non-over-
52 lapping protection, and (ii) such individual partitioned or separated
53 sets of information are stored in multiple physically or logically
54 distinct secure locations.

55 (h) "State entity-maintained personal information" means personal
56 information stored by a state entity that was generated by a state enti-

1 ty or provided to the state entity by the data subject, a state entity,
2 a federal governmental entity, or any other third-party source. Such
3 term shall also include personal information provided by an adverse
4 party in the course of litigation or other adversarial proceeding.

5 (i) "State entity" means any state board, bureau, division, committee,
6 commission, council, department, public authority, public benefit corpo-
7 ration, office or other governmental entity performing a governmental or
8 proprietary function for the state of New York, except:

9 (i) the judiciary; and

10 (ii) all cities, counties, municipalities, villages, towns, and other
11 local agencies.

12 2. Data protection standards. (a) No later than one year after the
13 effective date of this section, the director, in consultation with
14 stakeholders and other interested parties, which shall include at least
15 one public hearing, shall promulgate regulations that design and develop
16 standards for:

17 (i) protection against breaches of the security of the system for
18 mission critical information systems and for personal information used
19 by such information systems;

20 (ii) data backup that includes;

21 (A) the creation of immutable backups of state entity-maintained
22 personal information;

23 (B) through data validation techniques, the exclusion of unwanted data
24 from such immutable backups, including but not limited to illegal
25 content, corrupted data, malicious code, and content that breaches
26 intellectual property protections;

27 (C) prohibitions on the use of such immutable backups except for
28 conducting data validation and performing information system recovery;
29 and

30 (D) storage of such immutable backups in segmented storage;

31 (iii) information system recovery that includes creating an identical
32 copy of an immutable backup of state entity-maintained personal informa-
33 tion in segmented storage for use when an information system has been
34 adversely affected by a breach of the security of the system and
35 requires restoration from one or more backups;

36 (iv) data retention and deletion policies specifying how long certain
37 types of data shall be retained on information systems and as immutable
38 backups in segmented storage and when or under what circumstances such
39 data shall be deleted; and

40 (v) annual workforce training regarding protection against breaches of
41 the security of the system, as well as processes and procedures that
42 should be followed in the event of a breach of the security of the
43 system.

44 (b) Such regulations may be adopted on an emergency basis. If such
45 regulations are adopted on an emergency basis, the office shall engage
46 in the formal rulemaking procedure no later than the day immediately
47 following the date that the office promulgated such regulations on an
48 emergency basis. Provided that the office has commenced the formal rule-
49 making process, the regulations adopted on an emergency basis may be
50 renewed no more than two times.

51 3. Vulnerability assessments. Notwithstanding any provision of law to
52 the contrary, each state entity shall engage in vulnerability testing of
53 its information systems as follows:

54 (a) Beginning January first, two thousand twenty-six and on a monthly
55 basis thereafter, each state entity shall perform, or cause to be
56 performed, a vulnerability assessment of at least one mission critical

1 information system ensuring that each mission critical system has under-
2 gone a vulnerability assessment during the past year. A report detailing
3 the vulnerability assessment methodology and findings shall be made
4 available to the office for review no later than forty-five days after
5 the testing has been completed.

6 (b) Beginning December first, two thousand twenty-six, each state
7 entity's entire information system shall undergo vulnerability testing.
8 A report detailing the vulnerability assessment methodology and findings
9 shall be made available to the office for review no later than forty-
10 five days after such testing has been completed.

11 (c) The office shall assist state entities in complying with the
12 provisions of this section.

13 4. Data and information system inventory. (a) No later than one year
14 after the effective date of this section, each state entity shall create
15 an inventory of the state entity-maintained personal information and the
16 purpose or purposes for which such state entity-maintained personal
17 information is maintained and used. The inventory shall include a list-
18 ing of all types of state entity-maintained personal information, along
19 with the source and the median age of such information.

20 (b) No later than one year after the effective date of this section,
21 each state entity shall create an inventory of its information systems
22 and the purpose or purposes for which each such information system is
23 maintained and used. The inventory shall denote those information
24 systems that are mission critical and those that use personal informa-
25 tion, and whether the information system is protected by immutable back-
26 ups and stored in a segmented manner.

27 (c) Notwithstanding paragraphs (a) and (b) of this subdivision, if a
28 state entity has already completed a state entity-maintained personal
29 information inventory or information systems inventory, such state enti-
30 ty shall update the previously completed state entity-maintained
31 personal information inventory or information system inventory no later
32 than one year after the effective date of this section.

33 (d) Upon written request from the office, a state entity shall provide
34 the office with either or both of the state entity-maintained personal
35 information and information systems inventories required to be created
36 or updated pursuant to this subdivision.

37 (e) Notwithstanding paragraph (d) of this subdivision, the state enti-
38 ty-maintained personal information and information systems inventories
39 required to be created or updated pursuant to this subdivision shall be
40 kept confidential and shall not be made available for disclosure or
41 inspection under the state freedom of information law unless a subpoena
42 or other court order directs the office or state entity to release such
43 inventory or information from such inventory.

44 5. Incident management and recovery. (a) No later than eighteen months
45 after the effective date of this section, each state entity shall have
46 created an incident response plan for incidents involving a breach of
47 the security of the system that render an information system or its data
48 unavailable, and incidents involving a breach of the security of the
49 system that result in the alteration or deletion of or unauthorized
50 access to, personal information.

51 (b) Such incident response plan shall include a procedure for situ-
52 ations where information systems have been adversely affected by a
53 breach of the security of the system, as well as a procedure for the
54 storage of personal information and mission critical backups in
55 segmented storage to ensure that such personal information and mission
56 critical systems are protected by immutable backups.

1 (c) Beginning January first, two thousand twenty-eight and on an annu-
 2 al basis thereafter, each state entity shall complete at least one exer-
 3 cise of its incident response plan that includes copying the immutable
 4 personal information and mission critical applications from the
 5 segmented portion of the state entity's information system and using
 6 such copies in the state entity's restoration and recovery process. Upon
 7 completion of such exercise, the state entity shall document the inci-
 8 dent response plan's successes and shortcomings in an incident response
 9 plan exercise report. Such incident response plan exercise report shall
 10 be kept confidential and shall not be made available for disclosure or
 11 inspection under the state freedom of information law unless a subpoena
 12 or other court order directs the state entity to release such inventory
 13 or information from such inventory.

14 6. No private right of action. Nothing set forth in this section shall
 15 be construed as creating or establishing a private cause of action.

16 § 1-b. Severability. The provisions of this act shall be severable and
 17 if any portion thereof or the applicability thereof to any person or
 18 circumstances shall be held to be invalid, the remainder of this act and
 19 the application thereof shall not be affected thereby.

20 § 2. This act shall take effect immediately.

21 PART Y

22 Intentionally Omitted

23 PART Z

24 Section 1. Section 13-a of chapter 749 of the laws of 2019, constitut-
 25 ing the New York city public works investment act, as added by chapter
 26 534 of the laws of 2024, is amended to read as follows:

27 § 13-a. (a) For purposes of this section:

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

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

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

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

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

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

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

44 [~~(i) water or sewer infrastructure, and primarily consists of the~~
 45 ~~replacement of existing, or installation of new, water mains or sewers~~
 46 ~~or the installation of assets to manage stormwater flow, or a combina-~~
 47 ~~tion of the foregoing; or~~

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

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

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

17 (d) Where [~~the department~~] an authorized entity determines in writing
18 that it is in the best interest of the public to solicit proposals using
19 the design-build contract delivery method in connection with a project
20 that meets the criteria set forth in paragraph one of subdivision (b) of
21 this section, without generating a list pursuant to the process set
22 forth in paragraph one of subdivision (a) of section four of this act,
23 [~~the department~~] such authorized entity shall release, evaluate and
24 score a request for proposals pursuant to the procedure set forth in
25 subdivision (e) of this section. To the extent consistent with applica-
26 ble federal law, [~~the department~~] such authorized entity shall consider,
27 when soliciting proposals and awarding any contract pursuant to this
28 section, the participation of (i) entities that are certified as minority-
29 or women-owned business enterprises pursuant to article fifteen-A of
30 the executive law, or certified pursuant to local law as minority- or
31 women-owned business enterprises, and (ii) small business concerns iden-
32 tified pursuant to subdivision (b) of section one hundred thirty-nine-g
33 of the state finance law. In addition, nothing in this section shall be
34 deemed to supersede any pre-qualification guidelines or requirements
35 otherwise authorized by law for [~~the department~~] such authorized entity.

36 (e) The request for proposals shall set forth the public work's scope
37 of work, and other requirements, as determined by the [~~department~~]
38 authorized entity, which may include separate goals for work under the
39 contract to be performed by businesses certified as minority- or women-
40 owned business enterprises pursuant to article fifteen-A of the execu-
41 tive law or certified pursuant to local law as minority- or women-owned
42 business enterprises. The request for proposals shall also specify the
43 criteria to be used to evaluate the responses and the relative weight of
44 each of such criteria. Such criteria shall include the proposal's cost,
45 the quality of the proposal's solution, the qualifications and experi-
46 ence of the proposer, and other factors deemed pertinent by the [~~depart-~~
47 ~~ment~~] authorized entity, which may include, but shall not be limited to,
48 the proposal's manner and schedule of project implementation, the
49 proposer's ability to complete the work in a timely and satisfactory
50 manner, maintenance costs of the completed public work, maintenance of
51 traffic approach, and community impact. A contract awarded pursuant to
52 this section shall be awarded to a responsive and responsible proposer,
53 which, in consideration of these and other specified criteria deemed
54 pertinent, offers the best value, as determined by the [~~department~~]
55 authorized entity. The [~~department~~] authorized entity may engage in
56 negotiations or other discussions with all qualified proposers that have

1 expressed interest in response to the request for proposals released
2 pursuant to subdivision (d) of this section, provided that such [~~depart-~~
3 ~~ment~~] authorized entity maintains a written record of the conduct of
4 negotiations or discussions and the basis for every determination to
5 continue or suspend negotiations, and, provided, further, that if such
6 [~~department~~] authorized entity determines for a particular contract or
7 for a particular type of contract that it is in the best interest of the
8 public to negotiate or enter into discussions with fewer proposers, it
9 shall make such a determination in writing. If such [~~department~~] author-
10 ized entity enters into such negotiations, such [~~department~~] authorized
11 entity shall allow all proposers to revise their proposals upon conclu-
12 sion of negotiations, and shall evaluate any such revised proposals
13 using the criteria included in the request for proposals. The request
14 for proposals shall include a statement that proposers shall designate
15 in writing those portions of the proposal that contain trade secrets or
16 other proprietary information that are to remain confidential; that the
17 material designated as confidential shall be readily separable from the
18 proposal. Nothing in this section shall be construed to prohibit the
19 authorized entity from negotiating final contract terms and conditions
20 including cost. All proposals submitted shall be scored according to
21 the criteria listed in the request for proposals and such final
22 scores shall be published on the authorized entity's website after
23 registration of such contract or the date upon which such contract may
24 be implemented, if registration requirements do not apply.

25 (f) The reporting requirement set forth in section thirteen of this
26 act shall apply to contracts procured pursuant to this section, provided
27 that the requirement that such report include a list of responding enti-
28 ties shall not apply to any contract where no such list was generated.
29 Such report shall include a description of the scope of work for each
30 project, whether the project used the design-build or construction
31 manager build method as described in subdivision (b) of this section,
32 the percentage of alternative project delivery contracts that used the
33 methods described in subdivision (b) of this section, the type of
34 contract described in subdivision (b) of section four of this act that
35 was used to procure the project, information regarding the total
36 contract price upon contract award, the total contract price upon final
37 completion of the project, the [~~department's~~] authorized entity's
38 initial projected estimate of the cost of the project and the partic-
39 ipation rate of and total dollar value of monies paid to minority- and
40 women-owned business enterprises and small business concerns under
41 alternative project delivery contracts.

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

46

PART AA

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

49 (b-2) Under the supervision of any authorized provider, any resident
50 or fellow who may practice medicine as an exempt person as provided for
51 in title eight of the education law, may render medical care under this
52 chapter so long as the supervisory requirements of the education law are
53 met and neither the supervising provider nor resident or fellow have

1 been prohibited from treating workers' compensation claimants pursuant
2 to section thirteen-d of this article.

3 § 2. This act shall take effect immediately.

4 PART BB

5 Intentionally Omitted

6 PART CC

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

10 1. Notwithstanding any other provision of this chapter to the contra-
11 ry, in any instance in which an employer is unsure of the extent of its
12 liability for a claim for compensation by an injured employee pursuant
13 to this chapter, such employer may initiate compensation payments and
14 payments for medical treatment and care, including prescribed medicine
15 and continue such payments for one year, without prejudice and without
16 admitting liability, in accordance with a notice of temporary payment of
17 compensation, on a form prescribed by the board.

18 2. The notice of temporary payment of compensation authorized by
19 subdivision one of this section shall be delivered to the injured
20 employee and the board. Such notice shall notify the injured employee
21 that the temporary payment of compensation and medical treatment and
22 care, including prescribed medicine shall not be deemed to be an admis-
23 sion of liability by the employer for the injury or injuries to the
24 employee. The board, upon receipt of a notice of temporary payment of
25 compensation, shall send a notice to the injured employee stating that:

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

28 (b) the payment of temporary compensation and medical treatment and
29 care, including prescribed medicine and the injured employee's accept-
30 ance of such temporary compensation and medical treatment and care,
31 including prescribed medicine shall not be an admission of liability by
32 the employer, nor prejudice the claim of the injured employee;

33 (c) the payment of temporary compensation and medical treatment and
34 care, including prescribed medicine shall terminate on the elapse of:
35 one year, or the employer's contesting of the injured employee's claim
36 for compensation and medical treatment and care, including prescribed
37 medicine, or the board determination of the injured employee's claim,
38 whichever is first; and

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

43 3. An employer may cease making temporary payments of compensation and
44 medical treatment and care, including prescribed medicine if such
45 employer delivers within five days after the last payment, to the
46 injured employee and the board, a notice of termination of temporary
47 payments of compensation on a form prescribed by the board. Such notice
48 shall inform the injured employee that the employer is ceasing temporary
49 payment of compensation and medical treatment and care, including
50 prescribed medicine. Upon the cessation of temporary payments of compen-
51 sation and medical treatment and care, including prescribed medicine,

1 all parties to any action pursuant to this chapter shall retain all
2 rights, defenses and obligations they would otherwise have pursuant to
3 this chapter without regard for the temporary payment of compensation
4 and medical treatment and care, including prescribed medicine.

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

6 PART DD

7 Intentionally Omitted

8 PART EE

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

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

1 38. Courts special grants (22008).
2 39. Asbestos safety training program account (22009).
3 40. Batavia school for the blind account (22032).
4 41. Investment services account (22034).
5 42. Surplus property account (22036).
6 43. Financial oversight account (22039).
7 44. Regulation of Indian gaming account (22046).
8 45. Rome school for the deaf account (22053).
9 46. Seized assets account (22054).
10 47. Administrative adjudication account (22055).
11 48. New York City assessment account (22062).
12 49. Cultural education account (22063).
13 50. Local services account (22078).
14 51. DHCR mortgage servicing account (22085).
15 52. Housing indirect cost recovery account (22090).
16 53. Voting Machine Examinations account (22099).
17 54. DHCR-HCA application fee account (22100).
18 55. Low income housing monitoring account (22130).
19 56. Restitution account (22134).
20 57. Corporation administration account (22135).
21 58. New York State Home for Veterans in the Lower-Hudson Valley
22 account (22144).
23 59. Deferred compensation administration account (22151).
24 60. Rent revenue other New York City account (22156).
25 61. Rent revenue account (22158).
26 62. Transportation aviation account (22165).
27 63. Tax revenue arrearage account (22168).
28 64. New York State Campaign Finance Fund account (22211).
29 65. New York state medical indemnity fund account (22240).
30 66. Behavioral health parity compliance fund (22246).
31 67. Pharmacy benefit manager regulatory fund (22255).
32 68. Virtual currency assessments account (22262).
33 69. State university general income offset account (22654).
34 70. Lake George park trust fund account (22751).
35 71. Highway safety program account (23001).
36 72. DOH drinking water program account (23102).
37 73. NYCCC operating offset account (23151).
38 74. Commercial gaming revenue account (23701).
39 75. Commercial gaming regulation account (23702).
40 76. Highway use tax administration account (23801).
41 77. New York state secure choice administrative account (23806).
42 78. New York state cannabis revenue fund (24800).
43 79. Cannabis education account (24801).
44 80. Fantasy sports administration account (24951).
45 81. Mobile sports wagering fund (24955).
46 82. Highway and bridge capital account (30051).
47 83. State university residence hall rehabilitation fund (30100).
48 84. State parks infrastructure account (30351).
49 85. Clean water/clean air implementation fund (30500).
50 86. Hazardous waste remedial cleanup account (31506).
51 87. Youth facilities improvement account (31701).
52 88. Housing assistance fund (31800).
53 89. Housing program fund (31850).
54 90. Highway facility purpose account (31951).
55 91. New York racing account (32213).
56 92. Capital miscellaneous gifts account (32214).

- 1 93. Information technology capital financing account (32215).
- 2 94. New York environmental protection and spill remediation account
- 3 (32219).
- 4 95. Department of financial services IT modernization capital account
- 5 (32230).
- 6 96. Mental hygiene facilities capital improvement fund (32300).
- 7 97. Correctional facilities capital improvement fund (32350).
- 8 98. New York State Storm Recovery Capital Fund (33000).
- 9 99. OGS convention center account (50318).
- 10 100. Empire Plaza Gift Shop (50327).
- 11 101. Unemployment Insurance Benefit Fund, Interest Assessment Account
- 12 (50651).
- 13 102. Centralized services fund (55000).
- 14 103. Archives records management account (55052).
- 15 104. Federal single audit account (55053).
- 16 105. Civil service administration account (55055).
- 17 106. Civil service EHS occupational health program account (55056).
- 18 107. Banking services account (55057).
- 19 108. Cultural resources survey account (55058).
- 20 109. Neighborhood work project account (55059).
- 21 110. Automation & printing chargeback account (55060).
- 22 111. OFT NYT account (55061).
- 23 112. Data center account (55062).
- 24 113. Intrusion detection account (55066).
- 25 114. Domestic violence grant account (55067).
- 26 115. Centralized technology services account (55069).
- 27 116. Labor contact center account (55071).
- 28 117. Human services contact center account (55072).
- 29 118. Tax contact center account (55073).
- 30 119. Department of law civil recoveries account (55074).
- 31 120. Executive direction internal audit account (55251).
- 32 121. CIO Information technology centralized services account (55252).
- 33 122. Health insurance internal service account (55300).
- 34 123. Civil service employee benefits division administrative account
- 35 (55301).
- 36 124. Correctional industries revolving fund (55350).
- 37 125. Employees health insurance account (60201).
- 38 126. Medicaid management information system escrow fund (60900).
- 39 127. Animal shelter regulation account.
- 40 128. Climate initiative account.
- 41 129. Employers Assessment account.
- 42 § 2. The state comptroller is hereby authorized and directed to loan
- 43 money in accordance with the provisions set forth in subdivision 5 of
- 44 section 4 of the state finance law to any account within the following
- 45 federal funds, provided the comptroller has made a determination that
- 46 sufficient federal grant award authority is available to reimburse such
- 47 loans:
- 48 1. Federal USDA-food and nutrition services fund (25000).
- 49 2. Federal health and human services fund (25100).
- 50 3. Federal education fund (25200).
- 51 4. Federal block grant fund (25250).
- 52 5. Federal miscellaneous operating grants fund (25300).
- 53 6. Federal unemployment insurance administration fund (25900).
- 54 7. Federal unemployment insurance occupational training fund (25950).
- 55 8. Federal emergency employment act fund (26000).
- 56 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. Intentionally omitted.

15 14. \$24,000,000 from any of the state education department's special
16 revenue and internal service funds to the miscellaneous special revenue
17 fund, indirect cost recovery account (21978).

18 15. \$4,200,000 from any of the state education department's special
19 revenue or internal service funds to the capital projects fund (30000).

20 16. \$30,013,000 from the general fund to the miscellaneous special
21 revenue fund, HESC-insurance premium payments account (21960).

22 17. Intentionally omitted.

23 18. \$25,000,000 from the general fund to the miscellaneous capital
24 projects fund, state university of New York green energy loan fund.

25 Environmental Affairs:

26 1. \$16,000,000 from any of the department of environmental conserva-
27 tion's special revenue federal funds, and/or federal capital funds, to
28 the environmental conservation special revenue fund, federal indirect
29 recovery account (21065).

30 2. \$5,000,000 from any of the department of environmental conserva-
31 tion's special revenue federal funds, and/or federal capital funds, to
32 the conservation fund (21150) or Marine Resources Account (21151) as
33 necessary to avoid diversion of conservation funds.

34 3. \$3,000,000 from any of the office of parks, recreation and historic
35 preservation capital projects federal funds and special revenue federal
36 funds to the miscellaneous special revenue fund, federal grant indirect
37 cost recovery account (22188).

38 4. \$191,400,000 from the general fund to the environmental protection
39 fund, environmental protection fund transfer account (30451).

40 5. \$10,000,000 from the general fund to the hazardous waste remedial
41 fund, hazardous waste cleanup account (31506).

42 6. An amount up to or equal to the cash balance within the special
43 revenue-other waste management & cleanup account (21053) to the capital
44 projects fund (30000) for services and capital expenses related to the
45 management and cleanup program as put forth in section 27-1915 of the
46 environmental conservation law.

47 7. \$1,800,000 from the miscellaneous special revenue fund, public
48 service account (22011) to the miscellaneous special revenue fund, util-
49 ity environmental regulatory account (21064).

50 8. \$7,000,000 from the general fund to the enterprise fund, state fair
51 account (50051).

52 9. \$3,000,000 from the waste management & cleanup account (21053) to
53 the general fund.

54 10. \$3,000,000 from the waste management & cleanup account (21053) to
55 the environmental protection fund transfer account (30451).

- 1 11. \$14,000,000 from the general fund to the miscellaneous special
2 revenue fund, patron services account (22163).
- 3 12. \$15,000,000 from the enterprise fund, golf account (50332) to the
4 state park infrastructure fund, state park infrastructure account
5 (30351).
- 6 13. \$10,000,000 from the general fund to the environmental protection
7 and oil spill compensation fund (21203).
- 8 14. \$5,000,000 from the general fund to the enterprise fund, golf
9 account (50332).
- 10 Family Assistance:
- 11 1. \$7,000,000 from any of the office of children and family services,
12 office of temporary and disability assistance, or department of health
13 special revenue federal funds and the general fund, in accordance with
14 agreements with social services districts, to the miscellaneous special
15 revenue fund, office of human resources development state match account
16 (21967).
- 17 2. \$4,000,000 from any of the office of children and family services
18 or office of temporary and disability assistance special revenue federal
19 funds to the miscellaneous special revenue fund, family preservation and
20 support services and family violence services account (22082).
- 21 3. \$18,670,000 from any of the office of children and family services,
22 office of temporary and disability assistance, or department of health
23 special revenue federal funds and any other miscellaneous revenues
24 generated from the operation of office of children and family services
25 programs to the general fund.
- 26 4. \$205,000,000 from any of the office of temporary and disability
27 assistance or department of health special revenue funds to the general
28 fund.
- 29 5. \$2,500,000 from any of the office of temporary and disability
30 assistance special revenue funds to the miscellaneous special revenue
31 fund, office of temporary and disability assistance program account
32 (21980).
- 33 6. \$35,000,000 from any of the office of children and family services,
34 office of temporary and disability assistance, department of labor, and
35 department of health special revenue federal funds to the office of
36 children and family services miscellaneous special revenue fund, multi-
37 agency training contract account (21989).
- 38 7. \$205,000,000 from the miscellaneous special revenue fund, youth
39 facility per diem account (22186), to the general fund.
- 40 8. \$788,000 from the general fund to the combined gifts, grants, and
41 bequests fund, WB Hoyt Memorial account (20128).
- 42 9. \$5,000,000 from the miscellaneous special revenue fund, state
43 central registry (22028), to the general fund.
- 44 10. \$900,000 from the general fund to the Veterans' Remembrance and
45 Cemetery Maintenance and Operation account (20201).
- 46 11. \$5,000,000 from the general fund to the housing program fund
47 (31850).
- 48 12. \$15,000,000 from any of the office of children and family services
49 special revenue federal funds to the office of court administration
50 special revenue other federal iv-e funds account.
- 51 13. \$10,000,000 from any of the office of children and family services
52 special revenue federal funds to the office of indigent legal services
53 special revenue other federal iv-e funds account.
- 54 General Government:
- 55 1. \$9,000,000 from the general fund to the health insurance revolving
56 fund (55300).

- 1 2. \$292,400,000 from the health insurance reserve receipts fund
2 (60550) to the general fund.
- 3 3. \$150,000 from the general fund to the not-for-profit revolving loan
4 fund (20650).
- 5 4. \$150,000 from the not-for-profit revolving loan fund (20650) to the
6 general fund.
- 7 5. \$3,000,000 from the miscellaneous special revenue fund, surplus
8 property account (22036), to the general fund.
- 9 6. \$19,000,000 from the miscellaneous special revenue fund, revenue
10 arrearage account (22024), to the general fund.
- 11 7. \$3,828,000 from the miscellaneous special revenue fund, revenue
12 arrearage account (22024), to the miscellaneous special revenue fund,
13 authority budget office account (22138).
- 14 8. \$1,000,000 from the miscellaneous special revenue fund, parking
15 account (22007), to the general fund, for the purpose of reimbursing the
16 costs of debt service related to state parking facilities.
- 17 9. \$11,460,000 from the general fund to the agencies internal service
18 fund, central technology services account (55069), for the purpose of
19 enterprise technology projects.
- 20 10. \$10,000,000 from the general fund to the agencies internal service
21 fund, state data center account (55062).
- 22 11. \$12,000,000 from the miscellaneous special revenue fund, parking
23 account (22007), to the centralized services, building support services
24 account (55018).
- 25 12. \$33,000,000 from the general fund to the internal service fund,
26 business services center account (55022).
- 27 13. \$9,500,000 from the general fund to the internal service fund,
28 building support services account (55018).
- 29 14. \$1,500,000 from the combined expendable trust fund, plaza special
30 events account (20120), to the general fund.
- 31 15. \$50,000,000 from the New York State cannabis revenue fund (24800)
32 to the general fund.
- 33 16. A transfer from the general fund to the miscellaneous special
34 revenue fund, New York State Campaign Finance Fund Account (22211), up
35 to an amount equal to total reimbursements due to qualified candidates.
- 36 17. \$6,000,000 from the miscellaneous special revenue fund, standards
37 and purchasing account (22019), to the general fund.
- 38 18. \$12,400,000 from the banking department special revenue fund
39 (21970) funded by the assessment to defray operating expenses authorized
40 by section 206 of the financial services law to the IT Modernization
41 Capital Fund.
- 42 19. \$12,400,000 from the insurance department special revenue fund
43 (21994) funded by the assessment to defray operating expenses authorized
44 by section 206 of the financial services law to the IT Modernization
45 Capital Fund.
- 46 20. \$1,550,000 from the pharmacy benefits bureau special revenue fund
47 (22255) funded by the assessment to defray operating expenses authorized
48 by section 206 of the financial services law, to the IT Modernization
49 Capital Fund.
- 50 21. \$4,650,000 from the virtual currency special revenue fund (22262)
51 funded by the assessment to defray operating expenses authorized by
52 section 206 of the financial services law, to the IT Modernization Capi-
53 tal Fund.
- 54 Health:
 - 55 1. A transfer from the general fund to the combined gifts, grants and
56 bequests fund, breast cancer research and education account (20155), up

- 1 to an amount equal to the monies collected and deposited into that
2 account in the previous fiscal year.
- 3 2. A transfer from the general fund to the combined gifts, grants and
4 bequests fund, prostate cancer research, detection, and education
5 account (20183), up to an amount equal to the moneys collected and
6 deposited into that account in the previous fiscal year.
- 7 3. A transfer from the general fund to the combined gifts, grants and
8 bequests fund, Alzheimer's disease research and assistance account
9 (20143), up to an amount equal to the moneys collected and deposited
10 into that account in the previous fiscal year.
- 11 4. \$3,600,000 from the miscellaneous special revenue fund, certificate
12 of need account (21920), to the miscellaneous capital projects fund,
13 healthcare IT capital subfund (32216).
- 14 5. \$4,000,000 from the miscellaneous special revenue fund, vital
15 health records account (22103), to the miscellaneous capital projects
16 fund, healthcare IT capital subfund (32216).
- 17 6. \$6,000,000 from the miscellaneous special revenue fund, profes-
18 sional medical conduct account (22088), to the miscellaneous capital
19 projects fund, healthcare IT capital subfund (32216).
- 20 7. \$127,000,000 from the HCRA resources fund (20800) to the capital
21 projects fund (30000).
- 22 8. \$6,550,000 from the general fund to the medical cannabis trust
23 fund, health operation and oversight account (23755).
- 24 9. An amount up to the unencumbered balance from the charitable gifts
25 trust fund, health charitable account (24900), to the general fund, for
26 payment of general support for primary, preventive, and inpatient health
27 care, dental and vision care, hunger prevention and nutritional assist-
28 ance, and other services for New York state residents with the overall
29 goal of ensuring that New York state residents have access to quality
30 health care and other related services.
- 31 10. \$500,000 from the miscellaneous special revenue fund, New York
32 State cannabis revenue fund (24800), to the miscellaneous special reven-
33 ue fund, environmental laboratory fee account (21959).
- 34 11. An amount up to the unencumbered balance from the public health
35 emergency charitable gifts trust fund (23816), to the general fund, for
36 payment of goods and services necessary to respond to a public health
37 disaster emergency or to assist or aid in responding to such a disaster.
- 38 12. \$1,000,000,000 from the general fund to the health care transfor-
39 mation fund (24850).
- 40 13. \$2,590,000 from the miscellaneous special revenue fund, patient
41 safety center account (22139), to the general fund.
- 42 14. \$1,000,000 from the miscellaneous special revenue fund, nursing
43 home receivership account (21925), to the general fund.
- 44 15. \$130,000 from the miscellaneous special revenue fund, quality of
45 care account (21915), to the general fund.
- 46 16. \$2,200,000 from the miscellaneous special revenue fund, adult home
47 quality enhancement account (22091), to the general fund.
- 48 17. \$17,283,000 from the general fund, to the miscellaneous special
49 revenue fund, helen hayes hospital account (22140).
- 50 18. \$3,672,000 from the general fund, to the miscellaneous special
51 revenue fund, New York city veterans' home account (22141).
- 52 19. \$2,731,000 from the general fund, to the miscellaneous special
53 revenue fund, New York state home for veterans' and their dependents at
54 oxford account (22142).
- 55 20. \$1,455,000 from the general fund, to the miscellaneous special
56 revenue fund, western New York veterans' home account (22143).

- 1 21. \$4,683,000 from the general fund, to the miscellaneous special
2 revenue fund, New York state for veterans in the lower-hudson valley
3 account (22144).
- 4 22. \$350,000,000 from the general fund, to the miscellaneous special
5 revenue fund, healthcare stability fund account (22267).
- 6 23. \$20,000,000 from the general fund to the occupational health clin-
7 ics account (22177).
- 8 24. \$88,000 from the miscellaneous special revenue fund, veterans home
9 assistance account (20208), to the miscellaneous special revenue fund,
10 New York city veterans' home account (22141).
- 11 25. \$88,000 from the miscellaneous special revenue fund, veterans home
12 assistance account (20208), to the miscellaneous special revenue fund,
13 New York state home for veterans' and their dependents at oxford account
14 (22142).
- 15 26. \$88,000 from the miscellaneous special revenue fund, veterans
16 assistance account (20208), to the miscellaneous special revenue fund,
17 western New York veterans' home account (22143).
- 18 27. \$88,000 from the miscellaneous special revenue fund, veterans
19 assistance account (20208), to the miscellaneous special revenue fund,
20 New York state for veterans in the lower-Hudson valley account (22144).
- 21 28. \$88,000 from the miscellaneous special revenue fund, veterans
22 assistance account (20208), to the state university income fund, Long
23 Island Veterans' Home Account (22652).
- 24 29. \$120,000,000 from the health care reimbursement account (20807) to
25 the medical indemnity fund account (22240).
- 26 Labor:
- 27 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
28 penalty account (21923), to the child performer's protection fund, child
29 performer protection account (20401).
- 30 2. \$11,700,000 from the unemployment insurance interest and penalty
31 fund, unemployment insurance special interest and penalty account
32 (23601), to the general fund.
- 33 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-
34 ment insurance special interest and penalty account (23601), and public
35 work enforcement account (21998), to the general fund.
- 36 4. \$850,000 from the miscellaneous special revenue fund, DOL elevator
37 safety program fund (22252) to the miscellaneous special revenue fund,
38 DOL fee and penalty account (21923).
- 39 5. \$22,000,000 from the miscellaneous special revenue fund, Interest
40 and Penalty Account (23601), to the Training and Education Program on
41 Occupation Safety and Health Fund, OSHA Training and Education Account
42 (21251).
- 43 6. \$1,000,000 from the miscellaneous special revenue fund, Public Work
44 Enforcement account (21998), to the Training and Education Program on
45 Occupation Safety and Health Fund, OSHA Training and Education Account
46 (21251).
- 47 7. \$250,000,000 from the general fund to the enterprise fund, unem-
48 ployment insurance benefit fund, interest assessment account (50651).
- 49 8. \$4,000,000 from the miscellaneous special revenue fund, Public Work
50 Enforcement account (21998), to the Training and Education Program on
51 Occupational Safety and Health Fund, OSHA Inspection Account (21252).
- 52 Mental Hygiene:
- 53 1. \$2,000,000 from the general fund, to the mental hygiene facilities
54 capital improvement fund (32300).

- 1 2. \$20,000,000 from the opioid settlement fund (23817) to the miscel-
2 laneous capital projects fund, opioid settlement capital account
3 (32200).
- 4 3. \$20,000,000 from the miscellaneous capital projects fund, opioid
5 settlement capital account (32200) to the opioid settlement fund
6 (23817).
- 7 Public Protection:
- 8 1. \$2,587,000 from the general fund to the miscellaneous special
9 revenue fund, recruitment incentive account (22171).
- 10 2. \$23,773,000 from the general fund to the correctional industries
11 revolving fund, correctional industries internal service account
12 (55350).
- 13 3. \$2,000,000,000 from any of the division of homeland security and
14 emergency services special revenue federal funds to the general fund.
- 15 4. \$115,420,000 from the state police motor vehicle law enforcement
16 and motor vehicle theft and insurance fraud prevention fund, state
17 police motor vehicle enforcement account (22802), to the general fund
18 for state operation expenses of the division of state police.
- 19 5. \$138,272,000 from the general fund to the correctional facilities
20 capital improvement fund (32350).
- 21 6. \$5,000,000 from the general fund to the dedicated highway and
22 bridge trust fund (30050) for the purpose of work zone safety activities
23 provided by the division of state police for the department of transpor-
24 tation.
- 25 7. \$10,000,000 from the miscellaneous special revenue fund, statewide
26 public safety communications account (22123), to the capital projects
27 fund (30000).
- 28 8. \$9,830,000 from the miscellaneous special revenue fund, legal
29 services assistance account (22096), to the general fund.
- 30 9. \$1,000,000 from the general fund to the agencies internal service
31 fund, neighborhood work project account (55059).
- 32 10. \$7,980,000 from the miscellaneous special revenue fund, finger-
33 print identification & technology account (21950), to the general fund.
- 34 11. \$1,100,000 from the state police motor vehicle law enforcement and
35 motor vehicle theft and insurance fraud prevention fund, motor vehicle
36 theft and insurance fraud account (22801), to the general fund.
- 37 12. \$38,938,000 from the general fund to the miscellaneous special
38 revenue fund, criminal justice improvement account (21945).
- 39 13. \$6,000,000 from the general fund to the miscellaneous special
40 revenue fund, hazard mitigation revolving loan account (22266).
- 41 14. Intentionally omitted.
- 42 Transportation:
- 43 1. \$20,000,000 from the general fund to the mass transportation oper-
44 ating assistance fund, public transportation systems operating assist-
45 ance account (21401), of which \$12,000,000 constitutes the base need for
46 operations.
- 47 2. \$727,500,000 from the general fund to the dedicated highway and
48 bridge trust fund (30050).
- 49 3. \$244,250,000 from the general fund to the MTA financial assistance
50 fund, mobility tax trust account (23651).
- 51 4. \$477,000 from the miscellaneous special revenue fund, traffic adju-
52 dication account (22055), to the general fund.
- 53 5. \$5,000,000 from the miscellaneous special revenue fund, transporta-
54 tion regulation account (22067) to the general fund, for disbursements
55 made from such fund for motor carrier safety that are in excess of the

1 amounts deposited in the general fund for such purpose pursuant to
2 section 94 of the transportation law.

3 Miscellaneous:

4 1. \$250,000,000 from the general fund to any funds or accounts for the
5 purpose of reimbursing certain outstanding accounts receivable balances.

6 2. \$500,000,000 from the general fund to the debt reduction reserve
7 fund (40000).

8 3. \$450,000,000 from the New York state storm recovery capital fund
9 (33000) to the revenue bond tax fund (40152).

10 4. \$15,500,000 from the general fund, community projects account GG
11 (10256), to the general fund, state purposes account (10050).

12 5. \$100,000,000 from any special revenue federal fund to the general
13 fund, state purposes account (10050).

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

16 7. \$1,000,000,000 from the general fund to the hazardous waste cleanup
17 account (31506), State parks infrastructure account (30351), environ-
18 mental protection fund transfer account (30451), the correctional facil-
19 ities capital improvement fund (32350), housing program fund (31850), or
20 the Mental hygiene facilities capital improvement fund (32300), up to an
21 amount equal to certain outstanding accounts receivable balances.

22 § 4. 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, on or before March 31, 2026:

25 1. Upon request of the commissioner of environmental conservation, up
26 to \$12,745,400 from revenues credited to any of the department of envi-
27 ronmental conservation special revenue funds, including \$4,000,000 from
28 the environmental protection and oil spill compensation fund (21200),
29 and \$1,834,600 from the conservation fund (21150), to the environmental
30 conservation special revenue fund, indirect charges account (21060).

31 2. Upon request of the commissioner of agriculture and markets, up to
32 \$3,000,000 from any special revenue fund or enterprise fund within the
33 department of agriculture and markets to the general fund, to pay appro-
34 priate administrative expenses.

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

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

44 5. Upon request of the commissioner of health up to \$13,694,000 from
45 revenues credited to any of the department of health's special revenue
46 funds, to the miscellaneous special revenue fund, administration account
47 (21982).

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

54 § 5. On or before March 31, 2026, the comptroller is hereby authorized
55 and directed to deposit earnings that would otherwise accrue to the
56 general fund that are attributable to the operation of section 98-a of

1 the state finance law, to the agencies internal service fund, banking
2 services account (55057), for the purpose of meeting direct payments
3 from such account.

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

13 § 7. 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 designee,
17 on or before March 31, 2026, up to \$6,500,000 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 Albany.

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

27 § 8-a. Notwithstanding any law to the contrary, and in accordance with
28 section 4 of the state finance law, the comptroller is hereby authorized
29 and directed to transfer, upon request of the director of the budget, a
30 total of up to \$100,000,000 from the general fund to the state university
31 income fund, state university general revenue offset account (22655)
32 and/or the state university income fund, state university hospitals
33 income reimbursable account (22656) during the period July 1, 2025
34 through June 30, 2026 to pay costs attributable to the state university
35 health science center at Brooklyn and/or the state university of New
36 York hospital at Brooklyn, respectively, pursuant to a plan approved by
37 the director of the budget.

38 § 9. 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, upon request of the director of the budget, up
41 to \$1,513,098,500 from the general fund to the state university income
42 fund, state university general revenue offset account (22655) during the
43 period of July 1, 2025 through June 30, 2026 to support operations at
44 the state university.

45 § 10. Notwithstanding any law to the contrary, and in accordance with
46 section 4 of the state finance law, the comptroller is hereby authorized
47 and directed to transfer, upon request of the director of the budget, up
48 to \$55,848,000 from the general fund to the state university income
49 fund, state university general revenue offset account (22655) during the
50 period of July 1, 2025 to June 30, 2026 for general fund operating
51 support pursuant to subparagraph (4-b) of paragraph h of subdivision 2
52 of section three hundred fifty-five of the education law.

53 § 11. Notwithstanding any law to the contrary, upon the direction of
54 the director of the budget and the chancellor of the state university of
55 New York or their designee, and in accordance with section 4 of the
56 state finance law, the comptroller is hereby authorized and directed to

1 transfer monies from any special revenue fund of the state university of
2 New York to the state university of New York green energy loan fund for
3 the discrete purposes of the state university of New York green energy
4 loan fund and from the state university of New York green energy loan
5 fund to any special revenue fund of the state university of New York to
6 support such activity in an amount not to exceed \$25,000,000 from each
7 fund for the time period of July 1 to June 30 annually.

8 § 12. Notwithstanding any law to the contrary, and in accordance with
9 section 4 of the state finance law, the comptroller is hereby authorized
10 and directed to transfer, upon request of the state university chancel-
11 lor or their designee, up to \$55,000,000 from the state university
12 income fund, state university hospitals income reimbursable account
13 (22656), for services and expenses of hospital operations and capital
14 expenditures at the state university hospitals; and the state university
15 income fund, Long Island veterans' home account (22652) to the state
16 university capital projects fund (32400) on or before June 30, 2026.

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

39 § 14. Notwithstanding any law to the contrary, upon the direction of
40 the director of the budget and the chancellor of the state university of
41 New York or their designee, and in accordance with section 4 of the
42 state finance law, the comptroller is hereby authorized and directed to
43 transfer monies from the state university dormitory income fund (40350)
44 to the state university residence hall rehabilitation fund (30100), and
45 from the state university residence hall rehabilitation fund (30100) to
46 the state university dormitory income fund (40350), in an amount not to
47 exceed \$125 million from each fund.

48 § 15. Notwithstanding any law to the contrary, and in accordance with
49 section 4 of the state finance law, the comptroller is hereby authorized
50 and directed to transfer, at the request of the director of the budget,
51 up to \$1,000,000,000 from the unencumbered balance of any special reven-
52 ue fund or account, agency fund or account, internal service fund or
53 account, enterprise fund or account, or any combination of such funds
54 and accounts, to the general fund. The amounts transferred pursuant to
55 this authorization shall be in addition to any other transfers expressly
56 authorized in the 2025-26 budget. Transfers from federal funds, debt

1 service funds, capital projects funds, the community projects fund, or
2 funds that would result in the loss of eligibility for federal benefits
3 or federal funds pursuant to federal law, rule, or regulation as assent-
4 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
5 1951 are not permitted pursuant to this authorization.

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

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

45 § 18. Notwithstanding any provision of law to the contrary, as deemed
46 feasible and advisable by its trustees, the power authority of the state
47 of New York is authorized and directed to transfer to the state treasury
48 to the credit of the general fund up to \$10,000,000 for the state fiscal
49 year commencing April 1, 2025, the proceeds of which will be utilized to
50 support energy-related state activities.

51 § 19. Notwithstanding any provision of law to the contrary, as deemed
52 feasible and advisable by its trustees, the power authority of the state
53 of New York is authorized to transfer to the state treasury to the cred-
54 it of the general fund up to \$25,000,000 for the state fiscal year
55 commencing April 1, 2025, the proceeds of which will be utilized to
56 support programs established or implemented by or within the department

1 of labor, including but not limited to the office of just energy transi-
2 tion and programs for workforce training and retraining, to prepare
3 workers for employment for work in the renewable energy field.

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

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

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

20 § 56. This act shall take effect immediately and shall be deemed to
21 have been in full force and effect on and after April 1, 2024; provided,
22 however, that the provisions of sections one, two, three, four, five,
23 six, seven, eight, fourteen, fifteen, sixteen, seventeen, eighteen,
24 nineteen, twenty, twenty-one, twenty-two, [~~twenty-three~~] and twenty-
25 four of this act shall expire March 31, 2025; and provided, further,
26 that sections twenty-five and twenty-six of this act shall expire March
27 31, 2027, when upon such dates the provisions of such sections shall be
28 deemed repealed.

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

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

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

48 Notwithstanding any other provisions of law to the contrary, commenc-
49 ing on April first, two thousand [~~twenty-one~~] twenty-five, and continu-
50 ing through March thirty-first, two thousand [~~twenty-five~~] twenty-nine,
51 the comptroller is hereby authorized to transfer monies from the dedi-
52 cated infrastructure investment fund to the general fund, and from the
53 general fund to the dedicated infrastructure investment fund, in an
54 amount determined by the director of the budget to the extent moneys are
55 available in the fund; provided, however, that the comptroller is only
56 authorized to transfer monies from the dedicated infrastructure invest-

1 ment fund to the general fund in the event of an economic downturn as
2 described in paragraph (a) of this subdivision; and/or to fulfill disal-
3 lowances and/or settlements related to over-payments of federal medicare
4 and medicaid revenues in excess of one hundred million dollars from
5 anticipated levels, as determined by the director of the budget and
6 described in paragraph (b) of this subdivision.

7 § 25. Intentionally omitted.

8 § 26. Notwithstanding any law to the contrary, the comptroller is
9 hereby authorized and directed to transfer, upon request of the director
10 of the budget, on or before March 31, 2026, the following amounts from
11 the following special revenue accounts to the capital projects fund
12 (30000), for the purposes of reimbursement to such fund for expenses
13 related to the maintenance and preservation of state assets:

14 1. \$43,000 from the miscellaneous special revenue fund, administrative
15 program account (21982).

16 2. \$1,583,110 from the miscellaneous special revenue fund, helen hayes
17 hospital account (22140).

18 3. \$488,220 from the miscellaneous special revenue fund, New York city
19 veterans' home account (22141).

20 4. \$610,790 from the miscellaneous special revenue fund, New York
21 state home for veterans' and their dependents at oxford account (22142).

22 5. \$182,310 from the miscellaneous special revenue fund, western New
23 York veterans' home account (22143).

24 6. \$422,524 from the miscellaneous special revenue fund, New York
25 state for veterans in the lower-hudson valley account (22144).

26 7. \$2,550,000 from the miscellaneous special revenue fund, patron
27 services account (22163).

28 8. \$11,909,000 from the miscellaneous special revenue fund, state
29 university general income reimbursable account (22653).

30 9. \$182,988,000 from the miscellaneous special revenue fund, state
31 university revenue offset account (22655).

32 10. \$55,103,000 from the state university dormitory income fund, state
33 university dormitory income fund (40350).

34 11. \$1,000,000 from the miscellaneous special revenue fund, litigation
35 settlement and civil recovery account (22117).

36 § 27. Intentionally omitted.

37 § 28. Section 22 of the state finance law, as amended by chapter 762
38 of the laws of 1992, subdivisions 1-c, 14, 15 and 16 as added and para-
39 graphs d-2, e, e-2 and i of subdivision 3 and subdivision 4 as amended
40 by chapter 1 of the laws of 2007, paragraphs a-1, a-2 and a-3 of subdivi-
41 sion 3 as added by chapter 10 of the laws of 2006, paragraph j of
42 subdivision 3 as added by chapter 453 of the laws of 2015, subdivision 9
43 as amended by chapter 260 of the laws of 1993 and subdivisions 5, 6, 7,
44 8, 9, 10, 11, 12 and 13 as renumbered by section 2 of part F of chapter
45 389 of the laws of 1997, is amended to read as follows:

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

50 1. include a summary financial plan showing for each of the govern-
51 mental fund types: (a) the disbursements estimated to be made before the
52 close of the current fiscal year and the moneys estimated to be avail-
53 able from receipts and other sources therefor; and (b) the disbursements
54 proposed to be made during the ensuing fiscal year, and the moneys esti-
55 mated to be available from receipts and other sources therefor inclusive
56 of any receipts which are expected to result from proposed legislation

1 which [~~he~~] the governor deems necessary to provide receipts sufficient
2 to meet such proposed disbursements. For the purposes of this summary
3 financial plan, disbursements shall be presented by the following
4 purposes: state purposes, local assistance, capital projects, debt
5 service, and general state charges; receipts shall be presented for each
6 fund type by each revenue source which accounts for at least one per
7 centum of all such receipts and otherwise by categories of revenue
8 sources; receipts and disbursements for special revenue funds shall be
9 presented separately for federal funds and all other special revenue
10 funds. Whenever receipts or disbursements are proposed to be moved to a
11 different fund type, each significant amount so moved shall be identi-
12 fied.

13 1-a. within ten days following the submission of the financial plans
14 presented in accordance with subdivision one of this section, the direc-
15 tor of the budget shall submit to the chairs of the senate finance and
16 the assembly ways and means committees and the comptroller summary
17 financial plans of receipts and disbursements for the internal service,
18 enterprise, and fiduciary fund types.

19 1-b. within ten days of the submission of the financial plan for the
20 special revenue fund type, the director of the budget shall submit to
21 the chairs of the senate finance and assembly ways and means committees
22 a schedule of receipts and disbursements by account within each special
23 revenue fund, excluding those which are financed primarily by federal
24 grants.

25 1-c. within ten days following the submission of the financial plans
26 presented in accordance with subdivision one of this section, the direc-
27 tor of the budget shall submit to the chairs of the senate finance and
28 the assembly ways and means committees and the comptroller an estimate
29 of the fiscal impact of the executive budget general fund changes on
30 local governments and, where practicable, the fiscal impact on local
31 governments of the executive budget all fund changes concerning the
32 medicaid program, homeland security program, and workforce investment
33 programs. Such estimate shall be presented by class of local government
34 and shall measure all of the impacts of the executive budget, including
35 aid program changes, reimbursement changes, statutory changes in author-
36 izations for local taxation, mandates on local governments and other
37 requirements. Such estimate shall show the impact on local governments
38 by local fiscal years affected and shall cover the first local fiscal
39 year affected as well as the ensuing local fiscal year. Where such
40 estimate depends on any local option or action, the estimate shall
41 explicitly describe the assumptions used to calculate the estimate. When
42 under existing law a local tax option or program would end and the exec-
43 utive budget proposes the continuation thereof, the impact shall be
44 identified as a "deferral of sunset" and shall be calculated as a sepa-
45 rate component of such estimate.

46 2. [~~include a summary financial plan showing for each of the govern-~~
47 ~~mental fund types: (a) all of the expenditures estimated to be made, in~~
48 ~~accordance with generally accepted accounting principles, before the~~
49 ~~close of the current fiscal year and all of the expenditures proposed to~~
50 ~~be made, in accordance with generally accepted accounting principles,~~
51 ~~during the ensuing fiscal year; and (b) all of the revenues estimated to~~
52 ~~accrue, in accordance with generally accepted accounting principles,~~
53 ~~before the close of the current fiscal year and during the ensuing~~
54 ~~fiscal year inclusive of any revenues which are expected to result from~~
55 ~~the proposed legislation which he deems necessary to provide receipts~~
56 ~~sufficient to meet proposed disbursements. For the purposes of this~~

~~1 summary financial plan, expenditures shall be presented by the following
2 purposes: state purposes, local assistance, capital projects, debt
3 service, and general state charges, and revenues shall be presented by
4 each revenue source which accounts for at least one per centum of all
5 such revenues and otherwise by categories of revenue sources.~~

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

8 a. The appropriations, including reappropriations, made for the
9 current fiscal year, the appropriations and reappropriations recommended
10 for the ensuing fiscal year, the disbursements estimated to be made
11 before the close of the current fiscal year and proposed to be made
12 during the ensuing fiscal year based upon available and recommended
13 appropriations and reappropriations. Disbursements proposed to be made
14 shall be shown in separate parts as follows: those disbursements
15 proposed to be made for state purposes shall be set forth in one part,
16 those disbursements proposed to be made for local assistance shall be
17 set forth in another separate and distinct part, those disbursements
18 proposed to be made for capital projects shall be set forth in a third
19 separate and distinct part and those disbursements proposed to be made
20 for debt service shall be set forth in a fourth separate and distinct
21 part. The effect of any proposed changes in the payment dates of partic-
22 ular disbursements on the financial plan presented in accordance with
23 subdivision one of this section shall be set forth separately.

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

27 a-2. For each state agency, the disbursements estimated to be made
28 before the close of the current fiscal year and proposed to be made
29 during the ensuing fiscal year for contracts for services made for state
30 purposes.

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

36 b. In separate sections for each fund type, the receipts actually had
37 and received during the preceding fiscal year, the receipts estimated to
38 be available and received during the current and ensuing fiscal years
39 respectively listed by each major source, including statistical and
40 summary tables and a narrative which includes a discussion of the
41 assumptions used in estimating such receipts. The effect of any proposed
42 changes in the rates, bases, payment dates or other aspects of partic-
43 ular sources of receipts on the financial plan presented in accordance
44 with subdivision one of this section shall be set forth separately and
45 the assumptions used in calculating such effect. Whenever a new fee or a
46 new financing mechanism is proposed, a schedule of the new fee or
47 financing mechanism shall be included for purposes of showing the effect
48 of the new fee or financing mechanism on the financial plan.

49 c. ~~1 The expenditures estimated to be made in accordance with generally
50 accepted accounting principles before the close of the current fiscal
51 year and proposed to be made in accordance with generally accepted
52 accounting principles during the ensuing fiscal year. Expenditures esti-
53 mated and proposed to be made shall be shown in separate parts as
54 follows: those expenditures for state purposes shall be set forth in one
55 part, those expenditures for local assistance shall be set forth in
56 another separate and distinct part, those expenditures for capital~~

~~projects shall be set forth in a third separate and distinct part, and those expenditures for debt service shall be set forth in a fourth separate and distinct part.~~

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

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

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

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

~~(ii) [a schedule for each governmental fund type other than the general fund showing the differences between projected operating results on a cash basis and those on the basis of generally accepted accounting principles;~~

~~(iii) a detailed schedule by fund of revenues and expenditures within the general fund;~~

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

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

~~e.]~~ d. The anticipated general fund quarterly schedule and fiscal year total for the prior, current and next ensuing fiscal years of: disbursements; receipts; repayments of advances; total tax refunds; and refunds for the tax imposed under article twenty-two of the tax law. Such information shall be presented in the same form as the summary financial plans presented in accordance with [~~subdivisions~~] subdivision one [~~and two~~] of this section. A separate, detailed, report of such schedule shall be provided with receipts shown by each major revenue category, including detail for each major tax and major components of miscellaneous receipts, and with disbursements shown by major function or program. The director of the division of the budget shall submit concurrent with the submission of the financial plan to the legislature pursuant to subdivision [~~two~~] one of this section and with each update thereafter a revised monthly general fund cash flow projection of receipts and disbursements for the current fiscal year that: (1) compares actual results to (i) actual results through the same period for the prior year and (ii) the most recent prior update to the financial plan and to the enacted budget financial plan; (2) summarizes the reasons for any variances; and (3) describes the revisions to the cash flow projections. The monthly general fund cash flow projection shall be stated by major category of local assistance, personal service, nonpersonal service, general state charges, and debt service, and by major category of revenue. Such reports shall utilize a format that shall facilitate comparison and analysis with those reports submitted to the legislature by the office of audit and control pursuant to subdivision nine of section eight of this chapter.

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

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

13 (1) separate schedules for each fund type; and

14 (2) an all funds summary. Such information shall be presented in a
15 form that facilitates comparisons among agencies and across fiscal
16 years, and shall include:

17 (i) actual and projected full-time equivalents; and

18 (ii) proposed changes to the work force in the executive budget,
19 including but not limited to: new positions, layoffs, attrition, and
20 changes in funding sources. To the extent practicable, the division of
21 the budget shall facilitate the provision of other relevant information
22 on employment to the legislature in a timely manner during the state
23 fiscal year.

24 ~~[f-]~~ e. A statement explaining any differences between the significant
25 accounting policies used in the preparation of the documents required to
26 be submitted pursuant to this section and those used by the comptroller
27 in the preparation of the financial statements contained in the annual
28 report to the legislature for the preceding fiscal year issued pursuant
29 to subdivision nine of section eight of this chapter.

30 ~~[g-]~~ f. The estimated borrowings in anticipation of the receipt of
31 taxes and revenues and the amount of interest estimated to be paid ther-
32 eon during the current and ensuing fiscal years respectively, and the
33 amounts actually so borrowed and the interest actually paid thereon
34 during the preceding fiscal year.

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

38 ~~[i-]~~ h. A statement setting forth state involvement in the fiscal
39 operations of those public authorities and public benefit corporations
40 which may be part of the development of a comprehensive state budget
41 system and provided therefor in the state financial plan. Such statement
42 shall include those public authorities and public benefit corporations
43 with disbursements which are not currently reflected in the state
44 central accounting system from proceeds of any notes or bonds issued by
45 any public authority, and which bonds or notes would be considered as
46 state-supported debt as defined in section sixty-seven-a of this chap-
47 ter. Such statement shall set forth the amount of all of the bonds,
48 notes and other obligations of each public authority, public benefit
49 corporation and all other agencies and instrumentalities of the state
50 for which the full faith and credit of the state has been pledged or on
51 account of which the state has by law given its pledge or assurance for
52 the continued operation and solvency of the authority, public corpo-
53 ration, or other agency or instrumentality of the state, as the case may
54 be. Such statement shall also set forth all proposed appropriations to
55 be made to any public authority, public benefit corporation, and any
56 other agency or instrumentality of the state which has been created or

1 continued by law and which is separate and distinct from the state
2 itself.

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

7 [~~4-a~~] 3. Include a three year financial projection showing the
8 anticipated disbursements and receipts for each of the governmental fund
9 types of the state. For the purposes of this three year financial
10 projection, disbursements shall be presented by the following purposes:
11 state purposes, local assistance, capital projects, debt service, trans-
12 fers and general state charges with each major function or major program
13 identified separately within each purpose; and receipts shall be
14 presented by each major revenue category, including detail for each
15 major tax, and major components of miscellaneous receipts and with
16 disbursements shown by major function or program for the prior year,
17 current year and next three fiscal years, and otherwise by each major
18 source which is separately estimated and presented pursuant to paragraph
19 b of subdivision [~~three~~] two of this section. Receipts and disbursements
20 for special revenue funds shall be presented separately for federal
21 funds and all other special revenue funds. Whenever receipts and
22 disbursements are proposed to be moved to a different fund type, each
23 significant amount so moved shall be explained. This three year finan-
24 cial projection shall include an explanation of any changes to the
25 financial plans submitted in accordance with subdivision one of this
26 section and include explanations of the economic, statutory and other
27 assumptions used to estimate the disbursements and receipts which are
28 presented. Whenever the projections for receipts and disbursements are
29 based on assumptions other than the current levels of service, such
30 assumptions shall be separately identified and explained. The three year
31 financial projections shall include a description of any projected defi-
32 cits or surpluses.

33 [~~5~~] 4. Include a summary statement of operations for the proprietary
34 and fiduciary fund types. Such summary statement of operations shall
35 include the estimated and projected receipts of and disbursements from
36 appropriations and reappropriations available or recommended from such
37 fund types in the budget bills submitted by the governor pursuant to
38 section twenty-four of this [~~chapter~~] article. Such summary statement
39 of operations shall be revised as soon as is practical after the legis-
40 lature has completed action on such budget bills.

41 [~~6~~] 5. Include a list of proposed legislation submitted pursuant to
42 section three of article seven of the constitution.

43 [~~7~~] 6. Notwithstanding any provision of law to the contrary, budgets
44 submitted pursuant to this section shall not recommend first instance
45 expenditures. Any anticipated reimbursement of proposed expenditures
46 shall be shown as receipts or revenues to the appropriate fund.

47 [~~8~~] 7. Within ten days following the submission of the budget by the
48 governor, the director of the budget shall transmit to the chairs of the
49 senate finance committee and the assembly ways and means committee a
50 report, by agency, program, and fund, including but not limited to, the
51 following information pertaining to financed equipment acquisitions for
52 state departments, agencies and units of the state university and the
53 city university of New York including those financed equipment acqui-
54 sitions financed by the issuance of certificates of participation or simi-
55 lar instruments for state departments, agencies and units of the state
56 and city universities of New York:

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

3 ~~[(a)]~~ **(1)** An identification of the purposes of such financings,
4 including:

5 ~~[(1)]~~ **(i)** The nature of the equipment to be financed.
6 ~~[(2)]~~ **(ii)** Whether the purposes are new financings or refinancings of
7 outstanding lease purchase and installment purchase agreements.
8 ~~[(3)]~~ **(iii)** The recommended method of financing.

9 ~~[(b)]~~ **(2)** The estimated purchase cost of the equipment if purchased
10 outright.

11 ~~[(e)]~~ **(3)** The estimated interest rate and term of such financings.
12 ~~[(d)]~~ **(4)** The estimated expenses for the issuances of such certifi-
13 cates or similar instruments as such expenses are defined in section
14 sixty-six-b of this chapter.

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

17 ~~[2-]~~ **b.** For outstanding financed equipment acquisitions as of April
18 first of the ensuing fiscal year the total estimated amount for lease or
19 installment purchase payments for the ensuing fiscal year.

20 ~~[3-]~~ **c.** For outstanding financed equipment acquisitions financed by
21 certificates of participation the financing costs of outstanding certifi-
22 cates of participation and similar instruments issued pursuant to
23 section sixty-six-b of this chapter with estimated payment schedules of
24 all such outstanding obligations.

25 ~~[9-]~~ **8.** Include a summary of disbursements by function of state
26 government for the preceding fiscal year and the estimated disbursements
27 for the current and ensuing fiscal years in a form suitable for compar-
28 ison. Such summary shall present such disbursements by purpose as set
29 forth in subdivision one of this section and also including special
30 revenue funds-federal and special revenue funds-other. Such summary
31 shall also describe the state entities, as defined by [~~subdivisions~~
32 ~~five, six, seven and eight of~~] section two-a of this chapter, within
33 each function. For the fiscal year beginning in nineteen hundred nine-
34 ty-three, such summary shall be presented within ten days of the budget
35 submission for the general fund, special revenue funds-other, capital
36 projects funds and debt service funds. For the fiscal year beginning in
37 nineteen hundred ninety-four, such summary shall be presented with the
38 budget for the general fund and within ten days of the budget submission
39 for special revenue funds-other, capital projects funds and debt service
40 funds. For fiscal years beginning in nineteen hundred ninety-five and
41 thereafter, such summary shall be presented with the budget.

42 ~~[10-]~~ **9.** Include a statement showing projected disbursement for the
43 current fiscal year and proposed disbursements for the ensuing fiscal
44 year by agency and bill and fund type. For the fiscal year beginning in
45 nineteen hundred ninety-three, such statement shall be presented within
46 ten days of the budget submission for the general fund, special revenue
47 funds-other, capital projects funds and debt service funds. For the
48 fiscal year beginning in nineteen hundred ninety-four, such summary
49 shall be presented with the budget for the general fund and within ten
50 days of the budget submission for special revenue funds-other, capital
51 projects funds and debt service funds. For fiscal years beginning in
52 nineteen hundred ninety-five and thereafter, such summary shall be
53 presented with the budget.

54 ~~[11-]~~ **10.** Within ten days following the submission of the financial
55 plans presented in accordance with [~~subdivisions~~] **subdivision** one [~~and~~
56 ~~two~~] of this section, the director of the budget shall submit to the

1 chairs of the senate finance committee and the assembly ways and means
2 committee for the prior, the current and next ensuing fiscal years
3 detailed schedules by agency for the general fund showing proposed
4 appropriations in the state operations and aid to localities budget
5 bills with disbursements to be made against such appropriations, as well
6 as disbursements to be made against any existing appropriations.

7 ~~[12-]~~ 11. a. With respect to any proposed appropriations for the
8 purpose of remedying state agency violations or past problems of the
9 environmental conservation law or regulations adopted thereunder within
10 the proposed budget submitted annually by the governor to the legisla-
11 ture shall, set forth the amount recommended to remedy each functional
12 category of violation. A priority criterion to be considered in deter-
13 mining such recommended appropriations shall be the ranking of such
14 violations and past problems as determined by the agency pursuant to
15 paragraph b of subdivision one of section 3-0311 of the environmental
16 conservation law, with any reordering of rankings as determined by the
17 department of environmental conservation. Amounts appropriated shall be
18 disbursed for remediation of the violation or problem only after review
19 and determination by the department of environmental conservation of the
20 adequacy of the remedial plan pursuant to paragraph g of subdivision
21 three of section 3-0311 of the environmental conservation law.

22 b. Within thirty days following the submission of the budget by the
23 governor for each fiscal year, beginning with the nineteen hundred nine-
24 ty-three--ninety-four fiscal year, the director of the budget shall
25 transmit to the chairs of the senate finance committee and the assembly
26 ways and means committee a report which includes project specific infor-
27 mation for proposed appropriations for the purposes of remedying state
28 agency environmental violations or problems, as identified pursuant to
29 section 3-0311 of the environmental conservation law, contained within
30 such submitted budget.

31 ~~[13-]~~ 12. Include a summary financial plan for all research institutes
32 which shall set forth:

33 a. estimates of all revenues and all expenses for the current and
34 succeeding fiscal years, along with the actual results from the prior
35 fiscal year; and

36 b. any agreement whereby any state agency will provide financial
37 support or any other assistance to cover any operating loss for such
38 research institute.

39 ~~[14-]~~ 13. a. With respect to information technology projects, depend-
40 ent on funding in the executive budget, involving one or more contracts
41 projected to total ten million dollars or more, within thirty days
42 following the submission of the budget by the governor for each fiscal
43 year, beginning with the two thousand eight--two thousand nine fiscal
44 year, the director of the budget shall transmit to the chairs of the
45 senate finance committee and the assembly ways and means committee a
46 report which shall set forth the following:

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

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

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

54 b. Information provided pursuant to paragraph a of this subdivision
55 may not be disclosed to any party other than a governmental entity as
56 defined in section one hundred thirty-nine-j of this chapter, if such

1 disclosure would impair the fairness or competitiveness of a pending or
2 potential procurement process.

3 Estimated costs by fiscal year shall not be disclosed.

4 ~~[15.]~~ 14. The division of the budget shall prepare the reports, sched-
5 ules, and other information described in this subdivision. To the extent
6 practicable, such reports, schedules, and information shall be in a
7 form, and presented at a level of detail, that facilitates comparison on
8 an annual basis and against actual results, as appropriate, and in a
9 manner consistent with the other reporting requirements enumerated in
10 this section. The reports, schedules, and other information required by
11 this subdivision shall be submitted to the chair of the senate finance
12 committee, the chair of the assembly ways and means committee, the
13 minority leaders of both houses, and the comptroller according to the
14 schedules set forth in this section. In determining the final content
15 and format of the information required by this section, the division of
16 the budget shall consult annually with the designees of the temporary
17 president of the senate, the speaker of the assembly, the minority lead-
18 ers of both houses, and the comptroller. All information described in
19 this subdivision shall be made available to the public.

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

32 b. The capital program and financing plan submitted pursuant to
33 section twenty-two-c of this article, and the update thereto required
34 pursuant to section twenty-three of this article, shall include a report
35 on the management of state-supported debt. Such report may include, but
36 is not limited to: (1) an assessment of the affordability of state debt,
37 including debt as a percent of personal income, debt per capita, and
38 debt service costs as a percent of the budget; (2) a summary and analy-
39 sis of the interest rate exchange agreements and variable rate exposure;
40 and (3) an assessment of financing opportunities related to the state's
41 debt portfolio.

42 ~~[16.]~~ 15. The governor shall make all practicable efforts to amend or
43 supplement the budget and submit supplemental bills or amendments to any
44 bills pursuant to article seven of the constitution within twenty-one
45 days after the budget is submitted to the legislature.

46 16. The amended executive budget required to be submitted within thir-
47 ty days after the submission of the executive budget to the legislature
48 in accordance with article seven of the constitution of the state of New
49 York, in addition to the information required by the constitution of the
50 state of New York to be set forth therein, shall include:

51 a. a summary financial plan showing for each of the governmental fund
52 types: (1) all of the expenditures estimated to be made, in accordance
53 with generally accepted accounting principles, before the close of the
54 current fiscal year and all of the expenditures proposed to be made, in
55 accordance with generally accepted accounting principles, during the
56 ensuing fiscal year; and (2) all of the revenues estimated to accrue, in

1 accordance with generally accepted accounting principles, before the
2 close of the current fiscal year and during the ensuing fiscal year
3 inclusive of any revenues which are expected to result from the proposed
4 legislation which is deemed necessary to provide receipts sufficient to
5 meet proposed disbursements. For the purposes of such summary financial
6 plan, expenditures shall be presented by the following purposes: state
7 purposes, local assistance, capital projects, debt service, and general
8 state charges; and revenues shall be presented by each revenue source
9 which accounts for at least one per centum of all such revenues and
10 otherwise by categories of revenue sources;

11 b. the expenditures estimated to be made in accordance with generally
12 accepted accounting principles before the close of the current fiscal
13 year and proposed to be made in accordance with generally accepted
14 accounting principles during the ensuing fiscal year. Expenditures esti-
15 imated and proposed to be made shall be shown in separate parts as
16 follows: those expenditures for state purposes shall be set forth in one
17 part, those expenditures for local assistance shall be set forth in
18 another separate and distinct part, those expenditures for capital
19 projects shall be set forth in a third separate and distinct part, and
20 those expenditures for debt service shall be set forth in a fourth sepa-
21 rate and distinct part;

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

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

29 e. a schedule for each governmental fund type other than the general
30 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; and

33 f. a detailed schedule by fund of revenues and expenditures within the
34 general fund.

35 § 29. Subparagraph (vi) of paragraph (d) of subdivision 3 of section
36 22-c of the state finance law, as amended by section 3 of part F of
37 chapter 389 of the laws of 1997, is amended to read as follows:

38 (vi) the total amount of disbursements for the project estimated to be
39 made during the current fiscal year and during each of the next ensuing
40 five fiscal years, provided however, that (A) the information required
41 by this subparagraph may be provided for groupings of projects in those
42 cases where the governor determines it cannot be provided on a project
43 by project basis, and (B) the total of all disbursements estimated in
44 accordance with the requirements of this subparagraph to be made for all
45 capital projects during the current fiscal year and during each of the
46 next ensuing five fiscal years, excluding those disbursements which are
47 estimated in accordance with the requirements of this subparagraph to be
48 made by public benefit corporations and which are not subject to appro-
49 priations, shall be equal, respectively, to the total of all disburse-
50 ments estimated, in the financial projections required by subdivisions
51 one and [~~four~~ **three**] of section twenty-two of this article, to be made
52 for all capital projects during the then current fiscal year and during
53 each of the next ensuing five fiscal years,

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

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

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

41 § 31. Notwithstanding any law to the contrary, the comptroller is
42 hereby authorized and directed to transfer, upon request of the director
43 of the budget, on or before March 31, 2026 the following amounts from
44 the following special revenue accounts or enterprise funds to the gener-
45 al fund, for the purposes of offsetting principal and interest costs,
46 incurred by the state pursuant to section 52 of part RR of chapter 56 of
47 the laws of 2023, provided that the annual amount of the transfer shall
48 be no more than the principal and interest that would have otherwise
49 been due to the power authority of the state of New York, from any state
50 agency, in a given state fiscal year. Amounts pertaining to special
51 revenue accounts assigned to the state university of New York shall be
52 considered interchangeable between the designated special revenue
53 accounts as to meet the requirements of this section and section 52 of
54 part RR of chapter 56 of the laws of 2023:

55 1. \$15,000,000 from the miscellaneous special revenue fund, state
56 university general income reimbursable account (22653).

1 2. \$5,000,000 from state university dormitory income fund, state
2 university dormitory income fund (40350).

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

5 § 32. Notwithstanding any law to the contrary, the comptroller is
6 hereby authorized to transfer, on or before March 31, 2026, up to
7 \$25,000,000 from various state bond funds (30600 through 30690) to the
8 general debt service fund (40150), for the purposes of redeeming or
9 defeasing outstanding state bonds.

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

13 (a) Subject to the provisions of chapter fifty-nine of the laws of two
14 thousand, in order to enhance and encourage the promotion of housing
15 programs and thereby achieve the stated purposes and objectives of such
16 housing programs, the agency shall have the power and is hereby author-
17 ized from time to time to issue negotiable housing program bonds and
18 notes in such principal amount as shall be necessary to provide suffi-
19 cient funds for the repayment of amounts disbursed (and not previously
20 reimbursed) pursuant to law or any prior year making capital appropri-
21 ations or reappropriations for the purposes of the housing program;
22 provided, however, that the agency may issue such bonds and notes in an
23 aggregate principal amount not exceeding [~~fourteen billion five hundred~~
24 ~~twenty-six million eighty-nine thousand dollars \$14,526,089,000, plus a~~
25 ~~principal amount of bonds issued to fund the debt service reserve fund~~
26 ~~in accordance with the debt service reserve fund requirement established~~
27 ~~by the agency and to fund any other reserves that the agency reasonably~~
28 ~~deems necessary for the security or marketability of such bonds and to~~
29 ~~provide for the payment of fees and other charges and expenses, includ-~~
30 ~~ing underwriters' discount, trustee and rating agency fees, bond insur-~~
31 ~~ance, credit enhancement and liquidity enhancement related to the issu-~~
32 ~~ance of such bonds and notes]~~ seventeen billion three hundred eighteen
33 million nine hundred sixty-four thousand dollars \$17,318,964,000,
34 excluding bonds issued after April first, two thousand twenty-five to
35 (i) fund one or more debt service reserve funds, (ii) pay costs of issu-
36 ance of such bonds, and (iii) refund or otherwise repay such bonds or
37 notes previously issued, provided that nothing herein shall affect the
38 exclusion of refunding debt issued prior to such date. No reserve fund
39 securing the housing program bonds shall be entitled or eligible to
40 receive state funds apportioned or appropriated to maintain or restore
41 such reserve fund at or to a particular level, except to the extent of
42 any deficiency resulting directly or indirectly from a failure of the
43 state to appropriate or pay the agreed amount under any of the contracts
44 provided for in subdivision four of this section.

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

48 (b) The authority is hereby authorized, as additional corporate
49 purposes thereof solely upon the request of the director of the budget:
50 (i) to issue special emergency highway and bridge trust fund bonds and
51 notes for a term not to exceed thirty years and to incur obligations
52 secured by the moneys appropriated from the dedicated highway and bridge
53 trust fund established in section eighty-nine-b of the state finance
54 law; (ii) to make available the proceeds in accordance with instructions
55 provided by the director of the budget from the sale of such special
56 emergency highway and bridge trust fund bonds, notes or other obli-

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

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

38 (c) Subject to the provisions of chapter fifty-nine of the laws of two
39 thousand, (i) the dormitory authority shall not deliver a series of
40 bonds for city university community college facilities, except to refund
41 or to be substituted for or in lieu of other bonds in relation to city
42 university community college facilities pursuant to a resolution of the
43 dormitory authority adopted before July first, nineteen hundred eighty-
44 five or any resolution supplemental thereto, if the principal amount of
45 bonds so to be issued when added to all principal amounts of bonds
46 previously issued by the dormitory authority for city university commu-
47 nity college facilities, except to refund or to be substituted in lieu
48 of other bonds in relation to city university community college facili-
49 ties will exceed the sum of four hundred twenty-five million dollars and
50 (ii) the dormitory authority shall not deliver a series of bonds issued
51 for city university facilities, including community college facilities,
52 pursuant to a resolution of the dormitory authority adopted on or after
53 July first, nineteen hundred eighty-five, except to refund or to be
54 substituted for or in lieu of other bonds in relation to city university
55 facilities and except for bonds issued pursuant to a resolution supple-
56 mental to a resolution of the dormitory authority adopted prior to July

1 first, nineteen hundred eighty-five, if the principal amount of bonds so
2 to be issued when added to the principal amount of bonds previously
3 issued pursuant to any such resolution, except bonds issued to refund or
4 to be substituted for or in lieu of other bonds in relation to city
5 university facilities, will exceed [~~eleven billion seven hundred sixty-~~
6 ~~three million twenty two thousand dollars \$11,763,022,000~~] twelve
7 billion six hundred forty-three million three hundred sixty-eight thou-
8 sand dollars \$12,643,368,000, excluding bonds issued after April first,
9 two thousand twenty-five to (i) fund one or more debt service reserve
10 funds, (ii) pay costs of issuance of such bonds, and (iii) refund or
11 otherwise repay such bonds or notes previously issued, provided that
12 nothing herein shall affect the exclusion of refunding debt issued prior
13 to such date. The legislature reserves the right to amend or repeal
14 such limit, and the state of New York, the dormitory authority, the city
15 university, and the fund are prohibited from covenanting or making any
16 other agreements with or for the benefit of bondholders which might in
17 any way affect such right.

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

21 1. The dormitory authority is authorized to issue bonds, at the
22 request of the commissioner of education, to finance eligible library
23 construction projects pursuant to section two hundred seventy-three-a of
24 the education law, in amounts certified by such commissioner not to
25 exceed a total principal amount of [~~four hundred eleven million dollars~~
26 ~~\$411,000,000~~] four hundred sixty-five million dollars \$465,000,000.

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

30 (c) Subject to the provisions of chapter fifty-nine of the laws of two
31 thousand, the dormitory authority shall not issue any bonds for state
32 university educational facilities purposes if the principal amount of
33 bonds to be issued when added to the aggregate principal amount of bonds
34 issued by the dormitory authority on and after July first, nineteen
35 hundred eighty-eight for state university educational facilities will
36 exceed [~~eighteen billion nine hundred eighty eight million one hundred~~
37 ~~sixty four thousand dollars \$18,988,164,000; provided, however, that~~
38 ~~bonds issued or to be issued shall be excluded from such limitation if:~~
39 ~~(1) such bonds are issued to refund state university construction bonds~~
40 ~~and state university construction notes previously issued by the housing~~
41 ~~finance agency; or (2) such bonds are issued to refund bonds of the~~
42 ~~authority or other obligations issued for state university educational~~
43 ~~facilities purposes and the present value of the aggregate debt service~~
44 ~~on the refunding bonds does not exceed the present value of the aggre-~~
45 ~~gate debt service on the bonds refunded thereby; provided, further that~~
46 ~~upon certification by the director of the budget that the issuance of~~
47 ~~refunding bonds or other obligations issued between April first, nine-~~
48 ~~teen hundred ninety two and March thirty first, nineteen hundred nine-~~
49 ~~ty three will generate long term economic benefits to the state, as~~
50 ~~assessed on a present value basis, such issuance will be deemed to have~~
51 ~~met the present value test noted above. For purposes of this subdivi-~~
52 ~~sion, the present value of the aggregate debt service of the refunding~~
53 ~~bonds and the aggregate debt service of the bonds refunded, shall be~~
54 ~~calculated by utilizing the true interest cost of the refunding bonds,~~
55 ~~which shall be that rate arrived at by doubling the semi-annual interest~~
56 ~~rate (compounded semi-annually) necessary to discount the debt service~~

1 ~~payments on the refunding bonds from the payment dates thereof to the~~
 2 ~~date of issue of the refunding bonds to the purchase price of the~~
 3 ~~refunding bonds, including interest accrued thereon prior to the issu-~~
 4 ~~ance thereof. The maturity of such bonds, other than bonds issued to~~
 5 ~~refund outstanding bonds, shall not exceed the weighted average economic~~
 6 ~~life, as certified by the state university construction fund, of the~~
 7 ~~facilities in connection with which the bonds are issued, and in any~~
 8 ~~case not later than the earlier of thirty years or the expiration of the~~
 9 ~~term of any lease, sublease or other agreement relating thereto,~~
 10 ~~provided that no note, including renewals thereof, shall mature later~~
 11 ~~than five years after the date of issuance of such note.] twenty-one~~
 12 billion eighty-eight million one hundred sixty-four thousand dollars
 13 \$21,088,164,000, excluding bonds issued after April first, two thousand
 14 twenty-five to (i) fund one or more debt service reserve funds, (ii) pay
 15 costs of issuance of such bonds, and (iii) refund or otherwise repay
 16 such bonds or notes previously issued, provided that nothing herein
 17 shall affect the exclusion of refunding debt issued prior to such date.

18 The legislature reserves the right to amend or repeal such limit, and
 19 the state of New York, the dormitory authority, the state university of
 20 New York, and the state university construction fund are prohibited from
 21 covenanting or making any other agreements with or for the benefit of
 22 bondholders which might in any way affect such right.

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

26 10-a. Subject to the provisions of chapter fifty-nine of the laws of
 27 two thousand, but notwithstanding any other provision of the law to the
 28 contrary, the maximum amount of bonds and notes to be issued after March
 29 thirty-first, two thousand two, on behalf of the state, in relation to
 30 any locally sponsored community college, shall be [~~one billion three~~
 31 ~~hundred sixty-five million three hundred eight thousand dollars~~
 32 ~~\$1,365,308,000]~~ one billion four hundred ninety-five million seven
 33 hundred seventy-four thousand dollars \$1,495,774,000. Such amount shall
 34 be exclusive of bonds and notes issued to fund any reserve fund or
 35 funds, costs of issuance and to refund any outstanding bonds and notes,
 36 issued on behalf of the state, relating to a locally sponsored community
 37 college.

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

42 b. The agency shall have power and is hereby authorized from time to
 43 time to issue negotiable bonds and notes in conformity with applicable
 44 provisions of the uniform commercial code in such principal amount as,
 45 in the opinion of the agency, shall be necessary, after taking into
 46 account other moneys which may be available for the purpose, to provide
 47 sufficient funds to the facilities development corporation, or any
 48 successor agency, for the financing or refinancing of or for the design,
 49 construction, acquisition, reconstruction, rehabilitation or improvement
 50 of mental health services facilities pursuant to paragraph a of this
 51 subdivision, the payment of interest on mental health services improve-
 52 ment bonds and mental health services improvement notes issued for such
 53 purposes, the establishment of reserves to secure such bonds and notes,
 54 the cost or premium of bond insurance or the costs of any financial
 55 mechanisms which may be used to reduce the debt service that would be
 56 payable by the agency on its mental health services facilities improve-

1 ment bonds and notes and all other expenditures of the agency incident
2 to and necessary or convenient to providing the facilities development
3 corporation, or any successor agency, with funds for the financing or
4 refinancing of or for any such design, construction, acquisition, recon-
5 struction, rehabilitation or improvement and for the refunding of mental
6 hygiene improvement bonds issued pursuant to section 47-b of the private
7 housing finance law; provided, however, that the agency shall not issue
8 mental health services facilities improvement bonds and mental health
9 services facilities improvement notes in an aggregate principal amount
10 exceeding [~~twelve billion nine hundred twenty-one million seven hundred~~
11 ~~fifty six thousand dollars \$12,921,756,000, excluding mental health~~
12 ~~services facilities improvement bonds and mental health services facili-~~
13 ~~ties improvement notes issued to refund outstanding mental health~~
14 ~~services facilities improvement bonds and mental health services facili-~~
15 ~~ties improvement notes; provided, however, that upon any such refunding~~
16 ~~or repayment of mental health services facilities improvement bonds~~
17 ~~and/or mental health services facilities improvement notes the total~~
18 ~~aggregate principal amount of outstanding mental health services facili-~~
19 ~~ties improvement bonds and mental health facilities improvement notes~~
20 ~~may be greater than twelve billion nine hundred twenty-one million seven~~
21 ~~hundred fifty six thousand dollars \$12,921,756,000, only if, except as~~
22 ~~hereinafter provided with respect to mental health services facilities~~
23 ~~bonds and mental health services facilities notes issued to refund~~
24 ~~mental hygiene improvement bonds authorized to be issued pursuant to the~~
25 ~~provisions of section 47-b of the private housing finance law, the pres-~~
26 ~~ent value of the aggregate debt service of the refunding or repayment~~
27 ~~bonds to be issued shall not exceed the present value of the aggregate~~
28 ~~debt service of the bonds to be refunded or repaid. For purposes hereof,~~
29 ~~the present values of the aggregate debt service of the refunding or~~
30 ~~repayment bonds, notes or other obligations and of the aggregate debt~~
31 ~~service of the bonds, notes or other obligations so refunded or repaid,~~
32 ~~shall be calculated by utilizing the effective interest rate of the~~
33 ~~refunding or repayment bonds, notes or other obligations, which shall be~~
34 ~~that rate arrived at by doubling the semi-annual interest rate~~
35 ~~(compounded semi-annually) necessary to discount the debt service~~
36 ~~payments on the refunding or repayment bonds, notes or other obligations~~
37 ~~from the payment dates thereof to the date of issue of the refunding or~~
38 ~~repayment bonds, notes or other obligations and to the price bid includ-~~
39 ~~ing estimated accrued interest or proceeds received by the authority~~
40 ~~including estimated accrued interest from the sale thereof. Such bonds,~~
41 ~~other than bonds issued to refund outstanding bonds, shall be scheduled~~
42 ~~to mature over a term not to exceed the average useful life, as certi-~~
43 ~~fied by the facilities development corporation, of the projects for~~
44 ~~which the bonds are issued, and in any case shall not exceed thirty~~
45 ~~years and the maximum maturity of notes or any renewals thereof shall~~
46 ~~not exceed five years from the date of the original issue of such notes.~~
47 ~~Notwithstanding the provisions of this section, the agency shall have~~
48 ~~the power and is hereby authorized to issue mental health services~~
49 ~~facilities improvement bonds and/or mental health services facilities~~
50 ~~improvement notes to refund outstanding mental hygiene improvement bonds~~
51 ~~authorized to be issued pursuant to the provisions of section 47-b of~~
52 ~~the private housing finance law and the amount of bonds issued or~~
53 ~~outstanding for such purposes shall not be included for purposes of~~
54 ~~determining the amount of bonds issued pursuant to this section]~~ thir-
55 teen billion six hundred fifty-four million five hundred fifty-four
56 thousand dollars \$13,654,554,000, excluding bonds issued after April

1 first, two thousand twenty-five to (i) fund one or more debt service
 2 reserve funds, (ii) pay costs of issuance of such bonds, and (iii)
 3 refund or otherwise repay such bonds or notes previously issued,
 4 provided that nothing herein shall affect the exclusion of refunding
 5 debt issued prior to such date. The director of the budget shall allo-
 6 cate the aggregate principal authorized to be issued by the agency among
 7 the office of mental health, office for people with developmental disa-
 8 bilities, and the office of addiction services and supports, in consul-
 9 tation with their respective commissioners to finance bondable appropri-
 10 ations previously approved by the legislature.

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

16 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
 17 notwithstanding the provisions of section 18 of the urban development
 18 corporation act, the corporation is hereby authorized to issue bonds or
 19 notes in one or more series in an aggregate principal amount not to
 20 exceed [~~five hundred twenty-two million five hundred thousand dollars~~
 21 ~~\$522,500,000~~] five hundred fifty million five hundred thousand dollars
 22 \$550,500,000, excluding bonds issued to fund one or more debt service
 23 reserve funds, to pay costs of issuance of such bonds, and bonds or
 24 notes issued to refund or otherwise repay such bonds or notes previously
 25 issued, for the purpose of financing capital costs related to homeland
 26 security and training facilities for the division of state police, the
 27 division of military and naval affairs, and any other state agency,
 28 including the reimbursement of any disbursements made from the state
 29 capital projects fund, and is hereby authorized to issue bonds or notes
 30 in one or more series in an aggregate principal amount not to exceed
 31 [~~one billion eight hundred fifty-five million two hundred eighty-six~~
 32 ~~thousand dollars \$1,855,286,000~~] two billion one hundred sixty-eight
 33 million three hundred thirty-one thousand dollars \$2,168,331,000,
 34 excluding bonds issued to fund one or more debt service reserve funds,
 35 to pay costs of issuance of such bonds, and bonds or notes issued to
 36 refund or otherwise repay such bonds or notes previously issued, for the
 37 purpose of financing improvements to State office buildings and other
 38 facilities located statewide, including the reimbursement of any
 39 disbursements made from the state capital projects fund. Such bonds and
 40 notes of the corporation shall not be a debt of the state, and the state
 41 shall not be liable thereon, nor shall they be payable out of any funds
 42 other than those appropriated by the state to the corporation for debt
 43 service and related expenses pursuant to any service contracts executed
 44 pursuant to subdivision (b) of this section, and such bonds and notes
 45 shall contain on the face thereof a statement to such effect.

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

50 1. Notwithstanding the provisions of any other law to the contrary,
 51 the dormitory authority and the corporation are hereby authorized to
 52 issue bonds or notes in one or more series for the purpose of funding
 53 project costs for the office of information technology services, depart-
 54 ment of law, and other state costs associated with such capital
 55 projects. The aggregate principal amount of bonds authorized to be
 56 issued pursuant to this section shall not exceed [~~one billion seven~~

1 ~~hundred forty two million seven hundred twelve thousand dollars~~
2 ~~\$1,742,712,000]~~ one billion eight hundred ninety million four hundred
3 twelve thousand dollars \$1,890,412,000, excluding bonds issued to fund
4 one or more debt service reserve funds, to pay costs of issuance of such
5 bonds, and bonds or notes issued to refund or otherwise repay such bonds
6 or notes previously issued. Such bonds and notes of the dormitory
7 authority and the corporation shall not be a debt of the state, and the
8 state shall not be liable thereon, nor shall they be payable out of any
9 funds other than those appropriated by the state to the dormitory
10 authority and the corporation for principal, interest, and related
11 expenses pursuant to a service contract and such bonds and notes shall
12 contain on the face thereof a statement to such effect. Except for
13 purposes of complying with the internal revenue code, any interest
14 income earned on bond proceeds shall only be used to pay debt service on
15 such bonds.

16 § 42. Subdivision (b) of section 11 of chapter 329 of the laws of
17 1991, amending the state finance law and other laws relating to the
18 establishment of the dedicated highway and bridge trust fund, as amended
19 by section 38 of part XX of chapter 56 of the laws of 2024, is amended
20 to read as follows:

21 (b) Any service contract or contracts for projects authorized pursuant
22 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
23 14-k of the transportation law, and entered into pursuant to subdivision
24 (a) of this section, shall provide for state commitments to provide
25 annually to the thruway authority a sum or sums, upon such terms and
26 conditions as shall be deemed appropriate by the director of the budget,
27 to fund, or fund the debt service requirements of any bonds or any obli-
28 gations of the thruway authority issued to fund or to reimburse the
29 state for funding such projects having a cost not in excess of [~~fourteen~~
30 ~~billion eight hundred forty four million five hundred eighty seven thou-~~
31 ~~sand dollars \$14,844,587,000 cumulatively by the end of fiscal year~~
32 ~~2024-25]~~ fifteen billion eight hundred seventy-two million three hundred
33 eighty-four thousand dollars \$15,872,384,000. Such limit shall exclude
34 bonds issued after April first, two thousand twenty-five to (i) fund one
35 or more debt service reserve funds, (ii) pay costs of issuance of such
36 bonds, and (iii) refund or otherwise repay such bonds or notes previous-
37 ly issued, provided that nothing herein shall affect the exclusion of
38 refunding debt issued prior to such date. For purposes of this subdivi-
39 sion, such projects shall be deemed to include capital grants to cities,
40 towns and villages for the reimbursement of eligible capital costs of
41 local highway and bridge projects within such municipality, where allo-
42 cations to cities, towns and villages are based on the total number of
43 New York or United States or interstate signed touring route miles for
44 which such municipality has capital maintenance responsibility, and
45 where such eligible capital costs include the costs of construction and
46 repair of highways, bridges, highway-railroad crossings, and other
47 transportation facilities for projects with a service life of ten years
48 or more.

49 § 43. Subdivision 1 of section 53 of section 1 of chapter 174 of the
50 laws of 1968, constituting the New York state urban development corpo-
51 ration act, as amended by section 39 of part XX of chapter 56 of the
52 laws of 2024, is amended to read as follows:

53 1. Notwithstanding the provisions of any other law to the contrary,
54 the dormitory authority and the urban development corporation are hereby
55 authorized to issue bonds or notes in one or more series for the purpose
56 of funding project costs for the acquisition of equipment, including but

1 not limited to the creation or modernization of information technology
 2 systems and related research and development equipment, health and safe-
 3 ty equipment, heavy equipment and machinery, the creation or improvement
 4 of security systems, and laboratory equipment and other state costs
 5 associated with such capital projects. The aggregate principal amount
 6 of bonds authorized to be issued pursuant to this section shall not
 7 exceed [~~five hundred ninety-three million dollars \$593,000,000~~] six
 8 hundred ninety-three million dollars \$693,000,000, excluding bonds
 9 issued to fund one or more debt service reserve funds, to pay costs of
 10 issuance of such bonds, and bonds or notes issued to refund or otherwise
 11 repay such bonds or notes previously issued. Such bonds and notes of the
 12 dormitory authority and the urban development corporation shall not be a
 13 debt of the state, and the state shall not be liable thereon, nor shall
 14 they be payable out of any funds other than those appropriated by the
 15 state to the dormitory authority and the urban development corporation
 16 for principal, interest, and related expenses pursuant to a service
 17 contract and such bonds and notes shall contain on the face thereof a
 18 statement to such effect. Except for purposes of complying with the
 19 internal revenue code, any interest income earned on bond proceeds shall
 20 only be used to pay debt service on such bonds.

21 § 44. Subdivision 3 of section 1285-p of the public authorities law,
 22 as amended by section 40 of part XX of chapter 56 of the laws of 2024,
 23 is amended to read as follows:

24 3. The maximum amount of bonds that may be issued for the purpose of
 25 financing environmental infrastructure projects authorized by this
 26 section shall be [~~ten billion eight hundred sixty-six million five~~
 27 ~~hundred sixty thousand dollars \$10,866,560,000~~] thirteen billion three
 28 hundred nineteen million one hundred sixty thousand dollars
 29 \$13,319,160,000, exclusive of bonds issued to fund any debt service
 30 reserve funds, pay costs of issuance of such bonds, and bonds or notes
 31 issued to refund or otherwise repay bonds or notes previously issued.
 32 Such bonds and notes of the corporation shall not be a debt of the
 33 state, and the state shall not be liable thereon, nor shall they be
 34 payable out of any funds other than those appropriated by the state to
 35 the corporation for debt service and related expenses pursuant to any
 36 service contracts executed pursuant to subdivision one of this section,
 37 and such bonds and notes shall contain on the face thereof a statement
 38 to such effect.

39 § 45. Subdivision 1 and paragraph (a) of subdivision 2 of section 17
 40 of part D of chapter 389 of the laws of 1997, relating to the financing
 41 of the correctional facilities improvement fund and the youth facility
 42 improvement fund, subdivision 1 as amended by section 41 of part XX of
 43 chapter 56 of the laws of 2024, and paragraph (a) of subdivision 2 as
 44 amended by section 20 of part P2 of chapter 62 of the laws of 2003, are
 45 amended to read as follows:

46 1. Subject to the provisions of chapter 59 of the laws of 2000, but
 47 notwithstanding the provisions of section 18 of section 1 of chapter 174
 48 of the laws of 1968, the New York state urban development corporation is
 49 hereby authorized to issue bonds, notes and other obligations in an
 50 aggregate principal amount not to exceed [~~one billion sixty-six million~~
 51 ~~seven hundred fifty-five thousand dollars \$1,066,755,000, which~~] one
 52 billion two hundred seventeen million seven hundred fifty-five thousand
 53 dollars \$1,217,755,000, excluding bonds issued after April first, two
 54 thousand twenty-five to (a) fund one or more debt service reserve funds,
 55 (b) to pay costs of issuance of such bonds, and (c) refund or otherwise
 56 repay such bonds or notes previously issued, provided that nothing here-

1 in shall affect the exclusion of refunding debt issued prior to such
2 date. Which authorization increases the aggregate principal amount of
3 bonds, notes and other obligations authorized by section 40 of chapter
4 309 of the laws of 1996, and shall include all bonds, notes and other
5 obligations issued pursuant to chapter 211 of the laws of 1990, as
6 amended or supplemented. The proceeds of such bonds, notes or other
7 obligations shall be paid to the state, for deposit in the youth facili-
8 ties improvement fund or the capital projects fund, to pay for all or
9 any portion of the amount or amounts paid by the state from appropri-
10 ations or reappropriations made to the office of children and family
11 services from the youth facilities improvement fund or the capital
12 projects fund for capital projects. [~~The aggregate amount of bonds,~~
13 ~~notes and other obligations authorized to be issued pursuant to this~~
14 ~~section shall exclude bonds, notes or other obligations issued to refund~~
15 ~~or otherwise repay bonds, notes or other obligations theretofore issued,~~
16 ~~the proceeds of which were paid to the state for all or a portion of the~~
17 ~~amounts expended by the state from appropriations or reappropriations~~
18 ~~made to the office of children and family services; provided, however,~~
19 ~~that upon any such refunding or repayment the total aggregate principal~~
20 ~~amount of outstanding bonds, notes or other obligations may be greater~~
21 ~~than one billion sixty six million seven hundred fifty five thousand~~
22 ~~dollars \$1,066,755,000, only if the present value of the aggregate debt~~
23 ~~service of the refunding or repayment bonds, notes or other obligations~~
24 ~~to be issued shall not exceed the present value of the aggregate debt~~
25 ~~service of the bonds, notes or other obligations so to be refunded or~~
26 ~~repaid. For the purposes hereof, the present value of the aggregate debt~~
27 ~~service of the refunding or repayment bonds, notes or other obligations~~
28 ~~and of the aggregate debt service of the bonds, notes or other obli-~~
29 ~~gations so refunded or repaid, shall be calculated by utilizing the~~
30 ~~effective interest rate of the refunding or repayment bonds, notes or~~
31 ~~other obligations, which shall be that rate arrived at by doubling the~~
32 ~~semi-annual interest rate (compounded semi-annually) necessary to~~
33 ~~discount the debt service payments on the refunding or repayment bonds,~~
34 ~~notes or other obligations from the payment dates thereof to the date of~~
35 ~~issue of the refunding or repayment bonds, notes or other obligations~~
36 ~~and to the price bid including estimated accrued interest or proceeds~~
37 ~~received by the corporation including estimated accrued interest from~~
38 ~~the sale thereof.]~~

39 (a) The New York state office of general services shall be responsible
40 for the undertaking of studies, planning, site acquisition, design,
41 construction, reconstruction, renovation and development of youth facil-
42 ities and the Tonawanda Indian Community House, including the making of
43 any purchases therefor, on behalf of the New York state office of chil-
44 dren and family services.

45 § 46. Subdivision 1 of section 386-b of the public authorities law, as
46 amended by section 42 of part XX of chapter 56 of the laws of 2024, is
47 amended to read as follows:

48 1. Notwithstanding any other provision of law to the contrary, the
49 authority, the dormitory authority and the urban development corporation
50 are hereby authorized to issue bonds or notes in one or more series for
51 the purpose of financing peace bridge projects and capital costs of
52 state and local highways, parkways, bridges, the New York state thruway,
53 Indian reservation roads, and facilities, and transportation infrastruc-
54 ture projects including aviation projects, non-MTA mass transit
55 projects, and rail service preservation projects, including work appur-
56 tenant and ancillary thereto. The aggregate principal amount of bonds

1 authorized to be issued pursuant to this section shall not exceed
2 [~~fifteen billion two hundred forty million six hundred sixty nine thou-~~
3 ~~sand dollars \$15,240,669,000~~] seventeen billion six hundred thirty-seven
4 million eight hundred seventy-seven thousand dollars \$17,637,877,000,
5 excluding bonds issued to fund one or more debt service reserve funds,
6 to pay costs of issuance of such bonds, and to refund or otherwise repay
7 such bonds or notes previously issued. Such bonds and notes of the
8 authority, the dormitory authority and the urban development corporation
9 shall not be a debt of the state, and the state shall not be liable
10 thereon, nor shall they be payable out of any funds other than those
11 appropriated by the state to the authority, the dormitory authority and
12 the urban development corporation for principal, interest, and related
13 expenses pursuant to a service contract and such bonds and notes shall
14 contain on the face thereof a statement to such effect. Except for
15 purposes of complying with the internal revenue code, any interest
16 income earned on bond proceeds shall only be used to pay debt service on
17 such bonds.

18 § 47. Subdivision 1 of section 44 of section 1 of chapter 174 of the
19 laws of 1968, constituting the New York state urban development corpo-
20 ration act, as amended by section 43 of part XX of chapter 56 of the
21 laws of 2024, is amended to read as follows:

22 1. Notwithstanding the provisions of any other law to the contrary,
23 the dormitory authority and the corporation are hereby authorized to
24 issue bonds or notes in one or more series for the purpose of funding
25 project costs for the regional economic development council initiative,
26 the economic transformation program, state university of New York
27 college for nanoscale and science engineering, projects within the city
28 of Buffalo or surrounding environs, the New York works economic develop-
29 ment fund, projects for the retention of professional football in west-
30 ern New York, the empire state economic development fund, the clarkson-
31 trudeau partnership, the New York genome center, the cornell university
32 college of veterinary medicine, the olympic regional development author-
33 ity, projects at nano Utica, onondaga county revitalization projects,
34 Binghamton university school of pharmacy, New York power electronics
35 manufacturing consortium, regional infrastructure projects, high tech
36 innovation and economic development infrastructure program, high tech-
37 nology manufacturing projects in Chautauqua and Erie county, an indus-
38 trial scale research and development facility in Clinton county, upstate
39 revitalization initiative projects, downstate revitalization initiative,
40 market New York projects, fairground buildings, equipment or facilities
41 used to house and promote agriculture, the state fair, the empire state
42 trail, the moynihan station development project, the Kingsbridge armory
43 project, strategic economic development projects, the cultural, arts and
44 public spaces fund, water infrastructure in the city of Auburn and town
45 of Owasco, a life sciences laboratory public health initiative, not-for-
46 profit pounds, shelters and humane societies, arts and cultural facili-
47 ties improvement program, restore New York's communities initiative,
48 heavy equipment, economic development and infrastructure projects,
49 Roosevelt Island operating corporation capital projects, Lake Ontario
50 regional projects, Pennsylvania station and other transit projects,
51 athletic facilities for professional football in Orchard Park, New York,
52 Rush - NY, New York AI Consortium, New York Creates UEV Tool, and other
53 state costs associated with such projects. The aggregate principal
54 amount of bonds authorized to be issued pursuant to this section shall
55 not exceed [~~twenty billion eight hundred seventy-eight million one~~
56 ~~hundred ninety four thousand dollars \$20,878,194,000~~] twenty-three

1 billion one hundred forty-six million four hundred fifty-three thousand
 2 dollars \$23,146,453,000, excluding bonds issued to fund one or more debt
 3 service reserve funds, to pay costs of issuance of such bonds, and bonds
 4 or notes issued to refund or otherwise repay such bonds or notes previ-
 5 ously issued. Such bonds and notes of the dormitory authority and the
 6 corporation shall not be a debt of the state, and the state shall not be
 7 liable thereon, nor shall they be payable out of any funds other than
 8 those appropriated by the state to the dormitory authority and the
 9 corporation for principal, interest, and related expenses pursuant to a
 10 service contract and such bonds and notes shall contain on the face
 11 thereof a statement to such effect. Except for purposes of complying
 12 with the internal revenue code, any interest income earned on bond
 13 proceeds shall only be used to pay debt service on such bonds.

14 § 48. Subdivision (a) of section 28 of part Y of chapter 61 of the
 15 laws of 2005, relating to providing for the administration of certain
 16 funds and accounts related to the 2005-2006 budget, as amended by
 17 section 44 of part XX of chapter 56 of the laws of 2024, is amended to
 18 read as follows:

19 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
 20 notwithstanding any provisions of law to the contrary, one or more
 21 authorized issuers as defined by section 68-a of the state finance law
 22 are hereby authorized to issue bonds or notes in one or more series in
 23 an aggregate principal amount not to exceed [~~two hundred ninety-seven~~
 24 ~~million dollars \$297,000,000~~] three hundred ninety-seven million dollars
 25 \$397,000,000, excluding bonds issued to finance one or more debt service
 26 reserve funds, to pay costs of issuance of such bonds, and bonds or
 27 notes issued to refund or otherwise repay such bonds or notes previously
 28 issued, for the purpose of financing capital projects for public
 29 protection facilities in the Division of Military and Naval Affairs,
 30 debt service and leases; and to reimburse the state general fund for
 31 disbursements made therefor. Such bonds and notes of such authorized
 32 issuer shall not be a debt of the state, and the state shall not be
 33 liable thereon, nor shall they be payable out of any funds other than
 34 those appropriated by the state to such authorized issuer for debt
 35 service and related expenses pursuant to any service contract executed
 36 pursuant to subdivision (b) of this section and such bonds and notes
 37 shall contain on the face thereof a statement to such effect. Except for
 38 purposes of complying with the internal revenue code, any interest
 39 income earned on bond proceeds shall only be used to pay debt service on
 40 such bonds.

41 § 49. Subdivision 1 of section 50 of section 1 of chapter 174 of the
 42 laws of 1968, constituting the New York state urban development corpo-
 43 ration act, as amended by section 45 of part XX of chapter 56 of the
 44 laws of 2024, is amended to read as follows:

45 1. Notwithstanding the provisions of any other law to the contrary,
 46 the dormitory authority and the urban development corporation are hereby
 47 authorized to issue bonds or notes in one or more series for the purpose
 48 of funding project costs undertaken by or on behalf of the state educa-
 49 tion department, special act school districts, state-supported schools
 50 for the blind and deaf, approved private special education schools,
 51 non-public schools, community centers, day care facilities, residential
 52 camps, day camps, Native American Indian Nation schools, and other state
 53 costs associated with such capital projects. The aggregate principal
 54 amount of bonds authorized to be issued pursuant to this section shall
 55 not exceed [~~three hundred ninety-six million eight hundred ninety-eight~~
 56 ~~thousand dollars \$396,898,000~~] five hundred three million five hundred

1 ninety-seven thousand dollars \$503,597,000, excluding bonds issued to
2 fund one or more debt service reserve funds, to pay costs of issuance of
3 such bonds, and bonds or notes issued to refund or otherwise repay such
4 bonds or notes previously issued. Such bonds and notes of the dormitory
5 authority and the urban development corporation shall not be a debt of
6 the state, and the state shall not be liable thereon, nor shall they be
7 payable out of any funds other than those appropriated by the state to
8 the dormitory authority and the urban development corporation for prin-
9 cipal, interest, and related expenses pursuant to a service contract and
10 such bonds and notes shall contain on the face thereof a statement to
11 such effect. Except for purposes of complying with the internal revenue
12 code, any interest income earned on bond proceeds shall only be used to
13 pay debt service on such bonds.

14 § 49-a. Paragraph (b) of subdivision 3 and clause (B) of subparagraph
15 (iii) of paragraph (j) of subdivision 4 of section 1 of part D of chap-
16 ter 63 of the laws of 2005, relating to the composition and responsi-
17 bilities of the New York state higher education capital matching grant
18 board, as amended by section 47 of part XX of chapter 56 of the laws of
19 2024, are amended to read as follows:

20 (b) Within amounts appropriated therefor, the board is hereby author-
21 ized and directed to award matching capital grants totaling [~~four~~
22 ~~hundred twenty-five million dollars \$425,000,000~~] four hundred seventy-
23 five million dollars \$475,000,000. Each college shall be eligible for a
24 grant award amount as determined by the calculations pursuant to subdi-
25 vision five of this section. In addition, such colleges shall be eligi-
26 ble to compete for additional funds pursuant to paragraph (h) of subdi-
27 vision four of this section.

28 (B) The dormitory authority shall not issue any bonds or notes in an
29 amount in excess of [~~four hundred twenty-five million dollars~~
30 ~~\$425,000,000~~] four hundred seventy-five million dollars \$475,000,000 for
31 the purposes of this section; excluding bonds or notes issued to fund
32 one or more debt service reserve funds, to pay costs of issuance of such
33 bonds, and bonds or notes issued to refund or otherwise repay such bonds
34 or notes previously issued. Except for purposes of complying with the
35 internal revenue code, any interest on bond proceeds shall only be used
36 to pay debt service on such bonds.

37 § 50. Subdivision 1 of section 1680-k of the public authorities law,
38 as amended by section 46 of part XX of chapter 56 of the laws of 2024,
39 is amended to read as follows:

40 1. Subject to the provisions of chapter fifty-nine of the laws of two
41 thousand, but notwithstanding any provisions of law to the contrary, the
42 dormitory authority is hereby authorized to issue bonds or notes in one
43 or more series in an aggregate principal amount not to exceed [~~forty-one~~
44 ~~million sixty thousand dollars \$41,060,000~~] forty-one million one
45 hundred seventy-five thousand dollars \$41,175,000, excluding bonds
46 issued to finance one or more debt service reserve funds, to pay costs
47 of issuance of such bonds, and bonds or notes issued to refund or other-
48 wise repay such bonds or notes previously issued, for the purpose of
49 financing the construction of the New York state agriculture and markets
50 food laboratory. Eligible project costs may include, but not be limited
51 to the cost of design, financing, site investigations, site acquisition
52 and preparation, demolition, construction, rehabilitation, acquisition
53 of machinery and equipment, and infrastructure improvements. Such bonds
54 and notes of such authorized issuers shall not be a debt of the state,
55 and the state shall not be liable thereon, nor shall they be payable out
56 of any funds other than those appropriated by the state to such author-

1 ized issuers for debt service and related expenses pursuant to any
2 service contract executed pursuant to subdivision two of this section
3 and such bonds and notes shall contain on the face thereof a statement
4 to such effect. Except for purposes of complying with the internal
5 revenue code, any interest income earned on bond proceeds shall only be
6 used to pay debt service on such bonds.

7 § 51. Subdivision 1 of section 1680-r of the public authorities law,
8 as amended by section 46 of part PP of chapter 56 of the laws of 2023,
9 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 capital restructuring financing program
14 for health care and related facilities licensed pursuant to the public
15 health law or the mental hygiene law and other state costs associated
16 with such capital projects, the health care facility transformation
17 programs, the essential health care provider program, and other health
18 care capital project costs. The aggregate principal amount of bonds
19 authorized to be issued pursuant to this section shall not exceed [~~five~~
20 ~~billion one hundred fifty-three million dollars \$5,153,000,000~~] six
21 billion one hundred sixty-eight million dollars \$6,168,000,000, exclud-
22 ing bonds issued to fund one or more debt service reserve funds, to pay
23 costs of issuance of such bonds, and bonds or notes issued to refund or
24 otherwise repay such bonds or notes previously issued. Such bonds and
25 notes of the dormitory authority and the urban development corporation
26 shall not be a debt of the state, and the state shall not be liable
27 thereon, nor shall they be payable out of any funds other than those
28 appropriated by the state to the dormitory authority and the urban
29 development corporation for principal, interest, and related expenses
30 pursuant to a service contract and such bonds and notes shall contain on
31 the face thereof a statement to such effect. Except for purposes of
32 complying with the internal revenue code, any interest income earned on
33 bond proceeds shall only be used to pay debt service on such bonds.

34 § 52. Subdivision 1 of section 386-a of the public authorities law, as
35 amended by section 55 of part XX of chapter 56 of the laws of 2024, is
36 amended to read as follows:

37 1. Notwithstanding any other provision of law to the contrary, the
38 authority, the dormitory authority and the urban development corporation
39 are hereby authorized to issue bonds or notes in one or more series for
40 the purpose of assisting the metropolitan transportation authority in
41 the financing of transportation facilities as defined in subdivision
42 seventeen of section twelve hundred sixty-one of this chapter or other
43 capital projects. The aggregate principal amount of bonds authorized to
44 be issued pursuant to this section shall not exceed [~~twelve billion five~~
45 ~~hundred fifteen million eight hundred fifty-six thousand dollars~~
46 ~~\$12,515,856,000~~] fifteen billion five hundred fifteen million eight
47 hundred fifty-six thousand dollars \$15,515,856,000, excluding bonds
48 issued to fund one or more debt service reserve funds, to pay costs of
49 issuance of such bonds, and to refund or otherwise repay such bonds or
50 notes previously issued. Such bonds and notes of the authority, the
51 dormitory authority and the urban development corporation shall not be a
52 debt of the state, and the state shall not be liable thereon, nor shall
53 they be payable out of any funds other than those appropriated by the
54 state to the authority, the dormitory authority and the urban develop-
55 ment corporation for principal, interest, and related expenses pursuant
56 to a service contract and such bonds and notes shall contain on the face

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

11 § 53. Subdivision (a) of section 27 of part Y of chapter 61 of the
12 laws of 2005, relating to providing for the administration of certain
13 funds and accounts related to the 2005-2006 budget, as amended by
14 section 28 of part PP of chapter 56 of the laws of 2023, is amended to
15 read as follows:

16 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
17 notwithstanding any provisions of law to the contrary, the urban devel-
18 opment corporation is hereby authorized to issue bonds or notes in one
19 or more series in an aggregate principal amount not to exceed [~~five~~
20 ~~hundred thirty-eight million one hundred thousand dollars \$538,100,000~~]
21 five hundred fifty million one hundred thousand dollars \$550,100,000,
22 excluding bonds issued to finance one or more debt service reserve
23 funds, to pay costs of issuance of such bonds, and bonds or notes issued
24 to refund or otherwise repay such bonds or notes previously issued, for
25 the purpose of financing capital projects including IT initiatives for
26 the division of state police, debt service and leases; and to reimburse
27 the state general fund for disbursements made therefor. Such bonds and
28 notes of such authorized issuer shall not be a debt of the state, and
29 the state shall not be liable thereon, nor shall they be payable out of
30 any funds other than those appropriated by the state to such authorized
31 issuer for debt service and related expenses pursuant to any service
32 contract executed pursuant to subdivision (b) of this section and such
33 bonds and notes shall contain on the face thereof a statement to such
34 effect. Except for purposes of complying with the internal revenue code,
35 any interest income earned on bond proceeds shall only be used to pay
36 debt service on such bonds.

37 § 54. Subdivision 3 of section 1285-q of the public authorities law,
38 as amended by section 43 of part BB of chapter 56 of the laws of 2015,
39 is amended to read as follows:

40 3. The maximum amount of bonds that may be issued for the purpose of
41 financing hazardous waste site remediation projects and environmental
42 restoration projects authorized by this section shall not exceed [~~two~~
43 ~~billion two hundred million dollars~~] three billion four hundred fifty
44 million dollars \$3,450,000,000 and shall not exceed one hundred million
45 dollars for appropriations enacted for any state fiscal year, provided
46 that the bonds not issued for such appropriations may be issued pursuant
47 to reappropriation in subsequent fiscal years. [~~No bonds shall be issued~~
48 ~~for the repayment of any new appropriation enacted after March thirty-~~
49 ~~first, two thousand twenty-six for hazardous waste site remediation~~
50 ~~projects authorized by this section.~~] Amounts authorized to be issued by
51 this section shall be exclusive of bonds issued to fund any debt service
52 reserve funds, pay costs of issuance of such bonds, and bonds or notes
53 issued to refund or otherwise repay bonds or notes previously issued.
54 Such bonds and notes of the corporation shall not be a debt of the
55 state, and the state shall not be liable thereon, nor shall they be
56 payable out of any funds other than those appropriated by this state to

1 the corporation for debt service and related expenses pursuant to any
2 service contracts executed pursuant to subdivision one of this section,
3 and such bonds and notes shall contain on the face thereof a statement
4 to such effect.

5 § 55. Subdivision 1 of section 16 of part D of chapter 389 of the laws
6 of 1997, relating to the financing of the correctional facilities
7 improvement fund and the youth facility improvement fund, as amended by
8 section 28 of part XX of chapter 56 of the laws of 2024, is amended to
9 read as follows:

10 1. Subject to the provisions of chapter 59 of the laws of 2000, but
11 notwithstanding the provisions of section 18 of section 1 of chapter 174
12 of the laws of 1968, the New York state urban development corporation is
13 hereby authorized to issue bonds, notes and other obligations in an
14 aggregate principal amount not to exceed [~~ten billion two hundred nine-~~
15 ~~ty-nine million three hundred fifty-nine thousand dollars~~
16 ~~\$10,299,359,000, and shall include all bonds, notes and other obli-~~
17 ~~gations issued pursuant to chapter 56 of the laws of 1983, as amended or~~
18 ~~supplemented. The proceeds of such bonds, notes or other obligations~~
19 ~~shall be paid to the state, for deposit in the correctional facilities~~
20 ~~capital improvement fund to pay for all or any portion of the amount or~~
21 ~~amounts paid by the state from appropriations or reappropriations made~~
22 ~~to the department of corrections and community supervision from the~~
23 ~~correctional facilities capital improvement fund for capital projects.~~
24 ~~The aggregate amount of bonds, notes or other obligations authorized to~~
25 ~~be issued pursuant to this section shall exclude bonds, notes or other~~
26 ~~obligations issued to refund or otherwise repay bonds, notes or other~~
27 ~~obligations theretofore issued, the proceeds of which were paid to the~~
28 ~~state for all or a portion of the amounts expended by the state from~~
29 ~~appropriations or reappropriations made to the department of corrections~~
30 ~~and community supervision; provided, however, that upon any such refund-~~
31 ~~ing or repayment the total aggregate principal amount of outstanding~~
32 ~~bonds, notes or other obligations may be greater than ten billion two~~
33 ~~hundred ninety-nine million three hundred fifty-nine thousand dollars~~
34 ~~\$10,299,359,000, only if the present value of the aggregate debt service~~
35 ~~of the refunding or repayment bonds, notes or other obligations to be~~
36 ~~issued shall not exceed the present value of the aggregate debt service~~
37 ~~of the bonds, notes or other obligations so to be refunded or repaid.~~
38 ~~For the purposes hereof, the present value of the aggregate debt service~~
39 ~~of the refunding or repayment bonds, notes or other obligations and of~~
40 ~~the aggregate debt service of the bonds, notes or other obligations so~~
41 ~~refunded or repaid, shall be calculated by utilizing the effective~~
42 ~~interest rate of the refunding or repayment bonds, notes or other obli-~~
43 ~~gations, which shall be that rate arrived at by doubling the semi-annual~~
44 ~~interest rate (compounded semi-annually) necessary to discount the debt~~
45 ~~service payments on the refunding or repayment bonds, notes or other~~
46 ~~obligations from the payment dates thereof to the date of issue of the~~
47 ~~refunding or repayment bonds, notes or other obligations and to the~~
48 ~~price bid including estimated accrued interest or proceeds received by~~
49 ~~the corporation including estimated accrued interest from the sale ther-~~
50 ~~eof]~~ eleven billion one hundred seventeen million three hundred fifty-
51 nine thousand dollars \$11,117,359,000, excluding bonds issued after
52 April first, two thousand twenty-five to (i) fund one or more debt
53 service reserve funds, (ii) pay costs of issuance of such bonds, and
54 (iii) refund or otherwise repay such bonds or notes previously issued,
55 provided that nothing herein shall affect the exclusion of refunding
56 debt issued prior to such date.

1 § 56. The opening paragraph of section 3573 of the public authorities
2 law, as added by chapter 5 of the laws of 1997, is amended to read as
3 follows:

4 Notwithstanding any provision of this article or any other provision
5 of law to the contrary, so long as bonds issued by the dormitory author-
6 ity [~~to finance facilities for~~] on or before March thirty-first, two
7 thousand twenty-five to make loans to the department of health of the
8 state of New York to finance state hospital facilities listed in section
9 four hundred three of the public health law remain outstanding as
10 defined in the bond resolution under which such bonds were issued, the
11 following provisions shall be applicable:

12 § 57. Paragraph (a) of subdivision 2 of section 409 of the public
13 health law, as amended by chapter 5 of the laws of 1997, is amended and
14 a new subdivision 6 is added to read as follows:

15 (a) The commissioner shall, after the first day of July, nineteen
16 hundred seventy-one, pay over moneys received by the department includ-
17 ing, subject to subdivision six of this section, moneys received from
18 the Roswell Park Cancer Institute corporation for the care, maintenance
19 and treatment of patients at state hospitals in the department as
20 enumerated in section four hundred three of this chapter, together with
21 money received from fees, including parking fees, refunds, reimburse-
22 ments, payments received pursuant to leases, sales of property and
23 miscellaneous receipts of such hospitals other than gifts, grants,
24 bequests and moneys received under research contracts, and clinical
25 practice income received pursuant to a clinical practice plan estab-
26 lished pursuant to subdivision fourteen of section two hundred six of
27 this chapter except for the amount of money required by the comptroller
28 to be maintained on deposit in the department of health income fund
29 pursuant to paragraph (c) of this subdivision less payments required to
30 be made into pools created by this chapter and for assessments estab-
31 lished pursuant to this chapter and less refunds made pursuant to law,
32 to the comptroller to be deposited by [~~him~~] the comptroller in the
33 department of health income fund. Such moneys shall be kept separate and
34 shall not be commingled with any other moneys in the hands of the comp-
35 troller. All deposits of such money shall, if required by the comp-
36 troller, be secured by obligations of the United States or of the state
37 of market value equal at all times to the amount of the deposit and all
38 banks and trust companies are authorized to give such securities for
39 such deposits. The commissioner shall identify to the comptroller moneys
40 received from Roswell Park Cancer Institute corporation or its subsid-
41 iaries.

42 6. Notwithstanding the foregoing provisions of this section, upon the
43 payment or provision for payment of all outstanding bonds issued on or
44 before March thirty-first, two thousand twenty-five by the dormitory
45 authority to make loans to the department to finance or refinance state
46 hospital facilities in accordance with the terms of the bond resolution
47 under which such bonds were issued, the provisions of subdivisions two
48 and five of this section requiring (i) the payment and identification by
49 the department to the comptroller of moneys received from the Roswell
50 Park Cancer Institute corporation, (ii) the deposit and maintenance of
51 such moneys from the Roswell Park Cancer Institute corporation by the
52 comptroller in the department of health income fund, and (iii) the
53 release of excess moneys in the department of health income fund attri-
54 buted to the operation of the Roswell Park Cancer Institute corporation
55 or its subsidiaries, shall no longer be applicable and, thereafter, all
56 such moneys from the operation of the Roswell Park Cancer Institute

corporation shall remain in the custody and/or control of the corporation and/or its subsidiaries.

§ 58. Intentionally omitted.

§ 59. Subdivision 8 of section 68-b of the state finance law, as amended by section 60 of part JJJ of chapter 59 of the laws of 2021, is amended to read as follows:

8. Revenue bonds may only be issued for authorized purposes, as defined in section sixty-eight-a of this article. Notwithstanding the foregoing, the dormitory authority of the state of New York, the urban development corporation and the New York state thruway authority may issue revenue bonds for any authorized purpose of any other such authorized issuer through March thirty-first, two thousand [~~twenty-five~~] twenty-nine. Any such revenue bonds issued by the New York state thruway authority shall be subject to the approval of the New York state public authorities control board, pursuant to section fifty-one of the public authorities law. The authorized issuers shall not issue any revenue bonds in an amount in excess of statutory authorizations for such authorized purposes. Authorizations for such authorized purposes shall be reduced in an amount equal to the amount of revenue bonds issued for such authorized purposes under this article. Such reduction shall not be made in relation to revenue bonds issued to fund reserve funds, if any, and costs of issuance, [~~if these items are not counted under existing authorizations,~~] nor shall revenue bonds issued to refund bonds issued under existing authorizations reduce the amount of such authorizations.

§ 60. Intentionally omitted.

§ 61. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2025; provided, however, that the provisions of sections one, two, three, four, five, six, seven, eight, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty and twenty-one of this act shall expire March 31, 2026.

PART FF

Intentionally Omitted

PART GG

Section 1. The correction law is amended by adding a new section 135 to read as follows:

§ 135. New York state department of corrections and community supervision body-worn cameras program. 1. There is hereby created within the department a body-worn cameras program. The purpose of such program is to increase accountability and evidence for departmental and law enforcement purposes, department staff, residents of the state, and those under the department's care by providing body-worn cameras to all correction officers, security supervisors, and any civilian staff as identified by the commissioner.

2. The department shall provide body-worn cameras that will be powered on and worn by correction officers and security supervisors at all times, while on duty. Incidents and activities that require staff to manually activate their body-worn cameras, regardless of the presence of fixed cameras, include but are not limited to:

(a) during any interaction with an incarcerated individual or visitor, in any location. This paragraph shall not apply when the office of

1 special investigations or crisis intervention unit is conducting an
2 interview with an incarcerated individual providing confidential infor-
3 mation where a record of interview is completed;

4 (b) when staff observe unauthorized activity by an incarcerated indi-
5 vidual, a department employee or any other person in the facility;

6 (c) during general movement of incarcerated individuals;

7 (d) when staff is responding to an emergency call for assistance;

8 (e) during all incarcerated individual escorts;

9 (f) during incarcerated individual transports, as directed by the
10 facility watch commander or higher-ranking supervisor. When an employee
11 enters a non-department facility, the employee will comply with the
12 facility local policy on wearing the camera and recording. If a local
13 policy does not exist, the employee shall default to department policy;

14 (g) when a firearm, oleoresin capsicum spray, or a baton is removed
15 from its holster or holder;

16 (h) any instance where department staff feels there is an imminent
17 threat or the need to document their time on duty;

18 (i) during all uses of force, including any physical aggression or use
19 of a non-lethal or lethal weapon;

20 (j) during a disciplinary hearing when fixed video monitoring systems
21 are not available where the disciplinary hearing is conducted. Such
22 recordings will be securely preserved as part of the official hearing
23 record for all Tier II and Tier III hearings pursuant to section 270.3
24 of the New York codes, rules and regulations. Audio recordings of all
25 hearings will continue to be made regardless of whether the video moni-
26 toring system captures audio;

27 (k) as directed by the deputy commissioner or chief of investigations
28 for the office of special investigations, or such deputy commissioner's
29 or chief of investigations' designee, office of special investigations
30 investigators may utilize body-worn camera systems pursuant to the
31 office of special investigations policy. The use of such cameras by the
32 office of special investigations investigators may include but is not
33 limited to absconder/fugitive operations, facility inspections, monitor-
34 ing of frisks, canine operations, high-risk in-state transports of
35 incarcerated individuals or releasees, and investigative activities
36 which are deemed appropriate to record;

37 (l) in congregate shower areas; provided, however, that staff shall
38 provide a verbal announcement that a body-worn camera is in use and
39 avoid intentional recording of an incarcerated individual in a state of
40 undress unless they are required to do so as part of the performance of
41 their duties;

42 (m) during all correctional emergency response team activations; and

43 (n) during a strip search or strip frisk; provided, however, that
44 incarcerated individuals shall be given verbal notice that they are
45 being recorded, and the following rules apply:

46 (i) The wearer of the body-worn camera shall be of the same gender as
47 the gender designation of the facility. Video recordings of strip frisks
48 or strip searches shall not be viewed by anyone, except as expressly
49 authorized in writing by the facility's deputy superintendent for secu-
50 rity or higher authority. If the recording is approved for review, the
51 deputy superintendent for security shall assure this fact is documented
52 to include date, time, authorization, reviewer name, explanation of why
53 the review is necessary, and the result of such review.

54 (ii) A body-worn camera recording of any strip search or strip frisk
55 shall immediately be turned over to an officer assigned to upload,

1 charge, and issue such cameras to assigned staff for uploading and stor-
 2 age.

3 (iii) The video footage of a strip frisk or other incident depicting
 4 an incarcerated individual in a state of complete undress shall only be
 5 viewed by department staff who are of the same gender as the gender
 6 designation of the facility.

7 3. The commissioner shall have the authority to require civilian staff
 8 assigned to a correctional facility to wear body-worn cameras while on
 9 duty where the civilian employee has direct supervision of an incarcer-
 10 ated individual with only intermittent security supervision. In
 11 instances where the commissioner has required a civilian to wear a body-
 12 worn camera while on duty, such cameras shall be activated and shall
 13 record:

14 (a) while interacting with an incarcerated individual, regardless of
 15 the existence of fixed-video monitoring; and

16 (b) while such employee is in the area of a use of force incident,
 17 including any physical aggression or use of a non-lethal or lethal weap-
 18 on.

19 4. The department shall preserve recordings of such body-worn cameras
 20 for at least ninety days.

21 5. The department shall perform all necessary maintenance on the
 22 equipment used in such body-worn camera program established pursuant to
 23 this section.

24 6. The commissioner of the department shall solely determine the
 25 timing and appropriateness of any review or provision of body-worn
 26 camera footage to an employee prior to that employee being required to
 27 answer questions subject to paragraph (g) of subdivision one of section
 28 two hundred nine-a of the civil service law, or prior to an employment
 29 disciplinary hearing regarding the potential misconduct of such employ-
 30 ee.

31 § 2. This act shall take effect on the sixtieth day after it shall
 32 have become a law. Effective immediately, the addition, amendment and/or
 33 repeal of any rule or regulation necessary for the implementation of
 34 this act on its effective date are authorized to be made and completed
 35 on or before such effective date.

36 PART HH

37 Section 1. Subdivision 1 of section 41 of the correction law, as added
 38 by chapter 865 of the laws of 1975, is amended to read as follows:

39 1. There shall be within the executive department a state commission
 40 of correction. It shall consist of three persons to be appointed by the
 41 governor, by and with the advice and consent of the senate. The governor
 42 shall designate one of the appointed members as [~~chairman~~] chair to
 43 serve as such at the pleasure of the governor. The members shall devote
 44 full time to their duties and shall hold no other salaried public posi-
 45 tion.

46 § 2. Paragraph 3 of subdivision (a) of section 42 of the correction
 47 law, as added by chapter 865 of the laws of 1975, is amended to read as
 48 follows:

49 3. Any member chosen to fill in a vacancy created other than by expi-
 50 ration of term shall be appointed for the unexpired term of the
 51 succeeded member [~~whom he is to succeed~~]. Vacancies caused by the expi-
 52 ration of term or otherwise shall be filled in the same manner as
 53 original appointments.

1 § 3. Paragraph 4 of subdivision (a) of section 42 of the correction
2 law, as amended by chapter 55 of the laws of 1992, is amended to read as
3 follows:

4 4. The members of the council other than the [~~chairman~~] chair shall
5 receive no compensation for their services but each member other than
6 the [~~chairman~~] chair shall be entitled to receive [~~his or her~~] actual
7 and necessary expenses incurred in the performance of [~~his or her~~] coun-
8 cil duties.

9 § 4. Paragraph 5 of subdivision (a) of section 42 of the correction
10 law, as amended by section 14 of subpart A of part C of chapter 62 of
11 the laws of 2011, is amended to read as follows:

12 5. No appointed member of the council shall qualify or enter upon the
13 duties of [~~his~~] office, or remain therein, while [~~he is~~] an officer or
14 employee of the department of corrections and community supervision or
15 any correctional facility or is in a position [~~where he exercises~~] to
16 exercise administrative supervision over any correctional facility. The
17 council shall have such staff as shall be necessary to assist it in the
18 performance of its duties within the amount of the appropriation there-
19 for as determined by the [~~chairman~~] chair of the commission.

20 § 5. Paragraph 1 of subdivision (c) of section 42 of the correction
21 law, as added by chapter 865 of the laws of 1975, is amended to read as
22 follows:

23 1. Advise and assist the commission in developing policies, plans and
24 programs for improving the commission's performance of its duties and
25 for coordinating the efforts of the commission and of correctional offi-
26 cials to improve conditions of care, treatment, safety, supervision,
27 rehabilitation, recreation, training and education in correctional
28 facilities. Such advice and assistance shall minimally consist of an
29 annual report of the council to the commission;

30 § 6. Paragraph 3 of subdivision (c) of section 42 of the correction
31 law, as added by chapter 865 of the laws of 1975, is amended to read as
32 follows:

33 3. Meet at least once per calendar month at a time and place desig-
34 nated by the [~~chairman~~] chair of the council.

35 § 7. Subdivision 1 of section 43 of the correction law, as amended by
36 chapter 379 of the laws of 1988, is amended to read as follows:

37 1. There shall be within the commission a correction medical review
38 board. It shall consist of six persons to be appointed by the governor
39 by and with the advice and consent of the senate. In addition, the
40 governor shall designate one of the full-time members other than the
41 [~~chairman~~] chair of the commission and the [~~chairman~~] chair of the coun-
42 cil as [~~chairman~~] chair of the board to serve as such at the pleasure of
43 the governor. Of the appointed members of the board one shall be a
44 physician duly licensed to practice in this state; one shall be a physi-
45 cian duly licensed to practice in this state and a board certified
46 forensic pathologist; one shall be a physician duly licensed to practice
47 in this state and shall be a board certified forensic psychiatrist; one
48 shall be an attorney admitted to practice in this state; two shall be
49 members appointed at large.

50 § 8. Subdivision 3 of section 43 of the correction law, as added by
51 chapter 865 of the laws of 1975, is amended to read as follows:

52 3. Any member chosen to fill a vacancy created other than by expira-
53 tion of term shall be appointed for the unexpired term of the succeeded
54 member [~~whom he is to succeed~~]. Vacancies caused by expiration of term
55 or otherwise shall be filled in the same manner as original appoint-
56 ments.

1 § 9. Section 44 of the correction law, as added by chapter 865 of the
2 laws of 1975, is amended to read as follows:

3 § 44. [~~Chairman~~ Chair of commission. 1. The [~~chairman~~ chair shall be
4 the executive officer of the commission, the board and the council, and
5 may serve as the chair of the board or council at any time necessitated
6 by a commission member vacancy.

7 2. The [~~chairman~~ chair may appoint such assistants, officers and
8 employees, committees and consultants for the board and the council as
9 [~~he may determine~~] necessary, prescribe their powers and duties, fix
10 their compensation and provide for reimbursement of their expenses with-
11 in amounts appropriated therefor.

12 3. The [~~chairman~~ chair may, from time to time, create, abolish,
13 transfer and consolidate bureaus and other units within the commission,
14 the board and the council not expressly established by law as [~~he may~~
15 ~~determine~~] necessary for the efficient operation of the commission, the
16 board and the council, subject to the approval of the director of the
17 budget.

18 4. The [~~chairman~~ chair may request and receive from any department,
19 division, board, bureau, commission or other agency of the state or any
20 political subdivision thereof or any public authority such assistance,
21 information and data as will enable the commission, the board and the
22 council properly to carry out its functions, powers and duties.

23 § 10. Subdivision 3 of section 45 of the correction law, as amended by
24 chapter 322 of the laws of 2021, is amended to read as follows:

25 3. [~~Except in circumstances involving health, safety or alleged~~
26 ~~violations of established standards of the commission, visit~~] Visit,
27 [~~and~~] inspect [~~correctional facilities consistent with a schedule deter-~~
28 ~~mined by the chairman of the commission, taking into consideration~~
29 ~~available resources, workload and staffing,~~] and appraise the management
30 of [~~such~~] correctional facilities with specific attention to matters
31 such as safety, security, health of incarcerated individuals, sanitary
32 conditions, rehabilitative programs, disturbance and fire prevention and
33 control preparedness, and adherence to laws and regulations governing
34 the rights of incarcerated individuals. Such visits, inspections and
35 appraisals shall occur, at a minimum, annually for jails, specialized
36 secure juvenile detention facilities for older youth, facilities oper-
37 ated by the department, and secure facilities operated by the office of
38 children and family services.

39 § 11. Subdivision 4 of section 45 of the correction law, as amended by
40 chapter 322 of the laws of 2021, is amended to read as follows:

41 4. Establish procedures to assure effective investigation of griev-
42 ances of, and conditions affecting, incarcerated individuals of local
43 correctional facilities. Such procedures shall include but not be limit-
44 ed to receipt of written complaints, interviews of persons, and on-site
45 monitoring of conditions. In addition, the commission shall establish
46 procedures for the speedy and impartial review of grievances referred to
47 it by the commissioner [~~of the department of corrections and community~~
48 ~~supervision~~]. The commission shall maintain a website that allows for
49 the submission of written complaints regarding any correctional facili-
50 ty, and provides the commission's address for the receipt of complaints
51 by mail. The commission shall promulgate rules and regulations requiring
52 correctional facilities to provide incarcerated individuals, in writing,
53 the commission's website and mailing address.

54 § 12. Subdivision 17 of section 45 of the correction law, as amended
55 by chapter 322 of the laws of 2021, is amended to read as follows:

1 17. Make an annual report to the governor, the [~~chairman~~ chair] of the
2 assembly committee on correction and the [~~chairman~~ chair] of the senate
3 committee on crime victims, crime and correction concerning incarcerated
4 individuals confined in local correctional facilities pursuant to an
5 agreement authorized by section five hundred-o of this chapter. Such
6 report shall include but not be limited to the number of counties main-
7 taining such agreements and the number of incarcerated individuals
8 confined pursuant to such agreements.

9 § 13. Subdivision 1 of section 46 of the correction law, as amended by
10 chapter 322 of the laws of 2021, is amended to read as follows:

11 1. The commission, any member or any employee designated by the
12 commission must be granted access at any and all times to any correc-
13 tional facility or part thereof and to all books, records, medical and
14 substance use disorder treatment and transition services records of
15 incarcerated individuals and data pertaining to any correctional facili-
16 ty deemed necessary for carrying out the commission's functions, powers
17 and duties. The commission, any member or any employee designated by the
18 [~~chairman~~ chair] may require from the officers or employees of a correc-
19 tional facility any information deemed necessary for the purpose of
20 carrying out the commission's functions, powers and duties. Commission
21 members and employees may conduct private interviews of correctional
22 facility officers and employees, who may be accompanied by counsel or a
23 union representative acting on such officer or employee's behalf.
24 Commission members and employees may also conduct private interviews of
25 incarcerated individuals, upon such individual's consent.

26 § 14. Paragraph (d) of subdivision 1 of section 47 of the correction
27 law, as amended by chapter 322 of the laws of 2021, is amended to read
28 as follows:

29 (d) Upon review of the cause of death and circumstances surrounding
30 the death of any incarcerated individual, the board shall submit its
31 report thereon to the commission and to the governor, the [~~chairman~~
32 chair] of the assembly committee on correction and the [~~chairman~~ chair]
33 of the senate committee on crime victims, crime and correction and,
34 where appropriate, make recommendations to prevent the recurrence of
35 such deaths to the commission and the administrator of the appropriate
36 correctional facility. The report provided to the governor, the [~~chair-~~
37 man] chair of the assembly committee on correction and the [~~chairman~~
38 chair] of the senate committee on crime victims, crime and correction
39 shall not be redacted except as otherwise required to protect confiden-
40 tial medical records and behavioral health records in accordance with
41 state and federal laws, rules, and regulations.

42 § 15. Subparagraph (i) of paragraph (e) of subdivision 1 of section 47
43 of the correction law, as amended by chapter 322 of the laws of 2021, is
44 amended to read as follows:

45 (i) Investigate and report to the commission on the condition of
46 systems for the delivery of medical care to incarcerated individuals of
47 correctional facilities and where appropriate recommend such changes as
48 it shall deem necessary and proper to improve the quality and availabil-
49 ity of such medical care. Such report and recommendation shall minimally
50 consist of an annual report of the board to the commission.

51 § 16. This act shall take effect one year after it shall have become a
52 law; provided, however, that the amendments to subdivision 17 of section
53 45 of the correction law made by section twelve of this act shall not
54 affect the repeal of such subdivision and shall expire and be deemed
55 repealed therewith.

1

PART II

2 Section 1. Notwithstanding the provisions of sections 79-a and 79-b of
3 the correction law, the governor is authorized to close up to five
4 correctional facilities of the department of corrections and community
5 supervision, in the state fiscal year 2025--2026, as the governor deter-
6 mines to be necessary for the cost-effective and efficient operation of
7 the correctional system, provided that the governor provides at least 90
8 days' notice prior to any such closures to the temporary president of
9 the senate and the speaker of the assembly. Such notice shall include
10 the list of facilities the governor plans to close, the number of incar-
11 cerated individuals in said facilities, and the number of staff working
12 in said facilities. The commissioner of corrections and community super-
13 vision shall also report in detail to the temporary president of the
14 senate and the speaker of the assembly on the results of staff relo-
15 cation efforts within 60 days after such closures.

16 § 2. This act shall take effect immediately and shall be deemed to
17 have been in full force and effect on and after April 1, 2025; provided,
18 however that this act shall expire and be deemed repealed March 31,
19 2026.

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

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

32

PART JJ

33 Section 1. Paragraph 4 of subdivision (a) of section 1-e of the legis-
34 lative law, as amended by chapter 1 of the laws of 2005, is amended to
35 read as follows:

36 (4) Such biennial filings shall be completed on or before January
37 first of the first year of a biennial cycle commencing in calendar year
38 two thousand five and thereafter, by those persons who have been
39 retained, employed or designated as lobbyist on or before December
40 fifteenth of the previous calendar year and who reasonably anticipate
41 that in the coming year they will expend, incur or receive combined
42 reportable compensation and expenses in an amount in excess of two thou-
43 sand dollars in years prior to calendar year two thousand six and five
44 thousand dollars commencing in two thousand six or, where such lobbyist
45 is qualified as an exempt organization or entity by the United States
46 department of the treasury under section 501(c)(3) of the internal
47 revenue code, ten thousand dollars commencing in two thousand
48 twenty-six; for those lobbyists retained, employed or designated after
49 the previous December fifteenth, and for those lobbyists who subsequent
50 to their retainer, employment or designation reasonably anticipate
51 combined reportable compensation and expenses in excess of such amount,
52 such filing must be completed within fifteen days thereafter, but in no

1 event later than ten days after the actual incurring or receiving of
2 such reportable compensation and expenses.

3 § 2. Paragraphs (iii) and (iv) of subdivision (e) of section 1-e of
4 the legislative law, as amended by section 1 of part S of chapter 62 of
5 the laws of 2003, are amended to read as follows:

6 (iii) The first statement of registration filed biennially by each
7 lobbyist for the first biennial registration requirements for calendar
8 years between two thousand five and two thousand [~~six and thereafter~~]

9 twenty-five, shall be accompanied by a registration fee of two hundred

10 dollars except that no registration fee shall be required from any
11 lobbyist who in any year does not expend, incur or receive an amount in
12 excess of five thousand dollars of reportable compensation and expenses,

13 as provided in paragraph five of subdivision (b) of section one-h of
14 this article, for the purposes of lobbying or of a public corporation. A
15 fee of two hundred dollars shall be required for any subsequent state-

16 ment of registration filed by a lobbyist during the same biennial peri-

17 od; (iv) The first statement of registration filed biennially by each

18 lobbyist for the first biennial registration requirements for calendar

19 year two thousand twenty-six and thereafter, shall be accompanied by a

20 registration fee of two hundred dollars except that no registration fee

21 shall be required from any lobbyist who is qualified as an exempt organ-

22 ization or entity by the United States department of the treasury under

23 section 501(c)(3) of the internal revenue code and in any year does not

24 expend, incur or receive an amount in excess of ten thousand dollars of

25 reportable compensation and expenses, as provided in paragraph five of

26 subdivision (b) of section one-h of this article, for the purposes of

27 lobbying or of a public corporation. A fee of two hundred dollars shall

28 be required for any subsequent statement of registration filed by a

29 lobbyist during the same biennial period; (v) The statement of registra-

30 tion filed after the due date of a biennial registration shall be accom-

31 panied by a registration fee that is prorated to one hundred dollars for

32 any registration filed after January first of the second calendar year

33 covered by the biennial reporting requirement. In addition to the fees

34 authorized by this section, the commission may impose a fee for late

35 filing of a registration statement required by this section not to

36 exceed twenty-five dollars for each day that the statement required to

37 be filed is late, except that if the lobbyist making a late filing has

38 not previously been required by statute to file such a statement, the

39 fee for late filing shall not exceed ten dollars for each day that the

40 statement required to be filed is late.

41 § 3. Subdivision (a) of section 1-h of the legislative law, as amended

42 by chapter 14 of the laws of 2007, is amended to read as follows:

43 (a) Any lobbyist required to file a statement of registration pursuant

44 to section one-e of this article who in any lobbying year reasonably

45 anticipates that during the year such lobbyist will expend, incur or

46 receive combined reportable compensation and expenses in an amount in

47 excess of [~~five~~] ten thousand dollars, or ten thousand dollars where

48 such lobbyist is qualified as an exempt organization or entity by the

49 United States department of the treasury under section 501(c)(3) of the

50 internal revenue code as provided in paragraph five of subdivision (b)

51 of this section, for the purpose of lobbying, shall file with the

52 commission a bi-monthly written report, on forms supplied by the commis-

53 sion, by the fifteenth day next succeeding the end of the reporting

54 period in which the lobbyist was first required to file a statement of

55 registration. Such reporting periods shall be the period of January

56 first to the last day of February, March first to April thirtieth, May

1 first to June thirtieth, July first to August thirty-first, September
2 first to October thirty-first and November first to December thirty-
3 first.

4 § 4. Subdivision (a) of section 1-j of the legislative law, as amended
5 by chapter 14 of the laws of 2007, is amended to read as follows:

6 (a) Semi-annual reports shall be filed by any client retaining,
7 employing or designating a lobbyist or lobbyists, whether or not any
8 such lobbyist was required to file a bi-monthly report, if such client
9 reasonably anticipates that during the year such client will expend or
10 incur an amount in excess of five thousand dollars, or ten thousand
11 dollars where such lobbyist is qualified as an exempt organization or
12 entity by the United States department of the treasury under section
13 501(c)(3) of the internal revenue code of combined reportable compen-
14 sation and expenses, as provided in paragraph five of subdivision [~~(a)~~]
15 (b) of this section, for the purposes of lobbying.

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

18

PART KK

19 Section 1. Section 70 of the legislative law, as amended by chapter
20 239 of the laws of 1944, is amended to read as follows:

21 § 70. Commission [~~created~~] continued; terms and qualifications of
22 members. A law revision commission is hereby [~~created~~] continued, [~~to~~]
23 and shall consist of the [~~chairman~~] chairs of the committees on the
24 judiciary and codes of the senate and assembly, ex-officio, and [~~five~~]
25 ten additional members, five members to be appointed by the governor,
26 one member to be appointed by the temporary president of the senate, one
27 member to be appointed by the minority leader of the senate, one member
28 to be appointed by the speaker of the assembly, one member to be
29 appointed by the minority leader of the assembly, and one member to be
30 appointed by the attorney general. The members first appointed by the
31 governor following the effective date of the chapter of the laws of two
32 thousand twenty-five that amended this section shall be appointed for
33 such terms that the term of one member will expire on each succeeding
34 thirty-first day of December. Members first appointed by the temporary
35 president of the senate and the minority leader of the senate shall be
36 appointed for a term of three years. Members first appointed by the
37 speaker of the assembly and the minority leader of the assembly shall be
38 appointed for a term of five years. The member first appointed by the
39 attorney general shall be appointed for a term of five years. The term
40 of a member thereafter appointed, except to fill a vacancy occurring
41 otherwise than by expiration of term, shall be five years from the expi-
42 ration of the term of [~~his~~] such member's predecessor. A vacancy in the
43 office of a member [~~appointed by the governor~~] occurring otherwise than
44 by expiration of term, shall be filled by the [~~governor~~] appointing
45 authority for only the remainder [~~only~~] of the term of such member's
46 predecessor. [~~Upon making the original appointments~~] In July of each
47 year, the [~~governor~~] commission's membership shall designate one of the
48 appointed members as [~~chairman~~] chair of the commission. [~~Upon~~] A vacan-
49 cy in the [~~appointment~~] office of [~~a successor to~~] the [~~chairman~~] chair
50 of the commission occurring otherwise than by expiration of term, [~~the~~
51 ~~governor~~] shall [~~designate such successor or other member of~~] be filled
52 by the [~~commission as chairman~~] commission's membership for only the
53 remainder of the term of such chair's predecessor. Four members
54 appointed by the governor shall be attorneys and counselors at law,

1 admitted to practice in the courts of this state, or members of law
2 faculties of universities or law schools within the state recognized by
3 the board of regents of the state of New York, and at least two of
4 [~~them~~] such members shall be members of law faculties of universities or
5 law schools within the state recognized by the board of regents of the
6 state of New York. The commission shall meet in person or virtually at
7 least on a quarterly basis.

8 § 2. Section 71 of the legislative law, as amended by chapter 358 of
9 the laws of 1961, is amended to read as follows:

10 § 71. Expenses; employees. Each of the members of the commission
11 appointed by the governor or by members of the legislature shall receive
12 reimbursement for necessary expenses incurred in the performance of
13 official duty. The commission may appoint such employees as may be need-
14 ed, prescribe their duties, and fix their compensation within the amount
15 appropriated for the commission.

16 § 3. Section 72 of the legislative law, as added by chapter 597 of the
17 laws of 1934, is amended to read as follows:

18 § 72. Purposes of commission. It shall be the duty of the law revision
19 commission:

20 1. To examine the common law and statutes of the state and current
21 judicial decisions [~~for the purpose of discovering defects and anachro-~~
22 ~~nisms in the law~~] and recommending needed reforms.

23 2. To receive and consider suggested areas of study and proposed
24 changes in the law recommended by judges, justices, public officials,
25 lawyers, the American law institute, the [~~commissioners for the~~
26 ~~promotion of uniformity of legislation in the United States~~] Uniform Law
27 Commission, [~~any~~] bar [~~association or~~] associations, other learned
28 bodies, or the general public. Suggestions for areas of study made by
29 statute, the governor, members of the legislature, court of appeals
30 judges, or the attorney general shall be given priority review for
31 consideration by the commission.

32 3. [~~To receive and consider suggestions from judges, justices, public~~
33 ~~officials, lawyers and the public generally as to defects and anachro-~~
34 ~~nisms in the law.~~

35 4.] To recommend, from time to time, such changes in the law as it
36 deems necessary to modify or eliminate antiquated [~~and~~] or inequitable
37 rules of law, and to bring the law of this state, civil and criminal,
38 into harmony with modern conditions.

39 [~~5-~~] 4. To report its proceedings annually to the legislature on or
40 before February first, and, if it deems advisable, to accompany its
41 report with proposed bills to carry out any of its recommendations.

42 § 4. The legislative law is amended by adding a new section 73 to read
43 as follows:

44 § 73. Funding of the commission. There is hereby established in the
45 joint custody of the comptroller and commissioner of taxation and
46 finance a fund to be designated as the law revision commission fund. The
47 commissioner shall deposit into the law revision commission fund all
48 moneys appropriated to the law revision commission. The moneys so
49 received and deposited in the law revision commission fund shall not be
50 commingled with moneys from the general fund and shall be used solely
51 for the purpose of carrying out the provisions of this article.

52 § 5. This act shall take effect immediately.

1 Section 1. Subdivision (a) of section 521 of the judiciary law, as
2 amended by chapter 302 of the laws of 2002, is amended to read as
3 follows:

4 (a) Except as provided in subdivision (b) of this section, trial and
5 grand jurors in each court of the unified court system shall be entitled
6 to an allowance equal to the sum of [~~forty~~] seventy-two dollars per day
7 for each and every day of physical attendance wherein the court
8 convenes, except that no person who is employed shall be entitled to
9 receive such allowance if, pursuant to section five hundred nineteen of
10 this article, [~~his or her~~] their employer is prohibited from withholding
11 the first [~~forty~~] seventy-two dollars of wages of such person during
12 such period and such person's daily wages equal or exceed [~~forty~~] seven-
13 ty-two dollars. If such person's daily wages are less than [~~forty~~]
14 seventy-two dollars, [~~he or she~~] such person shall be entitled to
15 receive an allowance hereunder equal to the difference between [~~forty~~]
16 seventy-two dollars and the amount of [~~his or her~~] their daily wages.
17 Such fees and those expenses actually and necessarily incurred in
18 providing food and lodging for jurors shall be a state charge payable
19 out of funds appropriated to the office of court administration for that
20 purpose.

21 § 2. Section 519 of the judiciary law, as added by chapter 85 of the
22 laws of 1995, is amended to read as follows:

23 § 519. Right of juror to be absent from employment. Any person who is
24 summoned to serve as a juror under the provisions of this article and
25 who notifies [~~his or her~~] their employer to that effect prior to the
26 commencement of a term of service shall not, on account of absence from
27 employment by reason of such jury service, be subject to discharge or
28 penalty. An employer may, however, withhold wages of any such employee
29 serving as a juror during the period of such service; provided that an
30 employer who employs more than ten employees shall not withhold the
31 first [~~forty~~] seventy-two dollars of such juror's daily wages during the
32 first three days of jury service. Withholding of wages in accordance
33 with this section shall not be deemed a penalty. Violation of this
34 section shall constitute a criminal contempt of court punishable pursu-
35 ant to section seven hundred fifty of this chapter.

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

38 PART MM

39 Section 1. The correction law is amended by adding a new section 138-b
40 to read as follows:

41 § 138-b. Visitor transportation. In conjunction with the incarcerated
42 individual visiting program, the department shall provide transportation
43 for visitors to correctional facilities on a regular basis, but no less
44 than bimonthly, at no cost to visitors. Transportation shall be provided
45 from the city of New York, Rochester, Syracuse, Buffalo and Albany to
46 correctional facilities, as determined by the commissioner. Information
47 concerning transportation shall be posted on the department's public
48 website, and shall be available from the telephone number designated,
49 pursuant to section one hundred thirty-eight-a of this article. Notice
50 of available transportation shall be provided to incarcerated individ-
51 uals upon reception and upon transfer to a new correctional facility.

52 § 2. This act shall take effect one year after it shall have become a
53 law.

1

PART NN

2 Section 1. The correction law is amended by adding a new section 512
3 to read as follows:

4 § 512. Identification card program. 1. For purposes of this section,
5 "identification card" shall have the same meaning as defined in section
6 four hundred ninety of the vehicle and traffic law.

7 2. The department of motor vehicles shall develop a program that would
8 allow incarcerated individuals in local correctional facilities without
9 an identification card, or who have not been issued a driver's license
10 or learner's permit by the commissioner of motor vehicles, or whose
11 driver's license or learner's permit is expired, suspended, revoked or
12 surrendered, or whose identification card is expired, to obtain an iden-
13 tification card prior to such incarcerated individual's release from a
14 local correctional facility at the option of such incarcerated individ-
15 ual.

16 3. The sentence and commitment of an incarcerated individual in a
17 local correctional facility shall be deemed sufficient to grant authori-
18 zation to the sheriff of such local correctional facility to assist such
19 incarcerated individual to apply for and obtain an identification card
20 from the department of motor vehicles.

21 4. (a) Prior to an incarcerated individual's release from a local
22 correctional facility, the sheriff of such local correctional facility
23 shall notify such incarcerated individual, verbally and in writing, of
24 the identification card program under this section. The sheriff of such
25 local correctional facility shall also document that they offered to
26 assist such incarcerated individual in obtaining an identification card
27 and if such incarcerated individual declined. The sheriff of a local
28 correctional facility shall make diligent efforts to ensure that an
29 incarcerated individual is provided with an identification card, if
30 requested, prior to or upon the release of such individual from such
31 local correctional facility.

32 (b) If an identification card is obtained with the assistance of the
33 sheriff of a local correctional facility for an incarcerated individual
34 prior to such individual's release from such local correctional facili-
35 ty, such identification card shall be kept in such incarcerated individ-
36 ual's records until such individual is released from such local correc-
37 tional facility; and upon such individual's release, such identification
38 card shall be provided to such individual.

39 § 2. Section 490 of the vehicle and traffic law is amended by adding a
40 new subdivision 4 to read as follows:

41 4. Identification card programs. Identification cards issued to incar-
42 cerated individuals pursuant to an identification card program under
43 section eleven or five hundred twelve of the correction law shall be
44 formatted identically to all other identification cards issued pursuant
45 to this section. Such identification cards shall not contain any mark-
46 ings or other indications that such identification cards were issued
47 pursuant to such an identification card program.

48 § 3. Subdivision 3 of section 491 of the vehicle and traffic law, as
49 amended by section 2 of part Q of chapter 58 of the laws of 2022, is
50 amended to read as follows:

51 3. Waiver of fee. The commissioner may waive the payment of fees
52 required by subdivision two of this section if the applicant is (a) an
53 incarcerated individual in an institution or correctional facility under
54 the jurisdiction of a state department or agency, or a local correction-
55 al facility as defined by section two of the correction law, or (b) a

1 victim of a crime and the identification card applied for is a replace-
 2 ment for one that was lost or destroyed as a result of the crime.
 3 § 4. This act shall take effect on the thirtieth day after it shall
 4 have become a law. Effective immediately, the addition, amendment and/or
 5 repeal of any rule or regulation necessary for the implementation of
 6 this act on its effective date are authorized to be made and completed
 7 on or before such effective date.

8 PART OO

9 Section 1. Short title. This act shall be known and may be cited as
 10 the "family court adjusted service time (FAST) act".

11 § 2. Subdivision (a) of section 161 of the family court act is amended
 12 to read as follows:

13 (a) The days and hours the court is open shall be as provided by rule
 14 of court; provided, that the chief administrator of the courts shall
 15 require that the court remain open until midnight at least one night a
 16 week in at least two counties in the city of New York, effective January
 17 first, two thousand twenty-six, and in at least three counties in such
 18 city, effective January first, two thousand twenty-seven. When a court
 19 remains open until midnight on a day as provided herein, the chief
 20 administrator shall determine the classes of cases that may be heard in
 21 such court after five o'clock p.m. and such classes of cases may be
 22 heard by the court until midnight on such day; except that, where such
 23 classes include cases in which petitions are filed pursuant to articles
 24 three, six, eight, and ten of this act, the clerk of such court shall
 25 accept such petitions until eleven o'clock p.m. on such day.

26 § 3. Not later than December 1, 2027, the chief administrator of the
 27 courts shall submit to the legislature, the governor, and the chief
 28 judge of the state a report evaluating the use of family court in the
 29 counties wherein the chief administrator, pursuant to subdivision (a) of
 30 section 161 of the family court act, as amended in section two of this
 31 act, has required that the court remain open until midnight.

32 § 4. This act shall take effect immediately and shall expire April 1,
 33 2028 when upon such date the provisions of this act shall be deemed
 34 repealed.

35 PART PP

36 Section 1. The correction law is amended by adding a new section 144
 37 to read as follows:

38 § 144. Uniform electronic medical records. 1. The commissioner, in
 39 consultation with the commissioner of health and the commissioner of
 40 mental health, shall develop a uniform electronic medical records system
 41 to be utilized by all correctional facilities in the state.

42 2. The commissioner shall promulgate rules and regulations necessary
 43 for the implementation of this section.

44 § 2. This act shall take effect on the one hundred eightieth day after
 45 it shall have become a law. Effective immediately, the addition, amend-
 46 ment and/or repeal of any rule or regulation necessary for the implemen-
 47 tation of this act on its effective date are authorized to be made and
 48 completed on or before such effective date.

49 PART QQ

1 Section 1. Subdivision 7 of section 53 of the executive law, as added
2 by chapter 766 of the laws of 2005, is amended and a new subdivision 8
3 is added to read as follows:

4 7. establish programs for training state officers and employees
5 regarding the prevention and elimination of corruption, fraud, criminal
6 activity, conflicts of interest or abuse in covered agencies[-]; and

7 8. receive and investigate complaints of sexual assault in correction-
8 al facilities and other places operated by the department of corrections
9 and community supervision for the confinement of persons in accordance
10 with section fifty-four-a of this article.

11 § 2. The executive law is amended by adding a new section 54-a to read
12 as follows:

13 § 54-a. Incidents of sexual assault in institutions in the department
14 of corrections and community supervision. 1. Definitions. For the
15 purposes of this section:

16 a. "Institution" shall have the same meaning as defined in paragraph
17 (c) of subdivision four of section two of the correction law.

18 b. "Sexual assault" or any derivative term thereof means any non-con-
19 sensual sexual contact, including but not limited to the following
20 offenses as defined in article one hundred thirty of the penal law: (i)
21 rape; (ii) criminal sexual act; (iii) sexual misconduct; and (iv) sexual
22 abuse.

23 c. "Non-consensual" or any derivative word or phrase shall have the
24 same meaning as "lack of consent" as defined in section 130.05 of the
25 penal law.

26 2. a. The state inspector general shall receive and investigate
27 complaints from any source concerning allegations of sexual assault of
28 incarcerated individuals in institutions. The state inspector general
29 shall have all powers as set forth in section fifty-four of this article
30 and to take any other actions necessary to conduct a thorough and impar-
31 tial investigation.

32 b. Any individual in the custody of the department of corrections and
33 community supervision who claims to have been sexually assaulted in an
34 institution shall have the right to report the incident directly to the
35 state inspector general.

36 3. a. The state inspector general shall create a confidential and
37 secure reporting system for individuals in the custody of the department
38 of corrections and community supervision to report incidents of sexual
39 assault in such institutions.

40 b. The state inspector general shall develop protocols and procedures
41 for the reporting and investigation of sexual assault allegations in
42 institutions. Protocols shall include, at a minimum:

43 (i) procedures for the immediate and confidential reporting of allega-
44 tions of sexual assault;

45 (ii) procedures for the collection of evidence, including forensic
46 evidence;

47 (iii) procedures for conducting thorough and impartial investigations
48 of sexual assault allegations, including interviews with the alleged
49 victim, witnesses, and the accused;

50 (iv) procedures for notifying victims of the status of their case and
51 the outcome of the investigation;

52 (v) procedures for the referral of cases for criminal prosecution
53 where appropriate; and

54 (vi) procedures for tracking and reporting on sexual assault allega-
55 tions, investigations, and outcomes.

1 4. When the state inspector general commences an investigation of a
2 complaint of sexual assault in an institution, such investigation shall
3 be conducted in accordance with protocols, policies, and procedures
4 established by the state inspector general and shall include the follow-
5 ing:

6 a. interviews with the victim, witnesses, and any alleged perpetra-
7 tors;

8 b. collection and analysis of physical and forensic evidence, if or
9 when applicable;

10 c. review of relevant institutional or departmental records and poli-
11 cies, if relevant to the investigation;

12 d. coordination with law enforcement authorities and other relevant
13 agencies as necessary; and

14 e. any other investigative steps deemed necessary to determine the
15 facts and circumstances of the alleged sexual assault.

16 5. The protocol and procedures established pursuant to this section
17 shall be made available to all incarcerated individuals and shall be
18 regularly reviewed and updated by the state inspector general, as need-
19 ed.

20 a. The department of corrections and community supervision, in consul-
21 tation with the office of the state inspector general, shall provide
22 individuals in its custody with information on how to report sexual
23 assault to the state inspector general, including information on how to
24 contact the state inspector general's office, and shall make this infor-
25 mation readily available in a variety of formats.

26 b. The department of corrections and community supervision, in consul-
27 tation with the office of the state inspector general, shall provide
28 individuals in its custody with access to a confidential and secure
29 method for reporting sexual assault to the state inspector general,
30 including the use of a hotline or other similar systems.

31 c. The department of corrections and community supervision shall
32 ensure that any reports of sexual assault made by individuals in its
33 custody when this act takes effect are immediately forwarded to the
34 office of the state inspector general.

35 6. a. Any individual in the custody of the department of corrections
36 and community supervision who reports a sexual assault to the state
37 inspector general shall be protected from retaliation, harassment, or
38 any other form of retribution or adverse treatment as a result of making
39 such report. Any allegations of retaliation, harassment, or any other
40 form of retribution against an individual who reports sexual assault to
41 the state inspector general shall be subject to investigation and poten-
42 tial referral for prosecution pursuant to the provisions of this arti-
43 cle.

44 b. The office of the state inspector general shall protect the confi-
45 dentiality of individuals who file reports of sexual assault in insti-
46 tutions to the fullest extent of the law.

47 7. The state inspector general and the department of corrections and
48 community supervision shall take all necessary measures to implement the
49 provisions of this section, including but not limited to training staff
50 on the reporting process to the state inspector general.

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

1 Section 1. Section 42 of the judiciary law is amended by adding a new
2 subdivision 7 to read as follows:

3 7. To transmit its annual budget request to the governor for inclusion
4 in the executive budget without revision but with such recommendation as
5 the governor may deem proper.

6 § 2. Subdivision 4 of section 44 of the judiciary law, as added by
7 chapter 156 of the laws of 1978, is amended to read as follows:

8 4. If in the course of an investigation, the commission determines
9 that a hearing is warranted it shall direct that a formal written
10 complaint signed and verified by the administrator be drawn and served
11 upon the judge involved, either personally or by certified mail, return
12 receipt requested. The judge shall file a written answer to the [~~the~~]
13 formal written complaint with the commission within twenty days of such
14 service. The formal written complaint and answer, and the record of
15 proceedings thereafter, including the hearing and any proceedings before
16 the commission, shall be public. If, upon receipt of the answer, or upon
17 expiration of the time to answer, the commission shall direct that a
18 hearing be held with respect to the formal written complaint, the judge
19 involved shall be notified in writing of the date of the hearing either
20 personally, at least twenty days prior thereto, or by certified mail,
21 return receipt requested, at least twenty-two days prior thereto. Upon
22 the written request of the judge, the commission shall, at least five
23 days prior to the hearing or any adjourned date thereof, make available
24 to the judge without cost copies of all documents which the commission
25 intends to present at such hearing and any written statements made by
26 witnesses who will be called to give testimony by the commission. The
27 commission shall, in any case, make available to the judge at least five
28 days prior to the hearing or any adjourned date thereof any exculpatory
29 evidentiary data and material relevant to the formal written complaint.
30 The failure of the commission to timely furnish any documents, state-
31 ments and/or exculpatory evidentiary data and material provided for
32 herein shall not affect the validity of any proceedings before the
33 commission provided that such failure is not substantially prejudicial
34 to the judge. The complainant may be notified of the hearing and unless
35 [~~he~~] the complainant shall be subpoenaed as a witness by the judge,
36 [~~his~~] the complainant's presence thereat shall be within the discretion
37 of the commission. [~~The hearing shall not be public unless the judge~~
38 ~~involved shall so demand in writing.~~] At the hearing the commission may
39 take the testimony of witnesses and receive evidentiary data and materi-
40 al relevant to the formal written complaint. The judge shall have the
41 right to be represented by counsel during any and all stages of the
42 hearing and shall have the right to call and cross-examine witnesses and
43 present evidentiary data and material relevant to the formal written
44 complaint. A transcript of the proceedings and of the testimony of
45 witnesses at the hearing shall be taken and kept with the records of the
46 commission.

47 § 3. Section 45 of the judiciary law, as amended by chapter 35 of the
48 laws of 1983, is amended to read as follows:

49 § 45. Confidentiality of records. [~~1.~~] Except as hereinafter provided,
50 all complaints, correspondence, commission proceedings and transcripts
51 thereof, other papers and data and records of the commission shall be
52 confidential and shall not be made available to any person except pursu-
53 ant to section forty-four of this article. The commission and its desig-
54 nated staff personnel shall have access to confidential material in the
55 performance of their powers and duties. If the judge who is the subject
56 of a complaint so requests in writing, copies of [~~the~~] any pending

1 complaint, [~~the transcripts of hearings by the commission thereon, if~~
 2 ~~any~~] any documents made public pursuant to section forty-four of this
 3 article, and the dispositive action of the commission with respect to
 4 [~~the~~] any complaint resulting in a caution, admonition, censure,
 5 removal, retirement, or resignation from judicial office, such copies
 6 with any reference to the identity of any person who did not participate
 7 at any such hearing suitably deleted therefrom, except the subject judge
 8 or complainant, shall be made available for inspection and copying to
 9 the public, or to any person, agency or body designated by such judge.

10 [~~2. Notwithstanding any provision in this section, the commission,~~
 11 ~~with the consent of the applicant, shall provide the record of any~~
 12 ~~proceeding pursuant to a formal written complaint against an applicant~~
 13 ~~for judicial appointment in which the applicant's misconduct was estab-~~
 14 ~~lished, any pending complaint against an applicant, and the record to~~
 15 ~~date of any pending proceeding pursuant to a formal written complaint~~
 16 ~~against an applicant for judicial appointment.~~

17 ~~(a) to the commission on judicial nomination established by article~~
 18 ~~three A of this chapter, with respect to applicants for appointment to~~
 19 ~~the court of appeals,~~

20 ~~(b) to the governor with respect to all applicants whom the governor~~
 21 ~~indicates are under consideration for any judicial appointment, and~~

22 ~~(c) to the temporary president of the senate and the chairman of the~~
 23 ~~senate judiciary committee with respect to all nominees for judicial~~
 24 ~~appointments which are subject to the advice and consent of the senate.]~~

25 The commission shall respond within fifteen days of a request for the
 26 information provided for in this [~~subdivision~~] section.

27 § 4. Section 47 of the judiciary law, as added by chapter 156 of the
 28 laws of 1978, is amended to read as follows:

29 § 47. Resignation or retirement not to divest commission or court of
 30 appeals of jurisdiction. The jurisdiction of the court of appeals and
 31 the commission pursuant to this article shall continue notwithstanding
 32 that a judge resigns or retires from office after a [~~determination of~~
 33 ~~the commission that the judge be removed from office has been transmit-~~
 34 ~~ted to the chief judge of the court of appeals,] formal written
 35 complaint authorized pursuant to section forty-four of this article has
 36 been served on the judge or in any case in which the [~~commission's~~
 37 ~~determination that a judge should be removed from office shall be trans-~~
 38 ~~mitted to the chief judge of the court of appeals] formal written
 39 complaint is served on the judge within one hundred twenty days after
 40 receipt by the chief administrator of the courts of the resignation or
 41 retirement of such judge. Any determination by the court of appeals
 42 that a judge who has resigned or retired should be removed from office
 43 shall render such judge ineligible to hold any other judicial office.
 44 The chief administrator of the courts shall give written notice to the
 45 commission of the resignation or retirement of any judge who is the
 46 subject of an investigation within five days after [~~his~~] receipt there-
 47 of.~~~~

48 § 5. This act shall take effect immediately.

49 PART SS

50 Section 1. Section 218 of the judiciary law is REPEALED and a new
 51 section 218 is added to read as follows:

52 § 218. Audio-visual coverage of judicial proceedings. 1. Authori-
 53 zation. Subject to the authority of the judge or justice presiding over
 54 the proceeding to exercise sound discretion to prohibit or limit filming

1 or photographing of particular participants in judicial proceedings to
2 ensure safety and the fair administration of justice, audio-visual and
3 still photography coverage by the media of public judicial proceedings
4 in the appellate and trial courts of this state shall be allowed in
5 accordance with this section.

6 2. Definitions. For purposes of this section, the following terms
7 shall have the following meanings:

8 (a) "Proceeding" shall mean any action or proceeding heard in a court
9 of competent jurisdiction in this state.

10 (b) "Media" shall mean any news reporting or news gathering agency and
11 any employee or agent associated with such agency, including television,
12 radio, radio and television networks, news services, newspapers, maga-
13 zines, trade papers, in-house publications, professional journals or any
14 other news reporting or news gathering agency, the function of which is
15 to inform the public, or some segment thereof.

16 3. Equipment and personnel. The following shall be permitted in any
17 trial court or appellate court proceeding other than a matrimonial
18 proceeding or a proceeding in family court:

19 (a) At least one compact video camera, operated by no more than one
20 camera person. Additional permitted cameras shall be within the sole
21 discretion and authority of the judge or justice presiding over the
22 proceeding.

23 (b) Not more than one audio system for radio broadcast purposes.
24 Audio pickup for all media purposes shall be provided by existing audio
25 systems present in the courtroom. If no technically suitable audio
26 system exists in the courtroom, microphones and related wiring essential
27 for media purposes shall be permissible provided they are unobtrusive
28 and shall be located in places designated in advance of any proceeding
29 by the judge or justice presiding over the proceeding. In the event
30 that the courtroom has existing cameras suitable for audio-visual cover-
31 age, upon request the judge or justice presiding over the proceeding
32 shall have sole discretion to provide a media feed from such cameras
33 instead of allowing video cameras in the courtroom.

34 (c) Additional permitted equipment or personnel shall be within the
35 sole discretion and authority of the judge or justice presiding over the
36 proceeding. All costs of all audio and visual coverage shall be borne
37 by the entity seeking to provide such coverage.

38 (d) Any pooling arrangements among members of the media concerning
39 equipment and personnel shall be the sole responsibility of such members
40 without calling upon the judge or justice presiding over the proceeding
41 to mediate any dispute as to the appropriate media representative or
42 equipment authorized to cover a particular proceeding. In the absence of
43 advance media agreement concerning disputed equipment or personnel
44 issues, the judge or justice presiding over the proceeding may exclude
45 all media personnel from a proceeding.

46 4. Sound and light criteria. Any video and audio equipment, including
47 still camera equipment, whether film or digital, shall be operated in a
48 manner to generate the least possible sound or light, and such equipment
49 shall not be permitted if it produces distracting sound or light. No
50 artificial lighting device of any kind shall be used in connection with
51 the video equipment or still camera.

52 5. Location of equipment personnel. Video camera equipment and still
53 camera photographers shall be positioned in such location or locations
54 in the courtroom as shall be designated by the judge or justice presid-
55 ing over the proceeding. The area designated shall provide reasonable
56 access to coverage of the proceedings, so long as such reasonable access

1 can be provided without interference with the proceedings. Video
2 cameras and operators, and any still cameras and photographers, if
3 permitted, shall assume a fixed position within the designated area and
4 shall not be permitted to move about to obtain photographs or video
5 recordings of court proceedings. Media representatives shall not move
6 about the court facility while proceedings are in session.

7 6. Equipment movement during proceedings. News media photographic or
8 audio equipment shall not be placed in, removed from, or moved about the
9 authorized location as determined by the judge or justice presiding over
10 the proceeding, except before commencement or after adjournment of
11 proceedings each day. Equipment may be moved during a recess only with
12 the prior approval of the judge or justice presiding over the proceed-
13 ing. Neither video cassettes or film magazines nor still camera film,
14 digital media cards or lenses shall be changed within a courtroom except
15 during a recess in the proceeding.

16 7. Courtroom light sources. With the concurrence of the administrative
17 judge or the presiding justice who oversees the court in which the
18 proceeding is occurring, modifications and additions may be made in
19 light sources existing in the courtroom, provided such modifications or
20 additions are installed and maintained without public expense.

21 8. Restrictions on audio-visual coverage. Notwithstanding the initial
22 approval of a request for audio-visual coverage of any court proceeding,
23 the presiding trial judge shall have discretion throughout the proceed-
24 ing to revoke such approval or limit such coverage, and may where appro-
25 priate exercise such discretion to limit, restrict or prohibit audio or
26 visual broadcast or photography of any part of the proceeding in the
27 courtroom, or of the name or features of any participant therein. In any
28 case, audio-visual coverage shall be limited as follows:

29 (a) to protect the attorney-client privilege and the effective right
30 to counsel, there shall be no video or audio pickup or broadcast of
31 conferences that occur in a courtroom between attorneys and their
32 clients, between co-counsel of a client, or between counsel and the
33 presiding judge held at the bench;

34 (b) no conference in chambers shall be subject to audio-visual cover-
35 age;

36 (c) no audio-visual coverage of the selection of the prospective jury
37 during voir dire shall be permitted;

38 (d) no audio-visual coverage of the jury, or of any juror or alternate
39 juror, while in the jury box, in the courtroom, in the jury deliberation
40 room during recess, or while going to or from the deliberation room at
41 any time shall be permitted, provided, however, that upon consent of the
42 foreperson of a jury, the presiding trial judge may, in such presiding
43 trial judge's discretion, permit audio coverage of such foreperson
44 delivering a verdict;

45 (e) no audio-visual coverage shall be permitted of a witness, who as a
46 peace or police officer acted in a covert or undercover capacity in
47 connection with the instant court proceeding, without the prior written
48 consent of such witness;

49 (f) no audio-visual coverage shall be permitted of a witness, who as a
50 peace officer or police officer is currently engaged in a covert or
51 undercover capacity, without the prior written consent of such witness;

52 (g) no audio-visual coverage shall be permitted of the victim in a
53 prosecution for rape, criminal sexual act, sexual abuse or other sex
54 offense under article one hundred thirty or section 255.25 of the penal
55 law. Notwithstanding the initial approval of a request for audio-visual
56 coverage of such a proceeding, the presiding trial judge shall have

1 discretion throughout the proceeding to limit any coverage which would
2 identify the victim, except that said victim can request of the presid-
3 ing trial judge that audio-visual coverage be permitted of such victim's
4 testimony, or in the alternative the victim can request that coverage of
5 such victim's testimony be permitted but that such victim's image shall
6 be visually obscured by the news media, and the presiding trial judge in
7 such presiding trial judge's discretion shall grant the request of the
8 victim for the coverage specified;

9 (h) no audio-visual coverage of any arraignment or suppression hearing
10 shall be permitted without the prior consent of all parties to the
11 proceeding, provided, however, where a party is not yet represented by
12 counsel, consent may not be given unless the party has been advised of
13 such party's right to the aid of counsel pursuant to subdivision four of
14 section 170.10 or 180.10 of the criminal procedure law and the party has
15 affirmatively elected to proceed without counsel at such proceeding;

16 (i) no judicial proceeding shall be scheduled, delayed, reenacted or
17 continued at the request of, or for the convenience of the news media;

18 (j) no audio-visual coverage of any participant shall be permitted if
19 the presiding trial judge finds that such coverage is liable to endanger
20 the safety of any person; and

21 (k) no audio-visual coverage shall be permitted which focuses on or
22 features a family member of a victim or a party in the trial of a crimi-
23 nal case, except while such family member is testifying. Audio-visual
24 coverage operators shall make all reasonable efforts to determine the
25 identity of such persons, so that such coverage shall not occur.

26 9. Impermissible use of media material. Film, digital files, vide-
27 otape, still photographs, or audio reproductions captured or recorded
28 during or by virtue of coverage of a judicial proceeding shall not be
29 admissible as evidence in the proceeding out of which it arose, or upon
30 retrial or appeal of such proceedings.

31 10. Written order. (a) An order restricting audio-visual coverage with
32 respect to a particular participant shall be in writing. The order must
33 state good cause why such coverage will have a substantial effect upon
34 the individual which would be qualitatively different from the effect on
35 members of the public in general and that such effect will be qualita-
36 tively different from coverage by other types of media. Before prohibit-
37 ing audio-visual coverage, the presiding judge must first consider the
38 imposition of special limitations, such as a delayed or modified still
39 or audio-visual coverage of the proceedings.

40 (b) A presumption of good cause shall exist with respect to the testi-
41 mony of minors and testimony of any individual covered by section
42 fifty-b of the civil rights law.

43 11. Closing the courtroom. No audio-visual coverage will be permitted
44 during any period in which the courtroom is lawfully closed to the
45 general public in accordance with the United States and New York Consti-
46 tutions, New York law and court rules.

47 12. Appellate review. Any order issued pursuant to this section shall
48 be subject to review pursuant to article seventy-eight of the civil
49 practice law and rules and any rules of the appellate courts promulgated
50 to provide expedited review of such order.

51 13. Regulations. The chief administrator shall promulgate appropriate
52 rules and regulations for the implementation of the provisions of this
53 section after affording all interested persons, agencies and insti-
54 tutions an opportunity to review and comment thereon. Such rules and
55 regulations shall include provisions to ensure that audio-visual cover-

1 age of trial proceedings shall not interfere with the decorum and digni-
 2 ty of courtrooms and court facilities.

3 § 2. Section 52 of the civil rights law is REPEALED.

4 § 3. Subdivision 5 of section 751 of the judiciary law, as added by
 5 chapter 187 of the laws of 1992, is amended to read as follows:

6 5. Where any member of the [~~news~~] media as [~~defined in subdivision two~~
 7 ~~of~~] referenced in section two hundred eighteen of this chapter, willful-
 8 ly disobeys a lawful mandate of a court issued pursuant to such section,
 9 the punishment for each day that such contempt persists may be by a fine
 10 fixed in the discretion of the court, but not to exceed five thousand
 11 dollars per day or imprisonment, not exceeding thirty days, in the jail
 12 of the county where the court is sitting or both, in the discretion of
 13 the court. In fixing the amount of the fine, the court shall consider
 14 all the facts and circumstances directly related to the contempt,
 15 including, but not limited to: (i) the extent of the willful defiance of
 16 or resistance to the court's mandate, (ii) the amount of gain obtained
 17 by the willful disobedience of the mandate, and (iii) the effect upon
 18 the public and the parties to the proceeding of the willful disobedi-
 19 ence.

20 § 4. This act shall take effect on the ninetieth day after it shall
 21 have become a law.

22 PART TT

23 Section 1. Subdivision 1 of section 730.10 of the criminal procedure
 24 law is amended to read as follows:

25 1. "Incapacitated person" means a defendant who as a result of mental
 26 disease or defect lacks capacity to understand the proceedings against
 27 [~~him~~] such defendant or to assist in [~~his~~] their own defense.

28 § 2. Subdivision 8 of section 730.10 of the criminal procedure law, as
 29 separately amended by chapters 615 and 629 of the laws of 1974, is
 30 amended to read as follows:

31 8. "Examination report" means a report made by a psychiatric examiner
 32 wherein [~~he~~] such examiner sets forth [~~his~~] their opinion as to whether
 33 the defendant is or is not an incapacitated person, the nature and
 34 extent of [~~his~~] their examination and, if [~~he or she finds~~] they find
 35 that the defendant is an incapacitated person, [~~his~~] their diagnosis and
 36 prognosis and a detailed statement of the reasons for [~~his~~] their opin-
 37 ion by making particular reference to those aspects of the proceedings
 38 wherein the defendant lacks capacity to understand or to assist in [~~his~~]
 39 their own defense. The report must also state the examiner's profes-
 40 sional opinion as to whether or not there is at least a reasonable
 41 expectation that restoration services could have a substantial probabil-
 42 ity of restoring the defendant to competence within a reasonable period
 43 of time. The state administrator and the commissioner must jointly adopt
 44 the form of the examination report; and the state administrator shall
 45 prescribe the number of copies thereof that must be submitted to the
 46 court by the director.

47 § 3. Section 730.10 of the criminal procedure law is amended by adding
 48 a new subdivision 10 to read as follows:

49 10. "Restoration services" means those services including but not
 50 limited to medication support, classroom-based competency instruction,
 51 mock trials, symptom management, and rehabilitative services provided to
 52 an incapacitated person which are designed to improve their mental state
 53 or developmental status to the extent that they can understand the
 54 charges against them and participate in their own defense. Restoration

1 services are not intended to be mental health treatment aimed at recovery
2 from mental illness or services aimed at improving a developmentally
3 disabled person's ability to function on a day-to-day basis.

4 § 4. Section 730.20 of the criminal procedure law, subdivisions 1 and
5 as amended by chapter 693 of the laws of 1989 and subdivision 7 as
6 amended by chapter 692 of the laws of 1972, is amended to read as
7 follows:

8 § 730.20 Fitness to proceed; generally.

9 1. [~~The appropriate director to whom a criminal court issues an order~~
10 ~~of examination must be determined in accordance with rules jointly~~
11 ~~adopted by the judicial conference and the commissioner.~~] Upon receipt
12 of an examination order, the director to whom the court has issued an
13 order must designate two qualified psychiatric examiners, of whom [~~he~~]
14 such director may be one, to examine the defendant to determine if [~~he~~]
15 the defendant is an incapacitated person. In conducting their examina-
16 tion, the psychiatric examiners [~~may~~] shall employ [~~any~~] a method [~~which~~
17 ~~is accepted by the medical profession for the examination of persons~~
18 ~~alleged to be mentally ill or mentally defective~~] as set forth in stand-
19 ards set by the commissioner to determine if the defendant is an inca-
20 pacitated person. The court may authorize a psychiatrist or psychol-
21 ogist retained by the defendant to be present at such examination.

22 2. When the defendant is not in custody at the time a court issues an
23 order of examination, because [~~he~~] the defendant was theretofore
24 released on bail or on [~~his~~] the defendant's own recognizance, the court
25 [~~may~~] shall direct that the examination be conducted on an out-patient
26 basis, and at such time and place as the director shall designate and
27 the court shall order the defendant to appear for such examination. If,
28 however, the director informs the court that hospital confinement of the
29 defendant is necessary for an effective examination, or if the defendant
30 refuses to appear as ordered for the examination, the court may direct
31 that the defendant be confined in a hospital [~~designated by the direc-~~
32 ~~tor~~] operated or approved by the commissioner only until the examination
33 is completed. In no event shall the need for such examination be a basis
34 for incarcerating a defendant who has been released on bail or their own
35 recognizance.

36 3. When the defendant is in custody at the time a court issues an
37 order of examination, the examination must be conducted at the place
38 where the defendant is being held in custody. If, however, the director
39 determines that hospital confinement of the defendant is necessary for
40 an effective examination, the sheriff must deliver the defendant to a
41 hospital designated by the [~~director~~] commissioner and hold [~~him~~] the
42 defendant in custody therein, under sufficient guard, until the examina-
43 tion is completed.

44 4. Hospital confinement under subdivisions two and three shall be for
45 a period not exceeding [~~thirty~~] ten days, except that, upon application
46 of the director, the court may authorize confinement for an additional
47 period not exceeding [~~thirty~~] ten days if it is satisfied that a longer
48 period is necessary to complete the examination. [~~During the period of~~
49 ~~hospital confinement, the physician in charge of the hospital may admin-~~
50 ~~ister or cause to be administered to the defendant such emergency~~
51 ~~psychiatric, medical or other therapeutic treatment as in his judgment~~
52 ~~should be administered.~~]

53 5. Each psychiatric examiner, after [~~he has completed his~~] completing
54 the examination of the defendant, must promptly prepare and submit to
55 the director an examination report [~~and submit it to the director~~]
56 setting forth the examiner's opinion as to whether or not there is at

1 least a reasonable expectation that restoration services could have a
2 substantial probability of restoring the defendant to competence within
3 a reasonable period of time. If the psychiatric examiners are not unani-
4 mous in their opinion as to whether the defendant is or is not an inca-
5 pacitated person, the director must designate another qualified psychi-
6 atric examiner to examine the defendant to determine if [~~he~~] the
7 defendant is an incapacitated person and, if so, whether or not there is
8 at least a reasonable expectation that restoration services could have a
9 substantial probability of restoring the defendant to competence within
10 a reasonable period of time. Upon receipt of the examination reports,
11 the director must submit them to the court that issued the order of
12 examination. The court must furnish a copy of the reports to counsel
13 for the defendant and to the district attorney.

14 6. When a defendant is subjected to examination pursuant to an order
15 issued by a criminal court in accordance with this article, any state-
16 ment made by [~~him~~] such defendant for the purpose of the examination or
17 treatment shall be inadmissible in evidence against [~~him~~] such defendant
18 in any criminal action on any issue other than that of [~~his~~] such
19 defendant's mental condition[~~, but such statement is admissible upon~~
20 ~~that issue whether or not it would otherwise be deemed a privileged~~
21 ~~communication~~].

22 7. A psychiatric examiner, who is not regularly employed by the county
23 or the state of New York, is entitled to [~~his~~] their reasonable travel-
24 ing expenses[~~, a~~] and to a reasonable fee [~~of fifty dollars~~] to be nego-
25 tiated with the examiner by the director or the county or, if no such
26 fee is agreed upon, to be set by the court for each examination of a
27 defendant and [~~a fee of fifty dollars~~] for each appearance at a court
28 hearing or trial [~~but not exceeding two hundred dollars in fees for~~
29 ~~examination and testimony in any one case~~]; except that if such psychi-
30 atric examiner be an employee of the county or of the state of New York
31 [~~he~~] they shall be entitled only to reasonable traveling expenses,
32 unless such psychiatric examiner makes the examination or appears at a
33 court hearing or trial outside [~~his~~] their hours of state or county
34 employment in a county in which the director of community [~~mental~~
35 ~~health~~] services certifies to the fiscal officer thereof that there is a
36 shortage of qualified [~~psychiatrists~~] examiners available to conduct
37 examinations under [~~the criminal procedure law~~] this chapter in such
38 county, in which event [~~he~~] such examiner shall be entitled to [~~the~~
39 ~~foregoing~~] such fees and reasonable traveling expenses as approved by
40 the court. Such fees and traveling expenses and the costs of sending a
41 defendant to another place of detention or to a hospital for examina-
42 tion[~~, of his maintenance therein~~] and the cost of returning [~~him~~] the
43 defendant shall, when approved and so ordered by the court, be a charge
44 of the county in which the defendant is being tried, and the cost of the
45 maintenance of such defendant therein shall be a cost to the state.

46 § 5. Section 730.30 of the criminal procedure law, subdivision 3 as
47 amended by chapter 629 of the laws of 1974, is amended to read as
48 follows:

49 § 730.30 Fitness to proceed; order of examination.

50 1. At any time after a defendant is arraigned upon an accusatory
51 instrument other than a felony complaint and before the imposition of
52 sentence, or at any time after a defendant is arraigned upon a felony
53 complaint and before [~~he~~] such defendant is held for the action of the
54 grand jury, or upon arraignment on an indictment by a grand jury, the
55 court wherein the criminal action is pending [~~must~~] may issue an order

1 of examination when it [~~is of the opinion~~] has a reasonable basis to
2 believe that the defendant may be an incapacitated person.

3 2. When the examination reports submitted to the court show that each
4 psychiatric examiner is of the opinion that the defendant is not an
5 incapacitated person, the court may, on its own motion, conduct a hear-
6 ing to determine the issue of capacity, and it must conduct a hearing
7 upon motion therefor by the defendant or by the district attorney. If
8 the court does not decide to hold a hearing on its own motion and no
9 motion for a hearing is made, or if, following a hearing the court is
10 satisfied that the defendant is not an incapacitated person, the crimi-
11 nal action against the defendant must proceed. [~~If, following a hearing,~~
12 ~~the court is satisfied that the defendant is not an incapacitated~~
13 ~~person, the criminal action against him must proceed; if the court is~~
14 ~~not so satisfied, it must issue a further order of examination directing~~
15 ~~that the defendant be examined by different psychiatric examiners desig-~~
16 ~~nated by the director.~~]

17 3. When the examination reports submitted to the court show that each
18 psychiatric examiner is of the opinion that the defendant is an incapac-
19 itated person and that there is at least a reasonable expectation that
20 restoration services could have a substantial probability of restoring
21 the defendant to competence within a reasonable period of time, the
22 court [~~may, on its own motion,~~] shall conduct a hearing to determine the
23 issue of capacity [~~and it must conduct such hearing upon motion therefor~~
24 ~~by the defendant or by the district attorney~~].

25 4. When the examination reports submitted to the court show that the
26 psychiatric examiners are not unanimous in their opinion as to whether
27 the defendant is or is not an incapacitated person[~~, or when the exam-~~
28 ~~ination reports submitted to the superior court show that the psychiat-~~
29 ~~ric examiners are not unanimous in their opinion as to whether the~~
30 ~~defendant is or is not a dangerous incapacitated person~~] and that there
31 is at least a reasonable expectation that restoration services could
32 have a substantial probability of restoring the defendant to competence
33 within a reasonable period of time, the court must conduct a hearing to
34 determine the issue of capacity [~~or dangerousness~~] and expectation of
35 restoration within a reasonable time.

36 § 6. Subdivision 1 of section 730.40 of the criminal procedure law, as
37 amended by chapter 7 of the laws of 2013, is amended to read as follows:

38 1. When a local criminal court, following a hearing conducted pursuant
39 to subdivision two, three or four of section 730.30 of this article, is
40 satisfied that the defendant is not an incapacitated person, the crimi-
41 nal action against [~~him or her~~] such defendant must proceed. If [~~it~~] a
42 local criminal court accusatory instrument other than a felony complaint
43 has been filed against the defendant and the court is satisfied that the
44 defendant is an incapacitated person, [~~or if no motion for such a hear-~~
45 ~~ing is made, such court must issue a final or temporary order of obser-~~
46 ~~vation committing him or her to the custody of the commissioner for care~~
47 ~~and treatment in an appropriate institution for a period not to exceed~~
48 ~~ninety days from the date of the order, provided, however, that the~~
49 ~~commissioner may designate an appropriate hospital for placement of a~~
50 ~~defendant for whom a final order of observation has been issued, where~~
51 ~~such hospital is licensed by the office of mental health and has agreed~~
52 ~~to accept, upon referral by the commissioner, defendants subject to~~
53 ~~final orders of observation issued under this subdivision. When a local~~
54 ~~criminal court accusatory instrument other than a felony complaint has~~
55 ~~been filed against the defendant,~~] such court must issue a final order
56 of observation. When a felony complaint has been filed against the

1 defendant, such court must issue a temporary order of observation
2 committing [~~him or her~~] such defendant to the custody of the commissioner for [~~care and treatment~~] restoration services in an appropriate
3 institution or, [~~upon the consent of the district attorney~~] in the
4 discretion of the court, committing [~~him or her~~] such defendant to the
5 custody of the commissioner for care and treatment on an out-patient
6 basis, for a period not to exceed ninety days from the date of such
7 order[~~, except that, with the consent of the district attorney,~~] or it
8 may issue a final order of observation. Upon the issuance of a final
9 order of observation, the district attorney shall immediately transmit
10 to the commissioner, in a manner intended to protect the confidentiality
11 of the information, a list of names and contact information of persons
12 who may reasonably be expected to be the victim of any assault or any
13 violent felony offense, as defined in the penal law, or any offense
14 listed in section 530.11 of this [~~chapter~~] part which would be carried
15 out by the committed person; provided that the person who reasonably may
16 be expected to be a victim does not need to be a member of the same
17 family or household as the committed person.

19 § 7. Section 730.50 of the criminal procedure law, subdivision 1 as
20 amended by chapter 7 of the laws of 2013, subdivision 2 as amended by
21 chapter 789 of the laws of 1985, subdivision 5 as amended by chapter 629
22 of the laws of 1974, is amended to read as follows:

23 § 730.50 Fitness to proceed; indictment.

24 1. When a superior court, following a hearing conducted pursuant to
25 subdivision two, three or four of section 730.30 of this article, is
26 satisfied that the defendant is not an incapacitated person, the criminal
27 action against [~~him or her~~] such defendant must proceed. If [~~it is~~
28 ~~satisfied~~] after a hearing, the court makes a finding that the defendant
29 is an incapacitated person, [~~or if no motion for such a hearing is made~~]
30 and that there is at least a reasonable expectation that restoration
31 services could have a substantial probability of restoring the defendant
32 to competence within a reasonable period of time, it must adjudicate
33 [~~him or her~~] them an incapacitated person[~~, and must issue a final order~~
34 ~~of observation or an order of commitment~~]. When the indictment does not
35 charge a felony or when the defendant has been convicted of an offense
36 other than a felony, such court (a) must issue a final order of observa-
37 tion [~~committing the defendant to the custody of the commissioner for~~
38 ~~care and treatment in an appropriate institution for a period not to~~
39 ~~exceed ninety days from the date of such order, provided, however, that~~
40 ~~the commissioner may designate an appropriate hospital for placement of~~
41 ~~a defendant for whom a final order of observation has been issued, where~~
42 ~~such hospital is licensed by the office of mental health and has agreed~~
43 ~~to accept, upon referral by the commissioner, defendants subject to~~
44 ~~final orders of observation issued under this subdivision~~], and (b) must
45 dismiss the indictment filed in such court against the defendant, and
46 such dismissal constitutes a bar to any further prosecution of the
47 charge or charges contained in such indictment. Upon the issuance of a
48 final order of observation, the district attorney shall immediately
49 transmit to the commissioner, in a manner intended to protect the confi-
50 dentiality of the information, a list of names and contact information
51 of persons who may reasonably be expected to be the victim of any
52 assault or any violent felony offense, as defined in the penal law, or
53 any offense listed in section 530.11 of this [~~chapter~~] part which would
54 be carried out by the committed person; provided that the person who
55 reasonably may be expected to be a victim does not need to be a member
56 of the same family or household as the committed person. When the

1 indictment charges a felony [~~or when the defendant has been convicted of~~
2 ~~a felony~~] and the court has determined that there is at least a reason-
3 able expectation that restoration services could have a substantial
4 probability of restoring the defendant to competence within a reasonable
5 period of time, it must issue an order of commitment committing the
6 defendant to the custody of the commissioner [~~for care and treatment~~] to
7 receive restoration services in an appropriate institution or [~~, upon the~~
8 ~~consent of the district attorney,~~] committing [~~him or her~~] such defend-
9 ant to the custody of the commissioner for care and treatment on an
10 out-patient basis, for a period not to exceed [~~one year~~] ninety days
11 from the date of such order. Upon the issuance of an order of commit-
12 ment, the court must exonerate the defendant's bail if [~~he or she was~~
13 they were] previously at liberty on bail; provided, however, that exoner-
14 ation of bail is not required when a defendant is committed to the
15 custody of the commissioner for care and treatment on an out-patient
16 basis. [~~When the defendant is in the custody of the commissioner pursu-~~
17 ~~ant to a final order of observation, the commissioner or his or her~~
18 ~~designee, which may include the director of an appropriate institution,~~
19 ~~immediately upon the discharge of the defendant, must certify to such~~
20 ~~court that he or she has complied with the notice provisions set forth~~
21 ~~in paragraph (a) of subdivision six of section 730.60 of this article]~~
22 In the event that the court determines there is not a reasonable expect-
23 ation that restoration services could have a substantial probability of
24 restoring the defendant to competence within a reasonable period of time
25 the matter shall be referred to the supreme court for a hearing
26 conducted in accordance with section 9.33 or 15.31 of the mental
27 hygiene law.

28 2. When a defendant is in the custody of the commissioner immediately
29 prior to the expiration of the period prescribed in a temporary order of
30 commitment and the superintendent of the institution wherein the defend-
31 ant is confined is of the opinion that the defendant continues to be an
32 incapacitated person, such superintendent must apply to the court that
33 issued such order for an order of retention for an additional period of
34 ninety days. The court must hold a hearing on this application to
35 determine if there is a substantial probability of recovery in the fore-
36 seeable future. If the court determines that there is such reasonable
37 expectation of restoration, it shall issue an order of retention for an
38 additional ninety days. If the court finds that the defendant is still
39 incapacitated and there is not a substantial probability of restoration
40 in the foreseeable future, it shall refer the matter to the civil
41 section of the supreme court in the county where the defendant's case is
42 pending, for a hearing pursuant to article nine or fifteen of the mental
43 hygiene law to determine if the defendant shall be hospitalized or
44 otherwise retained on an involuntary basis. [~~Such application must be~~
45 ~~made within sixty days prior to the expiration of such period on forms~~
46 ~~that have been jointly adopted by the judicial conference and the~~
47 ~~commissioner.] The superintendent must give written notice of the appli-
48 cation for such order to the defendant and to the mental hygiene legal
49 service. Upon receipt of such application, the court [~~may, on its own~~
50 ~~motion,~~] shall conduct a hearing [~~to determine the issue of capacity,~~
51 ~~and it must conduct such hearing if a demand therefor is made by the~~
52 ~~defendant or the mental hygiene legal service within ten days from the~~
53 ~~date that notice of the application was given them. If, at the conclu-~~
54 ~~sion of a hearing conducted pursuant to this subdivision, the court is~~
55 ~~satisfied that the defendant is no longer an incapacitated person, the~~
56 ~~criminal action against him must proceed. If it is satisfied that the~~~~

1 ~~defendant continues to be an incapacitated person, or if no demand for a~~
2 ~~hearing is made, the court must adjudicate him an incapacitated person~~
3 ~~and must issue an order of retention which shall authorize continued~~
4 ~~custody of the defendant by the commissioner for a period not to exceed~~
5 ~~one year] pursuant to the provisions of article nine or fifteen of the~~
6 ~~mental hygiene law and the court shall order that the defendant shall be~~
7 ~~maintained in the custody of the commissioner but transferred to a~~
8 ~~hospital or other appropriate institution to be involuntarily admitted~~
9 ~~pursuant to article nine or fifteen of the mental hygiene law subject~~
10 ~~to the retention provisions of section 9.33 or 15.31 of the mental~~
11 ~~hygiene law except as specifically provided herein. Such order shall~~
12 ~~not be deemed in any way to be the order of a criminal court.~~

13 3. [~~When~~] Before a defendant is [~~in~~] released from the custody of the
14 commissioner [~~immediately prior to the expiration of the period~~
15 ~~prescribed in the first order of retention, the procedure set forth in~~
16 ~~subdivision two shall govern the application for and the issuance of any~~
17 ~~subsequent order of retention, except that any subsequent orders of~~
18 ~~retention must be for periods not to exceed two years each, provided,~~
19 ~~however,~~] either pursuant to this section or pursuant to article nine or
20 fifteen of the mental hygiene law, the court shall hold a hearing to
21 determine whether or not the defendant continues to be an incapacitated
22 person. If, at the conclusion of a hearing conducted pursuant to this
23 subdivision, the court is satisfied that the defendant is no longer an
24 incapacitated person, the criminal action against them must proceed
25 except that the court shall have the discretion to dismiss the case in
26 the interests of justice. If, at the conclusion of a hearing conducted
27 pursuant to this subdivision, the court finds that the defendant contin-
28 ues to be an incapacitated person then the court shall make an order in
29 accordance with section 9.33 or 15.31 of the mental hygiene law. In any
30 case that the aggregate of periods prescribed in the temporary order of
31 commitment [~~, the first order of retention and all subsequent orders of~~
32 ~~retention]~~ and any order of retention pursuant to this article or arti-
33 cle nine or fifteen of the mental hygiene law must not exceed two-thirds
34 of the authorized maximum term of imprisonment for the highest class
35 felony charged in the indictment [~~or for the highest class felony of~~
36 ~~which he was convicted].~~

37 4. When a defendant is in the custody of the commissioner either at
38 the expiration of the authorized period prescribed in the last order of
39 retention or any order of retention issued pursuant to article nine or
40 fifteen of the mental hygiene law, the criminal action pending against
41 [~~him~~] such defendant in the superior court that issued such order shall
42 terminate for all purposes, and the commissioner must promptly certify
43 to such court and to the appropriate district attorney that the defend-
44 ant was in [~~his~~] their custody on such expiration date. Upon receipt of
45 such certification, the court must dismiss the indictment, and such
46 dismissal constitutes a bar to any further prosecution of the charge or
47 charges contained in such indictment.

48 [~~5. When, on the effective date of this subdivision, any defendant~~
49 ~~remains in the custody of the commissioner pursuant to an order issued~~
50 ~~under former code of criminal procedure section six hundred sixty-two-b,~~
51 ~~the superintendent or director of the institution where such defendant~~
52 ~~is confined shall, if he believes that the defendant continues to be an~~
53 ~~incapacitated person, apply forthwith to a court of record in the county~~
54 ~~where the institution is located for an order of retention. The proce-~~
55 ~~dures for obtaining any order pursuant to this subdivision shall be in~~
56 ~~accordance with the provisions of subdivisions two, three and four of~~

~~this section, except that the period of retention pursuant to the first order obtained under this subdivision shall be for not more than one year and any subsequent orders of retention must be for periods not to exceed two years each; provided, however, that the aggregate of the time spent in the custody of the commissioner pursuant to any order issued in accordance with the provisions of former code of criminal procedure section six hundred sixty two b and the periods prescribed by the first order obtained under this subdivision and all subsequent orders of retention must not exceed two-thirds of the authorized maximum term of imprisonment for the highest class felony charged in the indictment or the highest class felony of which he was convicted.]~~

§ 8. Section 730.60 of the criminal procedure law, subdivisions 1 and 3 as amended by chapter 231 of the laws of 2008, subdivision 2 as amended by chapter 57 of the laws of 1984, subdivisions 4 and 5 as renumbered by chapter 629 of the laws of 1974, subdivision 6 as added by chapter 549 of the laws of 1980 and paragraphs (a) and (b) of subdivision 6 as amended by chapter 7 of the laws of 2013, is amended to read as follows:

§ 730.60 Fitness to proceed; procedure following custody by commissioner.

1. When a local criminal court issues a [~~final or~~] temporary order of observation or an order of commitment, it must forward such order and a copy of the examination reports and the accusatory instrument to the commissioner [~~, and, if available, a copy of the pre-sentence report~~]. Upon receipt thereof, the commissioner must designate an appropriate institution operated by the department of mental hygiene in which the defendant is to be placed [~~, provided, however, that the commissioner may designate an appropriate hospital for placement of a defendant for whom a final order of observation has been issued, where such hospital is licensed by the office of mental health and has agreed to accept, upon referral by the commissioner, defendants subject to final orders of observation issued under this subdivision~~]. The sheriff [~~must hold the defendant in custody pending such designation by the commissioner, and~~] when notified of the designation, [~~the sheriff~~] must deliver the defendant to the superintendent of such institution. The superintendent must promptly inform the appropriate director of the mental hygiene legal service of the defendant's admission to such institution. If a defendant escapes from the custody of the commissioner, the escape shall interrupt the period prescribed in any order of observation, commitment or retention, and such interruption shall continue until the defendant is returned to the custody of the commissioner.

2. Except as otherwise provided in subdivisions four and five of this section, when a defendant is in the custody of the commissioner pursuant to a temporary order of observation or an order of commitment or an order of retention, the criminal action pending against the defendant in the court that issued such order is suspended [~~until~~] pending further order of the court. If the superintendent of the institution in which the defendant is confined determines that [~~he~~] such defendant is no longer an incapacitated person [~~. In that event~~], the court that issued such order and the appropriate district attorney must be notified, in writing, by the superintendent of [~~his~~] their determination. The court must thereupon proceed in accordance with the provisions of subdivision two of section 730.30 of this [~~chapter~~] article; provided, however, if the court is satisfied that the defendant remains an incapacitated person, and upon consent of all parties, the court may order the return of the defendant to the institution in which [~~he~~] they had been confined

1 for such period of time as was authorized by the prior order of commit-
2 ment or order of retention. Upon such return, the defendant shall have
3 all rights and privileges accorded by the provisions of this article.

4 3. When a defendant is in the custody of the commissioner pursuant to
5 an order issued in accordance with this article, the commissioner may
6 transfer [~~him~~] such defendant to any appropriate institution operated by
7 the department of mental hygiene, provided, however, that the commis-
8 sioner may designate an appropriate hospital for placement of a defend-
9 ant for whom a final order of observation has been issued, where such
10 hospital is licensed by the office of mental health and has agreed to
11 accept, upon referral by the commissioner, defendants subject to final
12 orders of observation issued under this section. The commissioner may
13 discharge a defendant in [~~his~~] their custody under a final order of
14 observation at any time prior to the expiration date of such order, or
15 otherwise treat or transfer such defendant in the same manner as if [~~he~~]
16 such defendant were a patient not in confinement under a criminal court
17 order.

18 4. When a defendant is in the custody of the commissioner pursuant to
19 an order of commitment or an order of retention, [~~he~~] they may make any
20 motion authorized by this chapter which is susceptible of fair determi-
21 nation without [~~his~~] their personal participation. If the court denies
22 any such motion it must be without prejudice to a renewal thereof after
23 the criminal action against the defendant has been ordered to proceed.
24 If the court enters an order dismissing the indictment and does not
25 direct that the charge or charges be resubmitted to a grand jury, the
26 court must direct that such order of dismissal be served upon the
27 commissioner.

28 5. When a defendant is in the custody of the commissioner pursuant to
29 an order of commitment or an order of retention, the superior court that
30 issued such order may, upon motion of the defendant, and with the
31 consent of the district attorney, dismiss the indictment when the court
32 is satisfied that (a) the defendant is a resident or citizen of another
33 state or country and that [~~he~~] they will be removed thereto upon
34 dismissal of the indictment, or (b) the defendant has been continuously
35 confined in the custody of the commissioner, either pursuant to this
36 article or pursuant to article nine or fifteen of the mental hygiene
37 law, for a period of more than two years. Before granting a motion
38 under this subdivision, the court must be further satisfied that
39 dismissal of the indictment is consistent with the ends of justice and
40 that custody of the defendant by the commissioner pursuant to an order
41 of commitment or an order of retention is not necessary for the
42 protection of the public and that care and treatment can be effectively
43 administered to the defendant without the necessity of such order. If
44 the court enters an order of dismissal under this subdivision, it must
45 set forth in the record the reasons for such action, and must direct
46 that such order of dismissal be served upon the commissioner. The
47 dismissal of an indictment pursuant to this subdivision constitutes a
48 bar to any further prosecution of the charge or charges contained in
49 such indictment.

50 ~~[6. (a) Notwithstanding any other provision of law, no person commit-~~
51 ~~ted to the custody of the commissioner pursuant to this article, or~~
52 ~~continuously thereafter retained in such custody, shall be discharged,~~
53 ~~released on condition or placed in any less secure facility or on any~~
54 ~~less restrictive status, including, but not limited to vacations,~~
55 ~~furloughs and temporary passes, unless the commissioner or his or her~~
56 ~~designee, which may include the director of an appropriate institution,~~

~~1 shall deliver written notice, at least four days, excluding Saturdays,
2 Sundays and holidays, in advance of the change of such committed
3 person's facility or status, or in the case of a person committed pursu-
4 ant to a final order of observation written notice upon discharge of
5 such committed person, to all of the following:~~

~~6 (1) The district attorney of the county from which such person was
7 committed;~~

~~8 (2) The superintendent of state police;~~

~~9 (3) The sheriff of the county where the facility is located;~~

~~10 (4) The police department having jurisdiction of the area where the
11 facility is located;~~

~~12 (5) Any person who may reasonably be expected to be the victim of any
13 assault or any violent felony offense, as defined in the penal law, or
14 any offense listed in section 530.11 of this part which would be carried
15 out by the committed person; provided that the person who reasonably may
16 be expected to be a victim does not need to be a member of the same
17 family or household as the committed person; and~~

~~18 (6) Any other person the court may designate.~~

~~19 Said notice may be given by any means reasonably calculated to give
20 prompt actual notice.~~

~~21 (b) The notice required by this subdivision shall also be given imme-
22 diately upon the departure of such committed person from the actual
23 custody of the commissioner or an appropriate institution, without prop-
24 er authorization. Nothing in this subdivision shall be construed to
25 impair any other right or duty regarding any notice or hearing contained
26 in any other provision of law.~~

~~27 (c) Whenever a district attorney has received the notice described in
28 this subdivision, and the defendant is in the custody of the commis-
29 sioner pursuant to a final order of observation or an order of commitment,
30 he may apply within three days of receipt of such notice to a superior
31 court, for an order directing a hearing to be held to determine whether
32 such committed person is a danger to himself or others. Such hearing
33 shall be held within ten days following the issuance of such order. Such
34 order may provide that there shall be no further change in the committed
35 person's facility or status until the hearing. Upon a finding that the
36 committed person is a danger to himself or others, the court shall issue
37 an order to the commissioner authorizing retention of the committed
38 person in the status existing at the time notice was given hereunder,
39 for a specified period, not to exceed six months. The district attorney
40 and the committed person's attorney shall be entitled to the committed
41 person's clinical records in the commissioner's custody, upon the iss-
42 uance of an order directing a hearing to be held.~~

~~43 (d) Nothing in this subdivision shall be construed to impair any other
44 right or duty regarding any notice or hearing contained in any other
45 provision of law.]~~

46 § 9. Section 730.70 of the criminal procedure law, as amended by chap-
47 ter 629 of the laws of 1974, is amended to read as follows:

48 § 730.70 Fitness to proceed; procedure following termination of custody
49 by commissioner.

50 When a defendant is in the custody of the commissioner on the expira-
51 tion date of a final or temporary order of observation or an order of
52 commitment, or on the expiration date of the last order of retention, or
53 on the date an order dismissing an indictment is served upon the commis-
54 sioner, the superintendent of the institution in which the defendant is
55 confined may retain [~~him~~] such defendant for care and treatment for a
56 period of no more than thirty days from such date. If [~~the~~] during such

1 time two psychiatric examiners engaged by the superintendent [~~deter-~~
2 ~~mines~~] determine that the defendant is so mentally ill or mentally
3 defective as to require continued care and treatment in an institution,
4 [~~he~~] the superintendent may, before the expiration of such thirty day
5 period, apply for an order of [~~certification~~] retention in the manner
6 prescribed in section [~~31.33~~] 9.33 or 15.33 of the mental hygiene law.

7 § 10. Subdivision (a) of section 9.33 of the mental hygiene law, as
8 amended by chapter 789 of the laws of 1985, is amended to read as
9 follows:

10 (a) If the director shall determine that a patient admitted upon an
11 application supported by medical certification, for whom there is no
12 court order authorizing retention for a specified period, is in need of
13 retention and if such patient does not agree to remain in such hospital
14 as a voluntary patient, the director shall apply to the supreme court or
15 the county court in the county where the hospital is located for an
16 order authorizing continued retention. A court order issued pursuant to
17 article seven hundred thirty of the criminal procedure law shall be
18 deemed an order of retention under this section. Such application shall
19 be made no later than sixty days from the date of involuntary admission
20 on application supported by medical certification or thirty days from
21 the date of an order denying an application for patient's release pursu-
22 ant to section 9.31, whichever is later; and the hospital is authorized
23 to retain the patient for such further period during which the hospital
24 is authorized to make such application or during which the application
25 may be pending. The director shall cause written notice of such applica-
26 tion to be given the patient and a copy thereof shall be given
27 personally or by mail to the persons required by this article to be
28 served with notice of such patient's initial admission and to the mental
29 hygiene legal service. Such notice shall state that a hearing may be
30 requested and that failure to make such a request within five days,
31 excluding Sunday and holidays, from the date that the notice was given
32 to the patient will permit the entry without a hearing of an order
33 authorizing retention.

34 § 11. Subdivision (a) of section 15.33 of the mental hygiene law, as
35 amended by chapter 789 of the laws of 1985, is amended to read as
36 follows:

37 (a) If the director shall determine that a resident admitted upon an
38 application supported by medical certification, for whom there is no
39 court order authorizing retention for a specified period, is in need of
40 retention and if such resident does not agree to remain in such school
41 as a voluntary resident, the director shall apply to the supreme court
42 or the county court in the county where the school is located for an
43 order authorizing continued retention. A court order issued pursuant to
44 article seven hundred thirty of the criminal procedure law shall be
45 deemed an order of retention under this section. Such application shall
46 be made no later than sixty days from the date of involuntary admission
47 on application supported by medical certification or thirty days from
48 the date of an order denying an application for resident's release
49 pursuant to section 15.31, whichever is later; and the school is author-
50 ized to retain the resident for such further period during which the
51 school is authorized to make such application or during which the appli-
52 cation may be pending. The director shall cause written notice of such
53 application to be given the resident and a copy thereof shall be given
54 personally or by mail to the persons required by this article to be
55 served with notice of such resident's initial admission and to the
56 mental hygiene legal service. Such notice shall state that a hearing may

1 be requested and that failure to make such a request within five days,
 2 excluding Sunday and holidays, from the date that the notice was given
 3 to the resident will permit the entry without a hearing of an order
 4 authorizing retention.

5 § 12. Subdivision (c) of section 43.03 of the mental hygiene law, as
 6 amended by chapter 7 of the laws of 2007, is amended to read as follows:

7 (c) Patients receiving services while being held in the custody of the
 8 commissioner pursuant to order of a criminal court, other than patients
 9 committed to the department pursuant to section 330.20 of the criminal
 10 procedure law, or for examination pursuant to an order of the family
 11 court shall not be liable to the department for such services. Fees due
 12 the department for such services shall be paid by the county in which
 13 such court is located unless such services are or could be eligible for
 14 payment pursuant to the federal medical care assistance program and
 15 except that counties shall not be responsible for the cost of services
 16 rendered patients committed to the department pursuant to section 330.20
 17 of the criminal procedure law, section five hundred eight of the
 18 correction law or patients committed to the department pursuant to arti-
 19 cle nine, ten or fifteen of this chapter.

20 § 13. In the event that any county or any city with a population of
 21 one million or more in any one year reduces payments made to the state
 22 for restoration services pursuant to article 730 of the criminal proce-
 23 dure law by an amount which is less than the average of such expendi-
 24 tures for the previous three years, then such county or such city shall
 25 utilize such savings for needed services which are identified as needed
 26 in the local services plan, as defined in section 41.03 of the mental
 27 hygiene law, of such county or such city.

28 § 14. This act shall take effect on the ninetieth day after it shall
 29 have become a law.

30 PART UU

31 Section 1. Subdivision 11 of section 835 of the executive law, as
 32 amended by chapter 69 of the laws of 2024, is amended to read as
 33 follows:

34 11. "Mass shooting" means an incident in which at least four people
 35 are murdered or injured with a firearm, rifle, or shotgun.

36 § 2. Subparagraph (vi) of paragraph (b) of subdivision 2 of section
 37 631-a of the executive law, as added by chapter 69 of the laws of 2024,
 38 is amended to read as follows:

39 (vi) services to victims of a mass shooting as defined in subdivision
 40 eleven of section eight hundred thirty-five of this chapter [~~or of a~~
 41 ~~shooting incident in which four or more people are injured~~].

42 § 3. This act shall take effect immediately.

43 PART VV

44 Section 1. The executive law is amended by adding a new section 837-y
 45 to read as follows:

46 § 837-y. New York state office of gun violence prevention and the gun
 47 violence advisory council. 1. Definitions. For the purposes of this
 48 section:

49 (a) "Advisory council" means the gun violence advisory council estab-
 50 lished under subdivision three of this section.

51 (b) "Director" means the director of the New York state office of gun
 52 violence prevention.

1 (c) "Gun violence" includes but is not limited to any attempted crime,
2 crime, attempted suicide, suicide, and unintentional injury or death
3 involving a firearm.

4 (d) "Office" means the New York state office of gun violence
5 prevention established under subdivision two of this section.

6 2. Office of gun violence prevention. (a) The office of gun violence
7 prevention created under Executive Order 211 of 2021 is hereby reestab-
8 lished within the division. The office shall:

9 (i) direct the coordination of state, local, and federal government
10 stakeholders and the advisory council to align and advance efforts to
11 prevent and address gun violence impacting state residents.

12 (ii) centralize and coordinate grantmaking opportunities and allo-
13 cations to government and community stakeholders regarding gun violence
14 and gun violence prevention.

15 (iii) direct and enhance the state's health systems capacity to
16 prevent and respond to gun violence, including but not limited to state
17 hospital violence prevention initiatives. State and local community
18 violence intervention initiatives and programs.

19 (iv) direct and strengthen timely data collection and data infrastruc-
20 ture and research regarding firearm-related injuries, fatalities, and
21 incidents by focusing on data informed surveillance, prevention, and
22 intervention of gun violence statewide including but not limited to the
23 coordination with the state gun violence research institute.

24 (v) increase public awareness of gun violence and gun violence
25 prevention by conducting public education campaigns and utilizing other
26 strategies to increase knowledge and adoption of best practices related
27 to gun violence prevention, the various types of gun violence that
28 impact New York state, and resources available to individuals at risk of
29 or who have been impacted by gun violence. These campaigns and strate-
30 gies shall be designed in collaboration with government and community
31 stakeholders including but not limited to agencies and offices refer-
32 enced in paragraph (c) of subdivision three of this section.

33 (vi) direct and provide technical assistance, resources, and training
34 to professionals focused on violence intervention and prevention strate-
35 gies and best practices.

36 (vii) communicate regularly with members of the New York state legis-
37 lature and the governor to provide and receive recommendations regarding
38 effective gun violence prevention policy and programs.

39 (b) The head of the office shall be the director who shall be
40 appointed by the commissioner. The director shall oversee the develop-
41 ment and execution of the objectives of the office as established under
42 this section. The director shall hire staff to execute the office's
43 functions, as sufficient government funding permits, including but not
44 limited to three units:

45 (i) administration unit to manage budget, human resources, grant and
46 contract management and coordination;

47 (ii) planning and special projects unit; and

48 (iii) research and evaluation unit.

49 (c) The office shall issue an annual report including, but not limited
50 to, information on the state of gun violence in the state, recommenda-
51 tions for policy and programmatic initiatives to reduce gun violence in
52 the state, and a description of the efforts of the office to carry out
53 the duties and objectives of the office under this subdivision. Such
54 report shall be delivered to the governor, the temporary president of
55 the senate and the speaker of the assembly no later than one year after

1 the effective date of this section, and annually thereafter. Such report
2 shall be published on the division's website.

3 3. Gun Violence Advisory Council. (a) Within one hundred eighty days
4 of the effective date of this section, the commissioner shall convene
5 the gun violence advisory council to share information and resources to
6 provide support and guidance to the office of gun violence prevention
7 and make recommendations regarding the development and execution of the
8 office's responsibilities, strategies, and functions. Such advisory
9 council shall be chaired by the director and shall include no fewer than
10 twelve additional members selected by the director, including but not
11 limited to state, community, and national policy and public health
12 experts as well as a broad range of stakeholders including:

13 (i) a survivor of gun violence.

14 (ii) a senior-level representative from a community violence inter-
15 vention service provider.

16 (iii) a local public health official.

17 (iv) a medical professional who provides trauma care.

18 (v) a mental health clinician.

19 (vi) a district attorney or a representative designee.

20 (vii) a public school teacher who works in a school district dispro-
21 portionately impacted by gun violence.

22 (viii) a a young person age eighteen or under who has held a community
23 or advocacy leadership role.

24 (ix) a veteran.

25 (x) representatives from relevant state and local government agencies
26 involved and engaged in gun violence prevention initiatives or policy-
27 making.

28 (xi) public safety/law enforcement professionals.

29 (xii) a senior-level representative of a victim service provider.

30 (b) The office shall convene and consult the advisory council on a
31 quarterly basis for the purpose of discussing any of the council's
32 recommendations regarding the development and execution of the office's
33 responsibilities, strategies, and functions. At the discretion of the
34 director, the office may convene and communicate with the advisory coun-
35 sel as determined to be necessary.

36 (c) To comprehensively address gun violence in New York state, the
37 following state executive agencies shall collaborate with the office to
38 support prevention, intervention, and policy implementation strategies
39 including but not limited to the department of health, department of
40 education, department of labor, office of mental health, office of chil-
41 dren and family services, office of victim services, office of temporary
42 and disability assistance, office for the prevention of domestic
43 violence, office of the New York state attorney general, division of
44 homeland security, state police, and all other divisions and offices
45 within the division of criminal justice services.

46 § 2. This act shall take effect on the ninetieth day after it shall
47 have become a law. Effective immediately, the addition, amendment
48 and/or repeal of any rule or regulation necessary for the implementation
49 of this act on its effective date are authorized to be made and
50 completed on or before such effective date.

51

PART WW

52 Section 1. Short title. This act shall be known and may be cited as
53 the "Renewable Capitol Act".

1 § 2. The executive law is amended by adding a new section 204 to read
2 as follows:

3 § 204. Renewable capitol project. 1. For the purpose of this section,
4 the following terms shall have the following meanings:

5 (a) The "advisory committee" shall mean the committee established
6 pursuant to paragraph (a) of subdivision three of this section.

7 (b) The "CLCPA" shall mean the New York state climate leadership and
8 community protection act enacted as chapter one hundred six of the laws
9 of two thousand nineteen, as it shall from time to time be amended.

10 (c) "Co-pollutants" shall have the same meaning as set forth in subdi-
11 vision three of section 75-0101 of the environmental conservation law.

12 (d) "Emergency generator" shall mean the set of diesel generators
13 located on Sheridan Avenue in Albany, New York as of the effective date
14 of this section, that are intended to power the empire state plaza
15 complex during an emergency fault condition causing an interruption to
16 normal electricity service from the grid.

17 (e) "Empire state plaza complex" or the "complex" shall mean the
18 complex of state-owned buildings and the land thereon in Albany, New
19 York that utilize the steam distribution network of the Sheridan Avenue
20 steam plant, including what are popularly known as Empire State Plaza,
21 the State Capitol Building, the State Museum, the Alfred E. Smith Build-
22 ing, the State Education Building, the Sheridan Avenue steam plant, and
23 the former Albany New York Solid Waste Energy Recovery System incinera-
24 tor building.

25 (f) "Greenhouse gas" shall have the same meaning as set forth in
26 subdivision seven of section 75-0101 of the environmental conservation
27 law.

28 (g) The "local community" shall mean the portion of Albany, New York
29 designated as the local community under the plan, which shall include,
30 at a minimum, the Albany Sheridan Hollow, Arbor Hill, Center Square,
31 Mansion, Washington Park, West Hill and South End neighborhoods.

32 (h) "NYSERDA" shall mean the New York state energy research and devel-
33 opment authority created under section eighteen hundred fifty-two of the
34 public authorities law.

35 (i) The "office of general services" or the "office" shall mean the
36 agency created under section two hundred of this article.

37 (j) The "empire state plaza decarbonization plan" or "plan" shall mean
38 the plan set forth in subdivision three of this section, and mandated by
39 this section and section ninety-one of the public buildings law.

40 (k) The "project" shall mean the work on the empire state plaza
41 complex mandated by this section and section ninety-one of the public
42 buildings law.

43 (l) A "power purchase agreement" shall mean an agreement between two
44 parties, the seller and the buyer, to enter into a contractual obli-
45 gation for the purchase of electricity.

46 (m) "Renewable energy systems" means systems that entirely generate
47 electricity or thermal energy through use of the following technologies:
48 solar thermal, photovoltaics, on land and offshore wind, hydroelectric,
49 geothermal electric, geothermal ground source heat, tidal energy, wave
50 energy, ocean thermal, and fuel cells which do not utilize a fossil fuel
51 resource in the process of generating electricity or thermal energy.

52 (n) "Sheridan Avenue steam plant" shall mean the steam plant facility
53 owned by New York state located as of the time of the effective date of
54 this section at 79 Sheridan Avenue in Albany, New York.

55 2. (a) Within three years after the effective date of this section,
56 the office of general services, in consultation with the power authority

1 of the state of New York, shall ensure that all operations that power,
2 heat or cool the empire state plaza complex shall entirely use renewable
3 energy systems. In satisfying this requirement, the office may demon-
4 strate that the amount of electrical energy credited to the complex
5 annually from renewable sources through a power purchase agreement or
6 similar instrument is not less than the amount of electrical energy
7 consumed annually by the complex. Notwithstanding this mandate, the
8 emergency generator shall be permitted to utilize non-renewable energy,
9 but the office shall be empowered to retire or convert the emergency
10 generator to wholly or entirely utilize renewables if possible.

11 (b) The project and the empire state plaza complex shall comply with
12 the CLCPA, and any rules and regulations issued thereunder, and, in
13 particular, section seven of such law; the statewide greenhouse gas
14 emissions limits set forth in section 75-0107 of the environmental
15 conservation law; and the targets established in subdivision two of
16 section sixty-six-p of the public service law. Nothing in this paragraph
17 shall preclude the office from mandating lower greenhouse gas emissions
18 limits or compliance with greenhouse gas emissions limits in a shorter
19 timeframe than set forth in section 75-0107 of the environmental conser-
20 vation law, or in mandating a higher percentage of renewables or in a
21 shorter timeframe than in subdivision two of section sixty-six-p of the
22 public service law. Except in regard to the provision regarding to the
23 emergency generator as set forth in paragraph (a) of this subdivision,
24 any action taken in furtherance of the project that leads to any
25 increase in the emissions of greenhouse gases shall be deemed inconsis-
26 tent with and in interference with the attainment of the statewide green-
27 house gas emissions limits established in article seventy-five of the
28 environmental conservation law and therefore shall trigger the process
29 set forth in subdivision two of section seven of the CLCPA.

30 3. (a) Within sixty days of the effective date of this section, the
31 office shall establish an advisory committee to advise it on the prepa-
32 ration, design and content of the plan. Such plan shall be completed no
33 later than January thirty-first, two thousand twenty-six. The advisory
34 committee shall consist of the commissioner of the department of envi-
35 ronmental conservation and the chief executive officer of NYSERDA, or
36 their designees, and additional members which shall be appointed by such
37 commissioner in consultation with such chief executive officer, as
38 follows: three representatives of Albany community organizations, at
39 least two of which are from organizations whose mission, in whole or in
40 part, is to represent the interests of the Arbor Hill and/or Sheridan
41 Hollow neighborhoods in Albany; two additional representatives of local
42 environmental justice organizations; one individual not employed by New
43 York state with recognized expertise in renewable energy; a represen-
44 tative of labor organizations; a scientist with expertise in energy and
45 climate policy; an engineer with expertise in energy (including geother-
46 mal) and climate policy; and the mayor of Albany or their designee. The
47 advisory committee shall meet at least three times annually, or addi-
48 tional times as the committee shall by majority vote determine. At such
49 meetings, which shall be open to the public, the office, among other
50 things, shall report on the progress made in completing the project and
51 otherwise implementing this section. The advisory committee members
52 shall receive no compensation for their services but shall be reimbursed
53 for their actual and necessary expenses incurred in the performance of
54 their duties. All agencies of the state or subdivisions thereof may, at
55 the request of the advisory panel or the office, provide the advisory

1 panel with such facilities, assistance and data as will enable the advisory
2 panel to carry out its powers and duties.

3 (b) Each member of the advisory committee shall be entitled to one
4 vote. No action may be taken by the advisory committee unless there is
5 a quorum, which shall at all times be a majority of the members of the
6 committee.

7 (c) The office shall retain a third party to perform an engineering
8 study to be completed within one hundred eighty days after the effective
9 date of this section, which shall consider the matters set forth in
10 paragraph (f) of this subdivision and any other matters consistent with
11 this section that the office shall direct. For the purposes of this
12 paragraph, the term "third party" shall mean a professional engineer,
13 not employed by the state of New York, or an engineering firm, provided
14 that none of the engineers employed by such firm shall also be employed
15 by the state of New York.

16 (d) The office shall be transparent in its work to develop the plan
17 and shall maintain a website where a draft plan and other documents
18 relevant to its development shall be posted for public review at least
19 fourteen days prior to the first of the public hearings mandated by this
20 paragraph. The advisory committee shall hold at least two public hear-
21 ings at least sixty days prior to the release of the final plan, of
22 which one shall be held in the Arbor Hill or Sheridan Hollow neighbor-
23 hoods and one shall be held during the evening or weekend hours. The
24 advisory committee shall make provisions for online and telephonic
25 attendance and participation. At such public hearings, the draft plan
26 shall be made available in written form for those physically attending.
27 Provisions shall also be made for written comments on the draft plan.

28 (e) The plan shall contain recommendations on regulatory measures and
29 other state actions to ensure that the mandates in subdivisions two and
30 three of this section and section ninety-one of the public buildings law
31 are met. The measures and actions set forth in the plan shall include:

32 i. a timeline for planned steps toward the completion of the project,
33 including, but not limited to construction of the project and obtaining
34 the necessary permits to begin operation. The timeline should maximize
35 the potential for achieving, and if feasible making greater emissions
36 reductions than the statewide greenhouse gas emissions limits set forth
37 in section 75-0107 of the environmental conservation law and meeting the
38 other mandates of the CLCPA;

39 ii. measures to maximize the benefits to the local community, includ-
40 ing prioritizing the reduction of greenhouse gases and co-pollutants and
41 improving public health in the local community;

42 iii. measures to optimize thermal load sharing, energy efficiency,
43 demand response, and energy conservation;

44 iv. comprehensive consideration of renewable heat exchange systems or
45 a combination of such systems to meet the heating and cooling needs of
46 the empire state plaza complex, including but not limited to: geothermal
47 heat exchange with the earth, geothermal heat exchange with the Hudson
48 River, open-loop and closed-loop geothermal heat exchange with the aqui-
49 fer, heat exchange with potable water supplies, heat recovery from
50 wastewater sources, air-source heat pump technology, and thermal stor-
51 age, provided that such systems do not use combustion-based or fossil
52 fuel energy;

53 v. prioritization of electricity procurement from renewable sources
54 within New York Independent System Operator (NYISO) Zone F, especially
55 sources most capable of providing electricity serving real-time load
56 conditions of the empire state plaza complex. This shall include, but

1 not be limited to, consideration of projects that expand electricity
2 generation from ecologically-responsible, run-of-the-river hydroelectric
3 facilities within the region; and

4 vi. electricity service upgrades for the empire state plaza complex
5 necessary to support measures identified in this section.

6 (f) In designing the plan, the office shall be guided by any recommen-
7 dations contained in the engineering study mandated by paragraph (c) of
8 this subdivision, and any comments or recommendations made by the advi-
9 sory committee, including as to such engineering study. Such advisory
10 committee shall also be entitled to reject or modify any recommendation
11 upon a finding that such recommendation would be inconsistent with or
12 will interfere with the attainment of the statewide greenhouse gas emis-
13 sions limits established in article seventy-five of the environmental
14 conservation law, the climate justice provisions of the CLCPA, any rules
15 or regulations issued thereunder, or this section. If the advisory
16 committee rejects or modifies any recommendation, the original version
17 of the recommendations as set forth in the engineering study shall
18 presumptively not be considered by the office, unless substantial
19 evidence exists to support the study's initial recommendations.

20 (g) The plan shall designate the geographic boundaries of the local
21 community. In designating such boundaries, which shall include the Alba-
22 ny Sheridan Hollow, Arbor Hill, Center Square, Mansion, Washington Park,
23 West Hill, and South End neighborhoods, the office shall consider
24 including in its designation any other communities that experience
25 impacts on their water, air quality, noise and traffic from the empire
26 state plaza complex.

27 (h)(i) Any project that may be funded as a result of the renewable
28 capitol project completed pursuant to this section shall: (A) be deemed
29 a public work project subject to article eight of the labor law; (B)
30 require that the component parts of any renewable capitol project are
31 produced or made in whole or substantial part in the United States, its
32 territories or possessions, subject to a waiver provision similar to the
33 one contained in subdivision two of section sixty-six-s of the public
34 service law; (C) contain a requirement that any public owner or third
35 party acting on behalf of a public owner enter into a project labor
36 agreement as defined by section two hundred twenty-two of the labor law
37 for all construction work; and (D) require the payment of prevailing
38 wage standards consistent with article nine of the labor law for build-
39 ing services work.

40 (ii) Notwithstanding any provision of law to the contrary, all rights
41 or benefits, including terms and conditions of employment, and
42 protection of civil service and collective bargaining status of all
43 existing public employees and the work jurisdiction, covered job
44 titles, and work assignments, set forth in the civil service law and
45 collective bargaining agreements with labor organizations represent-
46 ing public employees shall be preserved and protected. Any such project
47 shall not result in the: (A) displacement of any currently employed
48 worker or loss of position (including partial displacement as such a
49 reduction in the hours of non-overtime work, wages, or employment bene-
50 fits) or result in the impairment of existing collective bargaining
51 agreements; (B) transfer of existing duties and functions related to
52 maintenance and operations currently performed by existing employees of
53 authorized entities to a contracting entity; or (C) transfer of future
54 duties and functions ordinarily performed by employees of authorized
55 entities to a contracting entity.

1 (i) In the case of any conflict as to the requirements of this section
2 and section ninety-one of the public buildings law in regard to the
3 project, this section shall prevail.

4 § 3. The tenth undesignated paragraph of section 1005 of the public
5 authorities law, as added by chapter 55 of the laws of 1992, is amended
6 to read as follows:

7 The authority is further authorized, as deemed feasible and advisable
8 by the trustees, to acquire, maintain, manage, operate, improve and
9 reconstruct as a project or projects of the authority one or both of the
10 steam generation facilities owned by the state known as the Sheridan
11 [~~avenue~~] Avenue steam [~~generating~~] plant [~~on Sheridan avenue in the city~~
12 ~~of Albany and used to supply steam to state facilities~~], together with
13 any properties, buildings and equipment at the sites thereof or ancil-
14 lary thereto, for the generation and sale of thermal energy and the
15 cogeneration and sale of electricity for use by facilities of the state
16 within the county of Albany. All the authority's costs, including its
17 acquisition, capital, operating and maintenance costs, shall be recov-
18 ered fully from the customers receiving service from such project or
19 projects. Thermal energy and electricity not required by the state may
20 be sold by the authority to others. The authority is not authorized to
21 use refuse or refuse-derived fuel in operating the project or projects.

22 As of the time period specified in paragraph (a) of subdivision two of
23 section two hundred four of the executive law, all of the energy,
24 including but not limited to heat, cooling and electricity, produced at
25 the Sheridan Avenue steam plant shall utilize renewable energy systems.

26 Any agreement for such acquisition shall insure that the authority is
27 not liable or otherwise responsible for circumstances arising from the
28 prior operation of such facilities. The acquisition and purchase of such
29 land, buildings and equipment by the authority, and any actions taken to
30 effect such acquisition and purchase, are hereby exempt from the
31 provisions of article eight of the environmental conservation law. The
32 application of such exemption shall be strictly limited to the acquisi-
33 tion and purchase of such land, buildings and equipment by the authority
34 and such agreements with the state. Nothing herein shall exempt the
35 authority from otherwise applicable laws respecting the expansion,
36 conversion, operation and maintenance of such land, buildings and equip-
37 ment. For the purposes of this subdivision, the terms "renewable energy
38 systems" and "Sheridan Avenue steam plant" shall have the same meanings
39 as in subdivision one of section two hundred four of the executive law.

40 § 4. Subdivisions 2 and 3 of section 90 of the public buildings law,
41 as added by section 5 of part RR of chapter 56 of the laws of 2023, are
42 amended to read as follows:

43 2. "Decarbonization" and "decarbonize" means eliminating all on-site
44 combustion of fossil-fuels and associated co-pollutants with the excep-
45 tion of back-up emergency generators and redundant systems needed to
46 address public health, safety and security, providing heating and cool-
47 ing through thermal energy, and thermal energy networks, from non-com-
48 bustion sources, and to the greatest extent feasible producing on-site
49 electricity that is one hundred percent renewable. Notwithstanding the
50 provisions of this subdivision, for purposes of the empire state plaza
51 complex, such term shall mean meeting the requirements of subdivisions
52 two and three of section two hundred four of the executive law, and
53 section ninety-one of this article, as such requirements are applicable
54 to the empire state plaza complex.

55 3. "Highest-emitting facilities" means state-owned facilities that are
56 among the highest producers of greenhouse gas emissions and collectively

1 account for at least thirty percent of the greenhouse gas emissions as
2 recorded by the authority's Build Smart NY program established pursuant
3 to Executive Order 88 of 2012. Notwithstanding the provisions of this
4 subdivision, one of such facilities shall be the empire state plaza
5 complex. For purposes of this article, the "empire state plaza complex"
6 shall have the same meaning as defined in paragraph (e) of subdivision
7 one of section two hundred four of the executive law.

8 § 5. The opening paragraph and paragraph (g) of subdivision 1 and
9 subdivision 2 of section 91 of the public buildings law, as added by
10 section 5 of part RR of chapter 56 of the laws of 2023, are amended and
11 a new paragraph (l) is added to subdivision 1 to read as follows:

12 The authority is hereby authorized and directed to establish decarbon-
13 ization action plans for fifteen of the highest-emitting facilities that
14 will serve as a basis for decarbonizing the facilities to the maximum
15 extent practicable, and subject to any needed redundant systems and
16 back-up systems needed for public safety and security. [~~Decarboniza-~~
17 ~~tion~~] Except as provided in paragraph (h) of subdivision three of
18 section two hundred four of the executive law, decarbonization action
19 plans shall address the following matters at a minimum:

20 (g) [~~Identification~~] Except for the empire state plaza decarbonization
21 plan, identification of any parts of the facilities that cannot be
22 decarbonized, with explanations.

23 (l) In the case of the empire state plaza complex decarbonization
24 action plan, the items listed in paragraph (f) of subdivision three of
25 section two hundred four of the executive law.

26 2. [~~The~~] Except for the decarbonization plan for the empire state
27 plaza complex, the authority shall complete the decarbonization action
28 plans no later than January thirty-first, two thousand twenty-six,
29 provided that such date shall be extended for justifiable delay outside
30 the control of the authority, including, but not limited to, previously
31 planned or current major renovations or replacements to the facilities,
32 delayed permitting or approval by building owners, local authorities, or
33 other essential parties, external resource bottlenecks, pending or unre-
34 solved investigations into utility grid capacity or similar circum-
35 stances where crucial information is not yet available or determined.
36 Such extension shall be limited to the time necessary to address the
37 factors causing such delay. The empire state decarbonization plan shall
38 be completed by January thirty-first, two thousand twenty-six, and no
39 exclusions for justifiable delays shall be permitted.

40 § 6. Subdivisions 5, 6 and 7 of section 91 of the public buildings law
41 are renumbered subdivisions 6, 7 and 8, and a new subdivision 5 is added
42 to read as follows:

43 5. The authority shall be authorized to use the funding provided in
44 subdivision four of this section to prepare the decarbonization action
45 plan for the empire state plaza complex, to update or modify any study
46 or plan undertaken, with the goal, in whole or in part of reducing
47 greenhouse gas emissions applicable to such complex, or to perform the
48 engineering study mandated by paragraph (d) of subdivision three of
49 section two hundred four of the executive law, provided that such plan
50 or study in the view of the authority would provide information useful
51 for achieving the purposes of such section.

52 § 7. This act shall take effect immediately.

1 Section 1. The executive law is amended by adding a new article 15-D
2 to read as follows:

3 ARTICLE 15-D

4 OFFICE OF NATIVE AMERICAN AFFAIRS

5 Section 328-d. Office of Native American affairs.

6 328-e. General functions, powers and duties.

7 § 328-d. Office of Native American affairs. 1. There is hereby created
8 in the executive department an office of Native American affairs. The
9 head of the office shall be the commissioner of Native American affairs
10 who shall be appointed by the governor and who shall hold office at the
11 pleasure of the governor.

12 2. The commissioner shall receive an annual salary to be fixed by the
13 governor within the amount made available therefor by an appropriation
14 and shall be allowed such commissioner's actual and necessary expenses
15 in the performance of such commissioner's duties.

16 3. The commissioner shall direct the work of the office and shall be
17 the chief executive officer of the office. The commissioner may appoint
18 such officers and employees as such commissioner may deem necessary,
19 prescribe their duties, fix their compensation, and provide for the
20 reimbursement of their expenses, all within amounts made available
21 therefor by appropriation.

22 § 328-e. General functions, powers and duties. The office of Native
23 American affairs by and through the commissioner or such commissioner's
24 duly authorized officers and employees, shall:

25 1. Act as a centralized office for Native American nations to access
26 information on state programs that are provided to Native Americans.

27 2. Develop and maintain cooperative relationships between New York
28 state's Native nations, Native organizations, Native American citizens,
29 and the state.

30 3. Establish, manage, coordinate, and facilitate Native American-re-
31 lated policies, positions, and programs.

32 4. Advise and assist state agencies in developing policies, plans, and
33 programs for Native Americans.

34 5. Serve as a connector for New York state's Native nations to other
35 state agencies and programs.

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

38 PART YY

39 Section 1. Section 101 of the state technology law is amended by
40 adding two new subdivisions 7 and 8 to read as follows:

41 7. "Artificial intelligence" or "AI" shall mean: (a) a machine-based
42 system that operates with varying levels of autonomy and that may exhib-
43 it adaptiveness after deployment and that, for explicit or implicit
44 objectives, infers, from the input the system receives, how to generate
45 outputs such as predictions, content, recommendations, or decisions that
46 may influence physical or virtual environments. This includes, but is
47 not limited to, systems, applications, software, or devices designed to:

48 (i) Sense, interpret, process, analyze, or otherwise comprehend data,
49 text, speech, voice, images, video, sensor inputs, or other forms of
50 information from physical and virtual environments.

51 (ii) Abstract concepts, detect patterns, extract features, develop
52 explanatory and predictive data models, or otherwise derive higher-order
53 insights through analysis of data and information.

1 (iii) Apply reasoning, decision logic, knowledge representation,
2 prediction models, data model inferences, or other structured and
3 unstructured techniques and capabilities to generate options, recommen-
4 dations, forecasts, determinations, conclusions, actions, or other
5 outputs that influence physical or virtual environments, systems, appli-
6 cations, devices, or decision-making.

7 (iv) Operate autonomously once deployed, regardless of whether
8 designed to allow human monitoring, oversight, intervention, or over-
9 ride.

10 (b) This definition shall not include any software used primarily for
11 basic computerized processes, such as calculators, spell check tools,
12 autocorrect functions, spreadsheets, electronic communications, or any
13 tool that relates only to internal management affairs such as ordering
14 office supplies or processing payments, and that do not materially
15 affect the rights, liberties, safety or welfare of any human.

16 8. "Automated decision-making system" shall mean any software that
17 uses algorithms, computational models, or artificial intelligence, or a
18 combination thereof, to automate, support, or replace human decision-
19 making and shall include, without limitation, systems that process data,
20 and apply predefined rules or machine learning algorithms to analyze
21 such data, and generate conclusions, recommendations, outcomes, assump-
22 tions, projections, or predictions. "Automated decision-making system"
23 shall not include any software used primarily for basic computerized
24 processes, such as calculators, spell check tools, autocorrect func-
25 tions, spreadsheets, electronic communications, or any tool that relates
26 only to internal management affairs such as ordering office supplies or
27 processing payments, and that do not materially affect the rights,
28 liberties, safety or welfare of any human.

29 § 2. The state technology law is amended by adding a new section 102-a
30 to read as follows:

31 § 102-a. Chief artificial intelligence officer; functions, powers and
32 duties. 1. There is hereby established the office of artificial intelli-
33 gence within the office. The head of such office shall be the chief
34 artificial intelligence officer and shall be appointed by the governor
35 with the advice and consent of the senate. The chief artificial intelli-
36 gence officer shall be in sole charge of the administration of the
37 office, and shall report to the executive department. The chief artifi-
38 cial intelligence officer shall be designated as management confidential
39 in the noncompetitive class in accordance with the civil service law.
40 The chief artificial intelligence officer shall have expertise in arti-
41 ficial intelligence, data privacy, and the technology industry.

42 2. The office of artificial intelligence shall have the following
43 functions, powers and duties:

44 (a) Develop statewide artificial intelligence policies and governance,
45 including but not limited to:

46 (i) Developing and updating state policy and guidelines on the use,
47 procurement, development, and deployment of artificial intelligence and
48 automated decision-making systems in a manner consistent with state
49 laws;

50 (ii) Developing and updating a handbook regarding the use, study,
51 development, evaluation, and procurement of systems that use artificial
52 intelligence, in a manner consistent with state and federal laws, and
53 national and international standards for use by the state's departments,
54 boards, commissions, agencies and authorities;

55 (iii) Developing a risk management plan, including procedures for
56 assessing and classifying risk levels, including, but not limited to,

1 pertaining to the operations of the state, data security and privacy,
2 and the rights, liberties, safety and welfare of any human for use of
3 artificial intelligence and automated decision-making systems by the
4 state's departments, boards, commissions, agencies and authorities; and

5 (iv) Setting governance standards for human oversight of artificial
6 intelligence and automated systems, and determining resource require-
7 ments for responsible adoption, including, but not limited to developing
8 and deploying employee training programs for safe and responsible use of
9 artificial intelligence; and

10 (v) Ensuring public access requirements are established for the publi-
11 cation of information related to each state agency use of automated
12 decision-making systems and artificial intelligence;

13 (b) Coordinate the activities of any and all state departments,
14 boards, commissions, agencies and authorities performing any functions
15 using artificial intelligence tools;

16 (c) Coordinate and track state department, board, commission, agency
17 and authority procurement and planning in state programs;

18 (d) Investigate and assess what resources, monetary or otherwise, if
19 any, a department, board, commission, authority or agency requires to
20 adapt to the changes that artificial intelligence will bring to the
21 regulatory landscape and to adequately adopt and oversee the use of
22 artificial intelligence across its operations;

23 (e) Provide guidance to governmental entities in developing, designing
24 and deploying standards, mission, regulations, investments, practices,
25 systems pertaining to the use of artificial intelligence tools and auto-
26 mated decision-making systems, in a manner that protects the rights and
27 safety of individuals, including but not limited to employee training,
28 protecting privacy and data security, safeguarding against discrimi-
29 nation based on race, gender, ethnicity, religion, disability, sexual
30 orientation, or socioeconomic status, mitigating risks of misinformation
31 and manipulation, and impact on the human workforce;

32 (f) Recommend the replacement, disconnection or deactivation of any
33 application that utilizes artificial intelligence or any automated deci-
34 sion-making system and that demonstrates that deployment and use is
35 inconsistent with provisions of law or is otherwise harmful to the oper-
36 ations of the state, data security and privacy, or the rights, liber-
37 ties, safety, and welfare of any human;

38 (g) Study the implications of the usage of artificial intelligence for
39 data collection to inform testing and evaluation, verification and vali-
40 ation of artificial intelligence to ensure that artificial intelligence
41 will perform as intended, including when interacting with humans and
42 other systems, develop common metrics to assess trustworthiness that
43 artificial intelligence systems will perform as intended, and minimize
44 performance problems and unanticipated outcomes, protect against risks
45 to data security and privacy, and address the possibility of intentional
46 misuse of an artificial intelligence system;

47 (h) Submit a report annually to the temporary president of the senate
48 and the speaker of the assembly on progress, findings, studies and
49 recommendations regarding the use of artificial intelligence and auto-
50 mated decision-making systems in the various government agencies. Such
51 report shall also be made publicly available on the office of informa-
52 tion technology website. Where the chief artificial intelligence officer
53 makes a determination that such disclosure would result in a substantial
54 negative impact on health or safety of the public, infringe upon the
55 privacy rights of individuals, or significantly impair the state's abil-
56 ity to protect its information technology or operational assets, the

1 officer may redact such information, provided an explanatory statement
2 by which such determination was made is published along with the redact-
3 ed report. The provisions of this subdivision shall not be deemed to
4 require or authorize the disclosure of confidential information or trade
5 secrets; and

6 (i) Investigate and conduct periodic audits of any department's,
7 board's, commission's, agency's or authority's use of artificial intel-
8 ligence tools or automated decision-making systems to ensure:

9 (i) departments, boards, commissions, agencies and authorities devel-
10 op, acquire and use such tools or systems that comply with the constitu-
11 tion, state and federal laws;

12 (ii) ensure that any benefit a department, board, commission, agency
13 or authority receives by using such tools or systems outweighs any risk
14 in using that automated system;

15 (iii) ensure that each such tool or system is secure, protected and
16 resistant to circumstances in which that automated system faces any
17 systematic vulnerability, manipulation or malicious exploitation; and

18 (iv) nothing in this section shall be construed as restricting the
19 artificial intelligence officer's or any state department's, board's,
20 commission's, authority's or agency's access to:

21 (1) conduct any internal investigation aimed at developing, improving
22 or repairing any product, service or technology,

23 (2) prevent, detect, protect, respond, investigate, report to any
24 person responsible for any security incident, identity theft, fraud,
25 harassment, malicious or misleading activity or illegal activity, or

26 (3) preserve the integrity or security of any system.

27 3. To effectuate the purposes of this section, the chief artificial
28 intelligence officer may request and receive from any department, divi-
29 sion, board, bureau, commission or other agency of the state or any
30 political subdivision thereof or any public authority, staff and other
31 assistance, information, and resources as will enable the office of
32 artificial intelligence to properly carry out its functions, powers and
33 duties.

34 § 3. The state technology law is amended by adding a new section 104-a
35 to read as follows:

36 § 104-a. Advisory committee for state artificial intelligence policy.

37 1. There is hereby created in the office an advisory committee for state
38 artificial intelligence policy. The chief artificial intelligence offi-
39 cer shall serve as chair of the committee. The committee shall be
40 composed of a minimum of seven representatives or their equivalent
41 selected from state agencies and appointed by the governor, provided
42 that no more than one member shall be appointed from a single agency,
43 and provided further that the director shall serve as an ex-officio
44 member of the committee. In addition, one member shall be appointed by
45 the speaker of the assembly, one by the temporary president of the
46 senate, and two members to be appointed by the governor at the recommen-
47 dation of the two largest organizations in the state representing munic-
48 ipal leadership.

49 2. All members of the advisory committee shall serve at the pleasure
50 of their appointing authority. The members of the committee shall
51 receive no compensation for their services, but shall be allowed their
52 actual and necessary expenses incurred in the performance of their
53 duties.

54 3. No member of the advisory committee shall be disqualified from
55 holding any other public office, nor forfeit any such office by reason
56 of appointment hereunder, notwithstanding the provisions of any general,

1 special or local law, ordinance or city charter, provided however that
2 members appointed by the governor, speaker of the assembly, or temporary
3 president of the senate shall be considered state officers and subject
4 to the provisions of paragraph (a) of subdivision eight of section
5 seventy-three of the public officers law.

6 4. The advisory committee shall, at minimum, meet twice in each calen-
7 dar year, provided that additional meetings of the advisory committee
8 may be called by the chairperson at any time.

9 5. The advisory committee shall:

10 (a) Advise the chief artificial intelligence officer on best practices
11 for the use of artificial intelligence and automated decision-making
12 systems in agencies;

13 (b) Advise the chief artificial intelligence officer on state policy
14 for artificial intelligence and automated decision-making systems;

15 (c) Advise the chief artificial intelligence officer on the current
16 state of the state in relation to competitiveness in artificial intelli-
17 gence, including the scope and scale of New York's investments in arti-
18 ficial intelligence research and development;

19 (d) Advise the chief artificial intelligence officer on improving the
20 workforce, including use in training, education and worker assistance in
21 relation to the use of artificial intelligence;

22 (e) Advise the chief artificial intelligence officer on leveraging
23 local resources to optimize and improve operations in various areas of
24 government operations, including but not limited to medical services,
25 cyber security, infrastructure, and recovery from natural disasters;

26 (f) Advise the chief artificial intelligence officer on opportunities
27 for local, regional, interstate, federal, and international cooperation
28 in artificial intelligence research activities, standards development
29 and regulations;

30 (g) Advise the chief artificial intelligence officer on strategies to
31 prevent and mitigate artificial intelligence-assisted misinformation
32 campaigns and the potentially harmful effects of artificial intelli-
33 gence;

34 (h) Advise the chief artificial intelligence officer on how the state
35 can leverage the substantial and growing expertise of the emerging tech-
36 nologies, such as artificial intelligence, in the long-term development
37 of public policies that affect the privacy, rights, and the use of arti-
38 ficial intelligence online;

39 (i) Advise the chief artificial intelligence officer on strategies for
40 the development of inter-governmental cooperation among agencies of the
41 federal, state, and local governments and cooperation; and

42 (j) Make periodic recommendations to the legislature on legislative or
43 regulatory changes.

44 § 4. Subdivisions 2 and 3 of section 102 of the state technology law,
45 as added by chapter 430 of the laws of 1997 and such section as renum-
46 bered by chapter 437 of the laws of 2004, are amended to read as
47 follows:

48 2. The head of the office shall be the director of the office, who
49 shall serve as the chief technology officer for the state of New York
50 and shall be designated as management confidential in the noncompetitive
51 class in accordance with the civil service law. The director shall be
52 the chief executive officer of and in sole charge of the administration
53 of the office, with exception to the office established pursuant to
54 section one hundred two-a of this article and the committee established
55 pursuant to section one hundred four-a of this article. The director
56 shall be entitled to receive reimbursement for expenses actually and

1 necessarily incurred by [~~him or her~~] such director in the performance of
 2 [~~his or her~~] such director's duties.
 3 3. The director may, from time to time, create, abolish, transfer and
 4 consolidate bureaus and other units within the office not expressly
 5 established by law as [~~he or she~~] such director may determine necessary
 6 for the efficient operation of the office, subject to the approval of
 7 the director of the budget, with exception to the office established
 8 pursuant to section one hundred two-a of this article and the committee
 9 established pursuant to section one hundred four-a of this article.
 10 § 5. This act shall take effect on the ninetieth day after it shall
 11 have become a law.

PART ZZ

13 Section 1. Section 604-b of the retirement and social security law is
 14 amended by adding a new subdivision f to read as follows:
 15 f. Death benefits. Notwithstanding any provision of law to the contra-
 16 ry, where a New York city transit authority member would have been enti-
 17 tled to a service retirement benefit at the time of their death but had
 18 not yet filed for such service retirement pursuant to subparagraph (iv)
 19 of paragraph one of subdivision c of this section, and where such death
 20 occurs on or after the effective date of this subdivision, the benefici-
 21 ary or beneficiaries of such member may elect to receive, in a lump sum
 22 or on an annuitized basis, an amount payable which shall be equal to the
 23 pension reserve that would have been established had such member retired
 24 on the date of their death.
 25 § 2. Notwithstanding any other provision of law to the contrary, none
 26 of the provisions of this act shall be subject to section 25 of the
 27 retirement and social security law.
 28 § 3. This act shall take effect immediately.
 FISCAL NOTE.--Pursuant to Legislative Law, Section 50:
 SUMMARY: This proposed legislation would provide an alternative death
 benefit for Transit Tier 4 and Tier 6 Special Plan members of the New
 York City Employees' Retirement System (NYCERS) who die on or after the
 effective date.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
 by Fiscal Year for the first 25 years (\$ in Millions)

Year	NYCERS
2026	4.2
2027	4.2
2028	4.3
2029	4.3
2030	4.3
2031	4.3
2032	4.3
2033	4.3
2034	4.3
2035	4.3
2036	4.3
2037	4.3
2038	1.0
2039	1.0
2040	1.0
2041	1.0

2042	1.0
2043	1.1
2044	1.1
2045	1.1
2046	1.1
2047	1.1
2048	1.1
2049	1.1
2050	1.1

Projected contributions include future new hires that may be impacted. For Fiscal Year 2051 and beyond, the expected increase in normal cost as a level percent of pay for impacted new entrants is approximately 0.01%.

The increase in employer contributions will be allocated to the New York City Transit Authority.

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. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
as of June 30, 2024 (\$ in Millions)

Present Value (PV)	NYCERS
(1) PV of Employer Contributions:	34.3
(2) PV of Employee Contributions:	<u>0.0</u>
Total PV of Benefits (1) + (2):	34.3

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL were amortized over the expected remaining working lifetime of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	NYCERS
Increase (Decrease) in UAL:	25.2 M
Number of Payments:	12
Amortization Payment:	3.3 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the impacted population is summarized below.

	NYCERS
Active Members	
- Number Count:	37,476
- Average Age:	48.2
- Average Service:	11.4
- Average Salary:	93,100

IMPACT ON MEMBER BENEFITS: Currently, NYCERS Transit members are generally entitled to a lump sum ordinary death benefit equal to a multiple of salary plus the return of member accumulated contributions, if any. These death benefits are generally calculated as three times the final year's salary and may be subject to salary caps and other reductions.

Under the proposed legislation, the ordinary death benefit for Transit Tier 4 and Tier 6 Special Plan members who are eligible to receive a service retirement benefit would be the greater of their current death benefit or the value of the pension reserve that would have been established had they retired on the date of their death.

The pension reserve is the actuarial present value of all pension payments expected to be made had the member retired for service. This type of lump sum pension reserve death benefit is sometimes referred to as a Death Gamble, and is afforded, in a similar form, to Tier 1 NYCERS members.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

- o New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

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 2025-27 dated March 6, 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 AAA

2 Section 1. Section 506 of the retirement and social security law is
3 amended by adding a new subdivision c-2 to read as follows:

4 c-2. Notwithstanding any inconsistent provision of subdivision a, b or
5 c-1 of this section, the ordinary disability benefit for a New York city
6 enhanced plan member in the New York city fire department shall not be
7 conditioned upon eligibility for, or upon receipt of, primary social
8 security disability benefits.

9 § 2. This act shall take effect immediately.

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

SUMMARY: This proposed legislation modifies Ordinary Disability Retirement (ODR) eligibility for Tier 3 members of FIRE by removing the

requirement of being eligible for primary Social Security disability benefits (SSDI).

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
by Fiscal Year for the first 25 years (\$ in Millions)

Year	FIRE
2026	0.4
2027	0.4
2028	0.5
2029	0.5
2030	0.6
2031	0.6
2032	0.7
2033	0.7
2034	0.8
2035	0.9
2036	0.9
2037	1.0
2038	1.0
2039	1.1
2040	1.2
2041	1.3
2042	1.3
2043	1.4
2044	1.4
2045	1.5
2046	1.6
2047	1.7
2048	1.7
2049	1.8
2050	1.9

Projected contributions include future new hires that may be impacted. For Fiscal Year 2051 and beyond, the increase in normal cost for new entrants will remain level as a percent of pay for the impacted population (approximately 0.06%).

The entire increase in employer contributions will be allocated to New York City.

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. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
as of June 30, 2024 (\$ in Millions)

Present Value (PV)	FIRE
(1) PV of Employer Contributions:	5.8
(2) PV of Employee Contributions:	<u>0.0</u>
Total PV of Benefits (1) + (2):	5.8

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service.

Changes in UAL were amortized over the expected remaining working lifetime of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	FIRE
Increase (Decrease) in UAL:	0.5 M
Number of Payments:	17
Amortization Payment:	0.1 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the impacted population is summarized below.

	FIRE
Active Members	
- Number Count:	5,571
- Average Age:	34.1
- Average Service:	6.2
- Average Salary:	118,600

IMPACT ON ELIGIBILITY: Currently, active Tier 3 FIRE enhanced plan members with at least five years of credited service are only eligible for an ODR benefit if they are approved for primary Social Security disability benefits (SSDI).

Under the proposed legislation, Tier 3 FIRE enhanced plan members with at least five years of credited service would be eligible for an ODR benefit, irrespective of SSDI eligibility.

The formula for calculating Enhanced Plan ODR benefits would remain unchanged

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

* New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

* For purposes of this Fiscal Note, it has been assumed that 100% of members exiting for ODR under current ODR rates would be ineligible for SSDI.

* It is assumed that the Medical Board will be responsible for determining the eligibility for ODR benefits in place of the SSDI requirement.

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 2025-06 dated February 4, 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 BBB

2 Section 1. Subdivision 2 of section 13-252.1 of the administrative
3 code of the city of New York, as amended by chapter 489 of the laws of
4 2013, is amended to read as follows:

5 2. (a) Notwithstanding the provisions of this chapter or of any gener-
6 al, special or local law, charter, administrative code or rule or regu-
7 lation to the contrary, if a member who [~~participated~~] filed a timely
8 notice of participation in World Trade Center rescue, recovery or clean-
9 up operations as defined in section two of the retirement and social
10 security law[, and] subsequently retired [~~on a service retirement, an~~
11 ~~ordinary disability retirement, an accidental disability retirement, a~~
12 ~~performance of duty disability retirement, or was separated from service~~
13 ~~with a vested right to deferred payability of a retirement allowance]~~
14 and subsequent to such retirement or separation is determined by the
15 [~~NYCPPF~~] police pension fund board of trustees to have a qualifying
16 World Trade Center condition, as defined in section two of the retire-
17 ment and social security law, upon such determination by the [~~NYCPPF~~]
18 police pension fund board of trustees, it shall be presumed that such
19 disability was incurred in the performance and discharge of duty as the
20 natural and proximate result of an accident not caused by such member's
21 own willful negligence, and that the member would have been physically
22 or mentally incapacitated for the performance and discharge of duty of
23 the position from which he or she retired or vested had the condition
24 been known and fully developed at the time of the member's retirement or
25 separation from service with vested rights, unless the contrary is prov-
26 en by competent evidence.

27 (b) The [~~NYCPPF~~] police pension fund board of trustees shall consider
28 a reclassification of the member's retirement or vesting as an acci-
29 dental disability retirement effective as of the date of such reclassi-
30 fication.

31 (c) Such member's retirement option shall not be changed as a result
32 of such reclassification.

33 (d) [~~The member's former employer at the time of the member's retire-~~
34 ~~ment shall have an opportunity to be heard on the member's application~~
35 ~~for reclassification by the NYCPPF board of trustees according to proce-~~
36 ~~dures developed by the NYCPPF board of trustees]~~ Notwithstanding the
37 provisions of any general, special or local law, or administrative code
38 to the contrary, but except for the purposes of determining eligibility
39 for World Trade Center benefits, it shall be considered presumptive
40 evidence that upon the timely filing of a fully sworn notice of partic-
41 ipation, such member shall have a qualifying World Trade Center condi-

1 tion, as defined by subdivision thirty-six of section two of the retire-
2 ment and social security law, unless the contrary be proved by competent
3 evidence and adopted by a quorum of the board of trustees.

4 (e) The [~~NYCPPF~~] police pension fund board of trustees is hereby
5 authorized to promulgate rules and regulations to implement the
6 provisions of this paragraph.

7 § 2. This act shall take effect immediately.

8 PART CCC

9 Section 1. Section 14-114 of the administrative code of the city of
10 New York is amended by adding a new subdivision d to read as follows:

11 d. (1) Notwithstanding any provision of law to the contrary, when a
12 detective, sergeant, or lieutenant shall have accrued twenty-five years
13 of uniformed service with the New York city police department, and
14 retires in any such rank, they shall have five per centum of the highest
15 grade of pay under the applicable collective bargaining agreement of
16 such rank in which they retire, added to the applicable salary, used for
17 the purposes of computing pension benefits under the plan in which they
18 are enrolled with the New York city police pension fund. A member who
19 receives an increase to their pension benefit under this paragraph shall
20 not receive an additional increase under section 14-111 of this chapter;
21 or

22 (2) Notwithstanding any provision of law to the contrary, when a
23 detective, sergeant, or lieutenant shall have accrued thirty years of
24 uniformed service with the New York city police department, and retires
25 in any such rank, they shall have ten per centum of the highest grade of
26 pay under the applicable collective bargaining agreement of such rank in
27 which they retire, added to the applicable salary, used for the purposes
28 of computing pension benefits under the plan in which they are enrolled
29 with the New York city police pension fund. A member who receives an
30 increase to their pension benefit under this paragraph shall not receive
31 an additional increase under section 14-111 of this chapter; or

32 (3) Notwithstanding any provision of law to the contrary, when a
33 detective, sergeant, or lieutenant shall have accrued thirty-five years
34 of uniformed service with the New York city police department, and
35 retires in any such rank, they shall have fifteen per centum of the
36 highest grade of pay under the applicable collective bargaining agree-
37 ment of such rank in which they retire, added to the applicable salary,
38 used for the purposes of computing pension benefits under the plan in
39 which they are enrolled with the New York city police pension fund. A
40 member who receives an increase to their pension benefit under this
41 paragraph shall not receive an additional increase under section 14-111
42 of this chapter.

43 § 2. This act shall take effect immediately.

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

SUMMARY: This proposed legislation, as it relates to the New York City Police Pension Fund (POLICE), would increase the salary used for determining pension benefits for Detectives, Sergeants, and Lieutenants who retire with at least 25 years of uniformed NYPD service.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
by Fiscal Year for the first 25 years (\$ in Millions)

Year	POLICE
2026	0.0
2027	2.8

2028	5.6
2029	8.5
2030	11.5
2031	14.6
2032	17.8
2033	21.2
2034	24.7
2035	28.4
2036	32.4
2037	36.5
2038	41.1
2039	45.9
2040	51.0
2041	53.6
2042	56.2
2043	59.0
2044	61.9
2045	64.9
2046	68.0
2047	71.1
2048	74.3
2049	77.5
2050	80.7

Projected contributions are based on historical experience for Tier 2 members. Future retirement patterns may differ due to a larger impacted Tier 3 population (e.g., Tier 2 is expected to retire at 20 years of service whereas Tier 3 is expected to retire at 25 years of service).

The entire increase in employer contributions will be allocated to New York City.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits (PVFB) is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases.

The enactment of this proposed legislation is expected to increase the PVFB by approximately \$23.3 million in the first year and every year thereafter. Each year's PVFB increase will depend on the actual experience of benefiting retirees and will be recognized in the year benefits are first payable.

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. For purposes of this Fiscal Note, changes in UAL were amortized as an ongoing gain/loss using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	POLICE
Increase (Decrease) in UAL:	23.3 M
Number of Payments:	14
First-year Amortization Payment:	2.8 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for POLICE active members is summarized below.

POLICE

Active Members	
- Number Count:	33,803
- Average Age:	37.5
- Average Service:	11.1
- Average Salary:	134,900

The salaries used in this analysis were provided by the Lieutenants Benevolent Association and are summarized below.

- o Detectives would use a highest grade of pay of \$149,518
- o Sergeants would use a highest grade of pay of \$149,519 based on the salary provided and adjusted to reflect outstanding wage contracts
- o Lieutenants would use a highest grade of pay of \$164,476

Data from the prior ten years of actuarial valuations was used to estimate the number of retirees who could potentially benefit from this proposed legislation each year and is summarized below.

Average Number Retired per Year	Detectives	Sergeants	Lieutenants
At least 25 but less than 30 years of service	129	73	51
At least 30 but less than 35 years of service	38	23	20
At least 35 years of service	12	7	7

IMPACT ON MEMBER BENEFITS: The proposed legislation would increase the applicable salary used for computing pension benefits (Final Salary for Tier 2 members or Final Average Salary for Tier 3 members) who retire as a detective, sergeant, or lieutenant with at least 25 years of uniformed NYPD service.

The increase in applicable salary would be equal to:

- o 5% for members with at least 25 years of service, 10% for members with at least 30 years of service, or 15% for members with at least 35 years of service, multiplied by

o The highest grade of pay under the applicable collective bargaining agreement of the rank in which the member retires.

For example, a Detective who retires with 32 years of uniformed NYPD service would receive an increase in their annual pension of approximately \$7,476 (a 50% annual benefit of 10% multiplied by the highest-grade detective pay of \$149,518). This additional benefit would then be subject to applicable Cost-of-Living or Escalation increases.

Based on an estimate of the number of POLICE members who are expected to be impacted by this proposed legislation, the annual increase in POLICE pension benefits paid will be approximately \$1.9 million in the first year and increase in every year thereafter.

With respect to an individual member, the impact on benefits due to this proposed legislation could vary greatly depending on the member's age, years of service, retirement cause, and Tier.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

- o New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

o Future contribution impacts have been developed assuming a homogeneous population and consistent retirement pattern.

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 2025-04 dated January 31, 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 DDD

2 Section 1. Subdivision 17 of section 501 of the retirement and social
3 security law, as amended by chapter 18 of the laws of 2012, is amended
4 to read as follows:

5 17. "Normal retirement age" shall be age sixty-two, for general
6 members, and the age at which a member completes or would have completed
7 twenty-two years of service, for police/fire members, New York city
8 uniformed correction/sanitation revised plan members and investigator
9 revised plan members, except that for police/fire members of the New
10 York city police pension fund, normal retirement age shall be the age at
11 which a member completes or would have completed twenty years of
12 service.

13 § 2. Subdivision d of section 503 of the retirement and social securi-
14 ty law, as amended by chapter 18 of the laws of 2012, is amended to read
15 as follows:

16 d. The normal service retirement benefit specified in section five
17 hundred five of this article shall be paid to police/fire members, New
18 York city uniformed correction/sanitation revised plan members and
19 investigator revised plan members without regard to age upon retirement
20 after twenty-two years of service, except that the normal service
21 retirement benefit specified in section five hundred five of this arti-
22 cle shall be paid to police/fire members of the New York city police
23 pension fund, after twenty years of service. Early service retirement
24 shall be permitted upon retirement after twenty years of credited
25 service or attainment of age sixty-two, provided, however, that New York
26 city police/fire revised plan members, New York city uniformed
27 correction/sanitation revised plan members and investigator revised plan

1 members shall not be eligible to retire for service prior to the attain-
 2 ment of twenty years of credited service.

3 § 3. Section 505 of the retirement and social security law is amended
 4 by adding a new subdivision d to read as follows:

5 d. Notwithstanding anything to the contrary in any other law,
 6 police/fire members of the New York city police pension fund shall be
 7 eligible for a normal service retirement benefit in lieu of an early
 8 service retirement benefit upon completing twenty years of service
 9 pursuant to subdivision d of section five hundred three of this article.

10 § 4. This act shall take effect immediately.

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

SUMMARY: This proposed legislation would reduce the Normal Retirement Age for Tier 3 members of the New York City Police Pension Fund (POLICE) to be the age at which a member completes or would have completed twenty years of service.

EXPECTED IMPACT ON EMPLOYER CONTRIBUTIONS
 (\$ in Millions)

Year	POLICE
2026	16.3
2027	17.4
2028	18.7
2029	20.0
2030	21.3
2031	22.5
2032	23.5
2033	24.5
2034	25.5
2035	26.4
2036	27.3
2037	28.2
2038	29.1
2039	29.9
2040	30.8
2041	31.7
2042	25.8
2043	26.7
2044	27.6
2045	28.5
2046	29.4
2047	30.3
2048	31.2
2049	32.1
2050	33.1

Projected contributions include future new hires that may be impacted. For Fiscal Year 2051 and beyond, the increase in normal cost for new entrants will remain level as a percent of pay for the impacted population (approximately 0.33%).

The entire increase in employer contributions will be allocated to New York City.

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. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
as of June 30, 2024 (\$ in Millions)

Present Value (PV)	POLICE
(1) PV of Employer Contributions:	122.9
(2) PV of Employee Contributions:	<u>(10.6)</u>
Total PV of Benefits (1) + (2):	112.3

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL were amortized over the expected remaining working lifetime of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	POLICE
Increase (Decrease) in UAL:	61.6 M
Number of Payments:	16
Amortization Payment:	6.8 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the impacted population is summarized below.

	POLICE
Active Members	
- Number Count:	21,782
- Average Age:	33.2
- Average Service:	6.5
- Average Salary:	116,200

IMPACT ON MEMBER BENEFITS: Currently, Tier 3 POLICE members who retire with at least 20 years of service are eligible to receive an annual benefit that is equal to 42% of Final Average Salary (FAS), increasing to a maximum benefit of 50% of FAS after 22 years of service.

Under the proposed legislation, Tier 3 POLICE members who retire with at least 20 years of service would be eligible to receive an annual benefit that is equal to 50% of FAS.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

- o Retirement rates were adjusted to reflect the earlier payability of the service retirement benefit associated with the proposed legislation.
- o New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

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 2025-02 dated January 17, 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 EEE

2 Section 1. The criminal procedure law is amended by adding two new
3 sections 440.00 and 440.11 to read as follows:

4 § 440.00 Definition.

5 As used in this article, the term "applicant" means a person previous-
6 ly convicted of a crime who is applying for relief under this article.

7 § 440.11 Motion to vacate judgment; change in the law.

8 1. At any time after the entry of a judgment obtained at trial or by
9 plea, the court in which it was entered may, upon motion of the appli-
10 cant, vacate such conviction upon the ground that the applicant was
11 convicted of any offense in the state of New York which has been subse-
12 quently decriminalized and is thus a legal nullity.

13 2. If the court grants a motion under this section, it shall vacate
14 the conviction on the merits, dismiss the accusatory instrument, seal
15 the conviction, and may take such additional action as is appropriate in
16 the circumstances.

17 § 2. Section 440.10 of the criminal procedure law, paragraph (g-1) of
18 subdivision 1 as added by chapter 19 of the laws of 2012, paragraph (h)
19 of subdivision 1, paragraph (a) of subdivision 3 and subdivision 4 as
20 amended and subdivisions 7 and 8 as renumbered by chapter 332 of the
21 laws of 2010, paragraph (i) of subdivision 1 and subdivision 6 as
22 amended by chapter 629 of the laws of 2021, paragraph (j) of subdivision
23 1 as amended by chapter 131 of the laws of 2019, paragraph (k) of subdi-
24 vision 1 as amended by chapter 92 of the laws of 2021, paragraphs (b)
25 and (c) of subdivision 2 as amended by chapter 501 of the laws of 2021,
26 and subdivision 9 as added by section 4 of part 00 of chapter 55 of the
27 laws of 2019, is amended to read as follows:

28 § 440.10 Motion to vacate judgment.

29 1. At any time after the entry of a judgment obtained at trial or by
30 plea, the court in which it was entered may, upon motion of the [~~defend-~~
31 ~~ant~~] applicant, vacate such judgment upon the ground that:

32 (a) The court did not have jurisdiction of the action or of the person
33 of the [~~defendant~~] applicant; or

34 (b) The judgment was procured by duress, misrepresentation or fraud on
35 the part of the court or a prosecutor or a person acting for or in
36 behalf of a court or a prosecutor; or

37 (c) [~~Material evidence adduced at a trial~~] Evidence that was likely
38 relied upon by a fact finder resulting in the judgment at trial or that
39 was likely relied upon by any party as a basis for a plea agreement was

1 false [~~and was, prior to the entry of the judgment, known by the prose-~~
2 ~~cuter or by the court to be false~~]; or

3 (d) [~~Material evidence adduced by the people at a trial~~] Evidence that
4 was likely relied upon by a fact finder resulting in the judgment at
5 trial or that was likely relied upon by any party as a basis for a plea
6 agreement was procured in violation of the [~~defendant's~~] applicant's
7 rights under the constitution of this state or of the United States; or

8 (e) During the proceedings resulting in the judgment, the [~~defendant~~]
9 applicant, by reason of mental disease or defect, was incapable of
10 understanding or participating in such proceedings; or

11 (f) Improper [~~and prejudicial~~] conduct not appearing in the record
12 occurred during a trial resulting in the judgment which conduct, if it
13 had appeared in the record, would have [~~required~~] made possible a
14 reversal of the judgment upon an appeal therefrom; or

15 (g) New evidence has been discovered [~~since the entry of a judgment~~
16 ~~based upon a verdict of guilty after trial, which could not have been~~
17 ~~produced by the defendant at the trial even with due diligence on his~~
18 ~~part and which~~] or become available that, when viewed alone or with
19 other evidence, is of such character as to create a reasonable probabil-
20 ity that had such evidence been received at the trial or discovered
21 prior to trial or plea agreement that the verdict or plea would have
22 been more favorable to the [~~defendant; provided that a motion based upon~~
23 ~~such ground must be made with due diligence after the discovery of such~~
24 ~~alleged new evidence~~] applicant. Types of new evidence shall include,
25 but not be limited to newly available forensic evidence or evidence that
26 has either been repudiated by the expert who originally provided the
27 opinion at a hearing or trial or that has been undermined by later
28 scientific research or technological advances; or

29 (g-1) [~~Forensic DNA~~] In cases involving the forensic testing of
30 evidence performed since the entry of a judgment, [~~(1) in the case of a~~
31 ~~defendant convicted after a guilty plea, the court has determined that~~
32 ~~the defendant has demonstrated a substantial probability that the~~
33 ~~defendant was actually innocent of the offense of which he or she was~~
34 ~~convicted, or (2) in the case of a defendant convicted after a trial,~~]
35 the court has determined that there exists a reasonable probability that
36 the verdict or plea offer would have been more favorable to the [~~defend-~~
37 ~~ant~~] applicant, or the applicant would have rejected the plea offer.

38 (h) The judgment was obtained in violation of a right of the [~~defend-~~
39 ~~ant~~] applicant under the constitution of this state or of the United
40 States, including, but not limited to, a judgment entered, whether upon
41 trial or guilty plea, against an applicant who is actually innocent. An
42 applicant is actually innocent where the applicant proves by a prepon-
43 derance of the evidence that no reasonable jury of the applicant's peers
44 would have found the applicant guilty beyond a reasonable doubt; or

45 (i) The judgment is a conviction where the [~~defendant's~~] applicant's
46 participation in the offense was a result of having been a victim of sex
47 trafficking under section 230.34 of the penal law, sex trafficking of a
48 child under section 230.34-a of the penal law, labor trafficking under
49 section 135.35 of the penal law, aggravated labor trafficking under
50 section 135.37 of the penal law, compelling prostitution under section
51 230.33 of the penal law, or trafficking in persons under the Trafficking
52 Victims Protection Act (United States Code, title 22, chapter 78);
53 provided that

54 (i) official documentation of the [~~defendant's~~] applicant's status as
55 a victim of sex trafficking, labor trafficking, aggravated labor traf-
56 ficking, compelling prostitution, or trafficking in persons at the time

1 of the offense from a federal, state or local government agency shall
2 create a presumption that the [~~defendant's~~] applicant's participation in
3 the offense was a result of having been a victim of sex trafficking,
4 labor trafficking, aggravated labor trafficking, compelling prostitution
5 or trafficking in persons, but shall not be required for granting a
6 motion under this paragraph;

7 (ii) a motion under this paragraph, and all pertinent papers and docu-
8 ments, shall be confidential and may not be made available to any person
9 or public or private [~~entity~~] agency except [~~where~~] when specifically
10 authorized by the court; and

11 (iii) when a motion is filed under this paragraph, the court may, upon
12 the consent of the petitioner and all of the involved state [~~and~~] or
13 local prosecutorial agencies [~~that prosecuted each matter~~], consolidate
14 into one proceeding a motion to vacate judgments imposed by distinct or
15 multiple criminal courts; or

16 (j) The judgment is a conviction for [~~a class A or unclassified~~] any
17 misdemeanor entered prior to the effective date of this paragraph and
18 satisfies the ground prescribed in paragraph (h) of this subdivision.
19 There shall be a rebuttable presumption that a conviction by plea to
20 such an offense was not knowing, voluntary and intelligent, based on
21 ongoing collateral consequences, including potential or actual immi-
22 gration consequences, and there shall be a rebuttable presumption that a
23 conviction by verdict constitutes cruel and unusual punishment under
24 section five of article one of the state constitution based on such
25 consequences; or

26 (k) The judgment occurred prior to the effective date of the laws of
27 two thousand [~~twenty-one~~] twenty-three that amended this paragraph and
28 is a conviction for an offense as defined in [~~subparagraphs~~] subpara-
29 graph (i), (ii), (iii) or (iv) of paragraph (k) of subdivision three of
30 section 160.50 of this part, or a misdemeanor under the former article
31 two hundred twenty-one of the penal law, in which case the court shall
32 presume that a conviction by plea for the aforementioned offenses was
33 not knowing, voluntary and intelligent if it has severe or ongoing
34 consequences, including but not limited to potential or actual immi-
35 gration consequences, and shall presume that a conviction by verdict for
36 the aforementioned offenses constitutes cruel and unusual punishment
37 under section five of article one of the state constitution, based on
38 those consequences. The people may rebut these presumptions[~~+~~]; or

39 (l) Any offense in the state of New York that an intermediate appel-
40 late court, court of appeals, or United States federal court with juris-
41 isdiction over New York state law issues has deemed in violation of the
42 constitution of this state or of the United States, or any other right
43 under state or federal law.

44 2. Notwithstanding the provisions of subdivision one, the court [~~must~~]
45 may deny a motion to vacate a judgment when:

46 (a) The ground or issue raised upon the motion was previously deter-
47 mined on the merits upon an appeal from the judgment, unless since the
48 time of such appellate determination there has been a retroactively
49 effective change in the law controlling such issue. However, if all of
50 the evidence currently before the court was not duly considered previ-
51 ously by the court, the court shall grant the motion or order the hear-
52 ing; or

53 (b) The judgment is, at the time of the motion, appealable or pending
54 on appeal, and sufficient facts appear on the record with respect to the
55 ground or issue raised upon the motion to permit adequate review thereof
56 upon such an appeal unless the issue raised upon such motion is ineffec-

1 tive assistance of counsel. This paragraph shall not apply to a motion
2 under paragraph (i), (j), (k) or (l) of subdivision one of this section;
3 or

4 (c) [~~Although sufficient facts appear on the record of the proceedings~~
5 ~~underlying the judgment to have permitted, upon appeal from such judg-~~
6 ~~ment, adequate review of the ground or issue raised upon the motion, no~~
7 ~~such appellate review or determination occurred owing to the defendant's~~
8 ~~unjustifiable failure to take or perfect an appeal during the prescribed~~
9 ~~period or to his or her unjustifiable failure to raise such ground or~~
10 ~~issue upon an appeal actually perfected by him or her unless the issue~~
11 ~~raised upon such motion is ineffective assistance of counsel; or~~

12 (d)] The ground or issue raised relates solely to the validity of the
13 sentence and not to the validity of the conviction. In such case, the
14 court shall deem the motion to have been made pursuant to section 440.20
15 of this article.

16 [~~3. Notwithstanding the provisions of subdivision one, the court may~~
17 ~~deny a motion to vacate a judgment when:~~

18 ~~(a) Although facts in support of the ground or issue raised upon the~~
19 ~~motion could with due diligence by the defendant have readily been made~~
20 ~~to appear on the record in a manner providing adequate basis for review~~
21 ~~of such ground or issue upon an appeal from the judgment, the defendant~~
22 ~~unjustifiably failed to adduce such matter prior to sentence and the~~
23 ~~ground or issue in question was not subsequently determined upon appeal.~~
24 ~~This paragraph does not apply to a motion based upon deprivation of the~~
25 ~~right to counsel at the trial or upon failure of the trial court to~~
26 ~~advise the defendant of such right, or to a motion under paragraph (i)~~
27 ~~of subdivision one of this section; or~~

28 ~~(b) The ground or issue raised upon the motion was previously deter-~~
29 ~~mined on the merits upon a prior motion or proceeding in a court of this~~
30 ~~state, other than an appeal from the judgment, or upon a motion or~~
31 ~~proceeding in a federal court, unless since the time of such determi-~~
32 ~~nation there has been a retroactively effective change in the law~~
33 ~~controlling such issue; or~~

34 ~~(c) Upon a previous motion made pursuant to this section, the defend-~~
35 ~~ant was in a position adequately to raise the ground or issue underlying~~
36 ~~the present motion but did not do so.]~~

37 (d) Although the court may deny the motion under any of the circum-
38 stances specified in this subdivision, in the interest of justice and
39 for good cause shown it may in its discretion grant the motion if it is
40 otherwise meritorious and vacate the judgment.

41 [~~4.~~] 3. If the court grants the motion, it must, except as provided in
42 subdivision [~~five~~] four or [~~six~~] five of this section, vacate the judg-
43 ment, and must either:

44 (a) dismiss and seal the accusatory instrument, or

45 (b) order a new trial, or

46 (c) take such other action as is appropriate in the circumstances.

47 [~~5.~~] 4. Upon granting the motion upon the ground, as prescribed in
48 paragraph (g) of subdivision one, that newly discovered evidence creates
49 a probability that had such evidence been received at the trial the
50 verdict would have been more favorable to the [~~defendant~~] applicant in
51 that the conviction would have been for a lesser offense than the one
52 contained in the verdict, the court may either:

53 (a) Vacate the judgment and order a new trial; or

54 (b) With the consent of the people, modify the judgment by reducing it
55 to one of conviction for such lesser offense. In such case, the court
56 must re-sentence the [~~defendant~~] applicant accordingly.

1 ~~[6.]~~ 5. If the court grants a motion under [~~paragraph (i) or~~] para-
2 graph [~~(k)~~] (h), (i), (j), (k) or (l) of subdivision one of this
3 section, it must vacate the judgment [~~and~~] on the merits, dismiss the
4 accusatory instrument, seal the judgment, and may take such additional
5 action as is appropriate in the circumstances. [~~In the case of a motion~~
6 ~~granted under paragraph (i) of subdivision one of this section, the~~
7 ~~court must vacate the judgment on the merits because the defendant's~~
8 ~~participation in the offense was a result of having been a victim of~~
9 ~~trafficking.~~

10 ~~7.]~~ 6. Upon a new trial resulting from an order vacating a judgment
11 pursuant to this section, the indictment is deemed to contain all the
12 counts and to charge all the offenses which it contained and charged at
13 the time the previous trial was commenced, regardless of whether any
14 count was dismissed by the court in the course of such trial, except (a)
15 those upon or of which the [~~defendant~~] applicant was acquitted or deemed
16 to have been acquitted, and (b) those dismissed by the order vacating
17 the judgment, and (c) those previously dismissed by an appellate court
18 upon an appeal from the judgment, or by any court upon a previous post-
19 judgment motion.

20 ~~[8.]~~ 7. Upon an order which vacates a judgment based upon a plea of
21 guilty to an accusatory instrument or a part thereof, but which does not
22 dismiss the entire accusatory instrument, the criminal action is, in the
23 absence of an express direction to the contrary, restored to its
24 [~~prepleading~~] pre-pleading status and the accusatory instrument is
25 deemed to contain all the counts and to charge all the offenses which it
26 contained and charged at the time of the entry of the plea, except those
27 subsequently dismissed under circumstances specified in paragraphs (b)
28 and (c) of subdivision six. Where the plea of guilty was entered and
29 accepted, pursuant to subdivision three of section 220.30, upon the
30 condition that it constituted a complete disposition not only of the
31 accusatory instrument underlying the judgment vacated but also of one or
32 more other accusatory instruments against the [~~defendant~~] applicant then
33 pending in the same court, the order of vacation completely restores
34 such other accusatory instruments; and such is the case even though such
35 order dismisses the main accusatory instrument underlying the judgment.

36 ~~[9.]~~ 8. Upon granting of a motion pursuant to paragraph (j) of subdivi-
37 sion one of this section, the court may either:

38 (a) With the consent of the people, vacate the judgment or modify the
39 judgment by reducing it to one of conviction for a lesser offense; or

40 (b) Vacate the judgment and order a new trial wherein the [~~defendant~~]
41 applicant enters a plea to the same offense in order to permit the court
42 to resentence the [~~defendant~~] applicant in accordance with the amendato-
43 ry provisions of subdivision one-a of section 70.15 of the penal law.

44 § 3. Section 440.20 of the criminal procedure law, subdivision 1 as
45 amended by chapter 1 of the laws of 1995, is amended to read as follows:
46 § 440.20 Motion to set aside sentence; by [~~defendant~~] applicant.

47 1. At any time after the entry of a judgment, the court in which the
48 judgment was entered may, upon motion of the [~~defendant~~] applicant, set
49 aside the sentence upon the ground that it was unauthorized, illegally
50 imposed, exceeded the maximum allowed by law, obtained or imposed in
51 violation of the defendant's constitutional rights, or was otherwise
52 invalid as a matter of law. Where the judgment includes a sentence of
53 death, the court may also set aside the sentence upon any of the grounds
54 set forth in paragraph (b), (c), (f), (g) or (h) of subdivision one of
55 section 440.10 as applied to a separate sentencing proceeding under
56 section 400.27, provided, however, that to the extent the ground or

1 grounds asserted include one or more of the aforesaid paragraphs of
2 subdivision one of section 440.10, the court must also apply [~~subdivi-~~
3 ~~sions~~] subdivision two [~~and three~~] of section 440.10, other than para-
4 graph [~~(d)~~] (c) of [~~subdivision two of~~] such [~~section~~] subdivision, in
5 determining the motion. In the event the court enters an order granting
6 a motion to set aside a sentence of death under this section, the court
7 must either direct a new sentencing proceeding in accordance with
8 section 400.27 or, to the extent that the defendant cannot be resen-
9 tenced to death consistent with the laws of this state or the constitu-
10 tion of this state or of the United States, resentence the defendant to
11 life imprisonment without parole or to a sentence of imprisonment for
12 the class A-I felony of murder in the first degree other than a sentence
13 of life imprisonment without parole. Upon granting the motion upon any
14 of the grounds set forth in the aforesaid paragraphs of subdivision one
15 of section 440.10 and setting aside the sentence, the court must afford
16 the people a reasonable period of time, which shall not be less than ten
17 days, to determine whether to take an appeal from the order setting
18 aside the sentence of death. The taking of an appeal by the people stays
19 the effectiveness of that portion of the court's order that directs a
20 new sentencing proceeding.

21 2. Notwithstanding the provisions of subdivision one, the court
22 [~~must~~] may deny such a motion when the ground or issue raised thereupon
23 was previously determined on the merits upon an appeal from the judgment
24 or sentence, unless since the time of such appellate determination there
25 has been a retroactively effective change in the law controlling such
26 issue. However, if all of the evidence currently before the court was
27 not duly considered previously by the court, the court shall not deny
28 the motion to vacate and instead shall order a hearing or grant the
29 motion. Even if the court has already considered all of the evidence
30 currently before the court, the court in the interest of justice and for
31 good cause shown may grant the motion if it is otherwise meritorious.

32 3. [~~Notwithstanding the provisions of subdivision one, the court may~~
33 ~~deny such a motion when the ground or issue raised thereupon was previ-~~
34 ~~ously determined on the merits upon a prior motion or proceeding in a~~
35 ~~court of this state, other than an appeal from the judgment, or upon a~~
36 ~~prior motion or proceeding in a federal court, unless since the time of~~
37 ~~such determination there has been a retroactively effective change in~~
38 ~~the law controlling such issue. Despite such determination, however,~~
39 ~~the court in the interest of justice and for good cause shown, may in~~
40 ~~its discretion grant the motion if it is otherwise meritorious.~~

41 4.] An order setting aside a sentence pursuant to this section does
42 not affect the validity or status of the underlying conviction, and
43 after entering such an order the court must resentence the [~~defendant~~]
44 applicant in accordance with the law.

45 § 4. Section 440.30 of the criminal procedure law, subdivisions 1 and
46 1-a as amended by chapter 19 of the laws of 2012 and the opening para-
47 graph of paragraph (b) of subdivision 1 as amended by section 10 of part
48 LLL of chapter 59 of the laws of 2019, is amended to read as follows:

49 § 440.30 Motion to vacate judgment and to set aside sentence; procedure.

50 1. [~~(a)~~] A An application for assignment of counsel for a motion to
51 vacate a judgment pursuant to section 440.10 or 440.11 of this article
52 and a motion to set aside a sentence pursuant to section 440.20 of this
53 article must be made in writing by a pro se applicant to the judge or
54 justice who imposed the original sentence and upon reasonable notice to
55 the people. [~~Upon the motion, a defendant~~]

1 (a) The court shall assign defense counsel in cases where there is a
2 colorable claim of relief according to this article, in accordance with
3 section seven hundred twenty-two of the county law. For the purpose of
4 this section, a colorable claim is a claim that, taking the facts
5 alleged in the application as true and viewed in a light most favorable
6 to the applicant, would entitle the applicant to relief.

7 (b) If the judge decides not to assign counsel, they shall state the
8 reasons for denying the request for assignment of counsel in writing.

9 (c) If, at the time of such applicant's request for assignment of
10 counsel, the original sentencing judge or justice no longer works in the
11 court in which the original sentence was imposed, then the request shall
12 be randomly assigned to another judge or justice of the court in which
13 the original sentence was imposed.

14 (d) Applicants already represented by counsel, either appointed pursu-
15 ant to section seven hundred twenty-two of the county law or otherwise
16 retained, are not required to file an application for assignment of
17 counsel.

18 2. Upon the request of the applicant or their defense counsel, the
19 court shall order:

20 (a) the people to make available a copy of its file of the case,
21 including any physical evidence in the people's possession and grand
22 jury minutes;

23 (b) the applicant's prior trial and appellate defense counsel to make
24 available their complete files relating to the case;

25 (c) court clerks and probation departments to make available the court
26 files or probation records relating to the case; and

27 (d) any law enforcement agency involved with the case to turn over its
28 files of the case, including police reports, witness statements,
29 evidence vouchers, or any other relevant records or evidence at its
30 disposal.

31 The court shall further ensure that any disclosure of evidence or
32 property ordered pursuant to this subdivision may be subject to a
33 protective order as defined in section 245.70 of this part, where appro-
34 priate.

35 Nothing in this section shall preclude the court from conducting an in
36 camera inspection of evidence and issuing a protective order pursuant to
37 section 245.70 of this part at the request of the prosecution or
38 defense.

39 3. (a) An applicant who is in a position adequately to raise more than
40 one ground should raise every such ground upon which [~~he or she intends~~
41 they intend to challenge the judgment or sentence. If the motion is
42 based upon the existence or occurrence of facts, the motion papers
43 [~~must~~ may contain sworn allegations thereof, whether by the [~~defendant~~
44 applicant or by another person or persons. Such sworn allegations may be
45 based upon personal knowledge of the affiant or upon information and
46 belief, provided that in the latter event the affiant must state the
47 sources of such information and the grounds of such belief. The [~~defend-~~
48 ant] applicant may further submit documentary evidence or information
49 supporting or tending to support the allegations of the moving papers.

50 (b) The people may file with the court, and in such case must serve a
51 copy thereof upon the [~~defendant~~] applicant or [~~his or her~~] their coun-
52 sel, if any, an answer denying or admitting any or all of the allega-
53 tions of the motion papers, and may further submit documentary evidence
54 or information refuting or tending to refute such allegations.

55 (c) After all papers of both parties have been filed, and after all
56 documentary evidence or information, if any, has been submitted, the

1 court must consider the same for the purpose of ascertaining whether the
2 motion is determinable without a hearing to resolve questions of fact.

3 ~~[(b) In conjunction with the filing or consideration of a motion to
4 vacate a judgment pursuant to section 440.10 of this article by a
5 defendant convicted after a trial, in cases where the court has ordered
6 an evidentiary hearing upon such motion, the court may order that the
7 people produce or make available for inspection property in its
8 possession, custody, or control that was secured in connection with the
9 investigation or prosecution of the defendant upon credible allegations
10 by the defendant and a finding by the court that such property, if
11 obtained, would be probative to the determination of defendant's actual
12 innocence, and that the request is reasonable. The court shall deny or
13 limit such a request upon a finding that such a request, if granted,
14 would threaten the integrity or chain of custody of property or the
15 integrity of the processes or functions of a laboratory conducting DNA
16 testing, pose a risk of harm, intimidation, embarrassment, reprisal, or
17 other substantially negative consequences to any person, undermine the
18 proper functions of law enforcement including the confidentiality of
19 informants, or on the basis of any other factor identified by the court
20 in the interests of justice or public safety. The court shall further
21 ensure that any property produced pursuant to this paragraph is subject
22 to a protective order, where appropriate. The court shall deny any
23 request made pursuant to this paragraph where:~~

24 ~~(i) (1) the defendant's motion pursuant to section 440.10 of this
25 article does not seek to demonstrate his or her actual innocence of the
26 offense or offenses of which he or she was convicted that are the
27 subject of the motion, or (2) the defendant has not presented credible
28 allegations and the court has not found that such property, if obtained,
29 would be probative to the determination of the defendant's actual inno-
30 cence and that the request is reasonable;~~

31 ~~(ii) the defendant has made his or her motion after five years from
32 the date of the judgment of conviction, provided, however, that this
33 limitation period shall be tolled for five years if the defendant is in
34 custody in connection with the conviction that is the subject of his or
35 her motion, and provided further that, notwithstanding such limitation
36 periods, the court may consider the motion if the defendant has shown:
37 (A) that he or she has been pursuing his or her rights diligently and
38 that some extraordinary circumstance prevented the timely filing of the
39 motion; (B) that the facts upon which the motion is predicated were
40 unknown to the defendant or his or her attorney and could not have been
41 ascertained by the exercise of due diligence prior to the expiration of
42 the statute of limitations; or (C) considering all circumstances of the
43 case including but not limited to evidence of the defendant's guilt, the
44 impact of granting or denying such motion upon public confidence in the
45 criminal justice system, or upon the safety or welfare of the community,
46 and the defendant's diligence in seeking to obtain the requested proper-
47 ty or related relief, the interests of justice would be served by
48 considering the motion;~~

49 ~~(iii) the defendant is challenging a judgment convicting him or her of
50 an offense that is not a felony defined in section 10.00 of the penal
51 law; or~~

52 ~~(iv) upon a finding by the court that the property requested in this
53 motion would be available through other means through reasonable efforts
54 by the defendant to obtain such property.~~

55 ~~1-a.] 4. (a) [(1)] Where the [defendant's] applicant's motion requests
56 the performance of a forensic DNA test on specified evidence, and upon~~

1 the court's determination that any evidence containing deoxyribonucleic
2 acid ("DNA") was secured in connection with the trial or the plea
3 resulting in the judgment, the court shall grant the application for
4 forensic DNA testing of such evidence upon its determination that [~~if a~~]
5 had the DNA test [~~had~~] results been [~~conducted on such evidence, and if~~]
6 the results had been admitted in the trial resulting in the judgment,
7 available at the time of trial or plea, there [~~exists~~] is a reasonable
8 probability that the verdict would have been more favorable to the
9 [~~defendant~~] applicant.

10 [~~(2) Where the defendant's motion for forensic DNA testing of speci-~~
11 ~~fied evidence is made following a plea of guilty and entry of judgment~~
12 ~~thereon convicting him or her of: (A) a homicide offense defined in~~
13 ~~article one hundred twenty five of the penal law, any felony sex offense~~
14 ~~defined in article one hundred thirty of the penal law, a violent felony~~
15 ~~offense as defined in paragraph (a) of subdivision one of section 70.02~~
16 ~~of the penal law, or (B) any other felony offense to which he or she~~
17 ~~pled guilty after being charged in an indictment or information in supe-~~
18 ~~rior court with one or more of the offenses listed in clause (A) of this~~
19 ~~subparagraph, then the court shall grant such a motion upon its determi-~~
20 ~~nation that evidence containing DNA was secured in connection with the~~
21 ~~investigation or prosecution of the defendant, and if a DNA test had~~
22 ~~been conducted on such evidence and the results had been known to the~~
23 ~~parties prior to the entry of the defendant's plea and judgment thereon,~~
24 ~~there exists a substantial probability that the evidence would have~~
25 ~~established the defendant's actual innocence of the offense or offenses~~
26 ~~that are the subject of the defendant's motion; provided, however, that:~~

27 (i) ~~the court shall consider whether the defendant had the opportunity~~
28 ~~to request such testing prior to entering a guilty plea, and, where it~~
29 ~~finds that the defendant had such opportunity and unjustifiably failed~~
30 ~~to do so, the court may deny such motion; and~~

31 (ii) ~~a court shall deny the defendant's motion for forensic DNA test-~~
32 ~~ing where the defendant has made his or her motion more than five years~~
33 ~~after entry of the judgment of conviction, except that the limitation~~
34 ~~period may be tolled if the defendant has shown: (A) that he or she has~~
35 ~~been pursuing his or her rights diligently and that some extraordinary~~
36 ~~circumstance prevented the timely filing of the motion for forensic DNA~~
37 ~~testing; (B) that the facts upon which the motion is predicated were~~
38 ~~unknown to the defendant or his or her attorney and could not have been~~
39 ~~ascertained by the exercise of due diligence prior to the expiration of~~
40 ~~this statute of limitations; or (C) considering all circumstances of the~~
41 ~~case including but not limited to evidence of the defendant's guilt, the~~
42 ~~impact of granting or denying such motion upon public confidence in the~~
43 ~~criminal justice system, or upon the safety or welfare of the community,~~
44 ~~and the defendant's diligence in seeking to obtain the requested proper-~~
45 ~~ty or related relief, the interests of justice would be served by toll-~~
46 ~~ing such limitation period.]~~

47 (b) Where the applicant's motion for relief requests the performance
48 of any other testing of forensic evidence or any physical evidence
49 secured in the case, the court shall grant the application for testing
50 of such evidence, upon its determination that had the results of testing
51 of forensic or other physical evidence been available at the time of
52 trial or plea, there is a reasonable probability that the verdict would
53 have been more favorable to the applicant.

54 (c) (i) In conjunction with the filing of a motion under this subdivi-
55 sion, the court may direct the people to provide the [~~defendant~~] appli-
56 cant and their counsel with information in the possession of the people

1 concerning the current physical location of the specified evidence and
2 if the specified evidence no longer exists or the physical location of
3 the specified evidence is unknown, a representation to that effect and
4 information and documentary evidence in the possession of the people
5 concerning the last known physical location of such specified evidence.

6 (ii) If there is a finding by the court that the specified evidence no
7 longer exists or the physical location of such specified evidence is
8 unknown, [~~such information in and of itself shall not be a factor from
9 which any inference unfavorable to the people may be drawn by the court
10 in deciding a motion under this section~~] the court may grant the appli-
11 cant's motion and vacate the judgment upon a finding by the court that
12 such evidence is unavailable due to malfeasance or neglect.

13 (iii) The court, on motion of the [~~defendant~~] applicant, may also
14 issue a subpoena duces tecum directing a public or private hospital,
15 laboratory or other entity to produce such specified evidence in its
16 possession and/or information and documentary evidence in its possession
17 concerning the location and status of such specified evidence.

18 [~~(e)~~] (d) In response to a motion under this paragraph, upon notice to
19 the parties and to the entity required to perform the search the court
20 may order an entity that has access to the combined DNA index system
21 ("CODIS") or its successor system to compare a DNA profile obtained from
22 probative biological material gathered in connection with the investi-
23 gation or prosecution of the [~~defendant~~] applicant against DNA databanks
24 by keyboard searches, or a similar method that does not involve upload-
25 ing, upon a court's determination that (1) such profile complies with
26 federal bureau of investigation or state requirements, whichever are
27 applicable and as such requirements are applied to law enforcement agen-
28 cies seeking such a comparison, and that the data meet state DNA index
29 system and/or national DNA index system criteria as such criteria are
30 applied to law enforcement agencies seeking such a comparison and (2) if
31 such comparison had been conducted, [~~and if the results had been admit-
32 ted in the trial resulting in the judgment,~~] a reasonable probability
33 exists that the verdict would have been more favorable to the [~~defend-
34 ant, or in a case involving a plea of guilty, if the results had been
35 available to the defendant prior to the plea, a reasonable probability
36 exists that the conviction would not have resulted~~] applicant. For
37 purposes of this subdivision, a "keyboard search" shall mean a search of
38 a DNA profile against the databank in which the profile that is searched
39 is not uploaded to or maintained in the databank.

40 [~~2. If it appears by conceded or uncontradicted allegations of the
41 moving papers or of the answer, or by unquestionable documentary proof,
42 that there are circumstances which require denial thereof pursuant to
43 subdivision two of section 440.10 or subdivision two of section 440.20,
44 the court must summarily deny the motion. If it appears that there are
45 circumstances authorizing, though not requiring, denial thereof pursuant
46 to subdivision three of section 440.10 or subdivision three of section
47 440.20, the court may in its discretion either (a) summarily deny the
48 motion, or (b) proceed to consider the merits thereof.~~]

49 [~~3-~~] 5. Upon considering the merits of the motion, the court must
50 grant it without conducting a hearing and vacate the judgment or set
51 aside the sentence, as the case may be, if:

52 (a) The moving papers allege a ground constituting legal basis for the
53 motion; and

54 (b) Such ground, if based upon the existence or occurrence of facts,
55 is supported by sworn allegations thereof; and

1 (c) The sworn allegations of fact essential to support the motion are
2 either conceded by the people to be true or are conclusively substanti-
3 ated by unquestionable documentary proof.

4 ~~[4.]~~ 6. Upon considering the merits of the motion, the court may deny
5 it without conducting a hearing if:

6 (a) The moving papers do not allege any ground constituting legal
7 basis for the motion; or

8 ~~(b) [The motion is based upon the existence or occurrence of facts and
9 the moving papers do not contain sworn allegations substantiating or
10 tending to substantiate all the essential facts, as required by subdivi-
11 sion one, or~~

12 ~~(c)]~~ An allegation of fact essential to support the motion is conclu-
13 sively refuted by unquestionable documentary proof; or

14 ~~[(d)]~~ (c) An allegation of fact essential to support the motion (i) is
15 contradicted by a court record or other official document~~[, or is made
16 solely by the defendant and is unsupported by any other affidavit or
17 evidence,]~~ and (ii) under these and all the other circumstances attend-
18 ing the case, there is no reasonable possibility that such allegation is
19 true.

20 ~~[5.]~~ 7. If the court does not determine the motion pursuant to ~~[subdi-
21 visions two, three or four]~~ subdivision five or six of this section, it
22 must conduct a hearing and make findings of fact essential to the deter-
23 mination thereof. The ~~[defendant]~~ applicant has a right to be present at
24 such hearing but may waive such right in writing. If ~~[he]~~ the applicant
25 does not so waive it and if ~~[he is]~~ they are confined in a prison or
26 other institution of this state, the court must cause ~~[him]~~ them to be
27 produced at such hearing.

28 ~~[6.]~~ 8. At such a hearing, the ~~[defendant]~~ applicant has the burden of
29 proving by a preponderance of the evidence every fact essential to
30 support the motion. At the hearing, either party shall receive a daily
31 copy of the hearing minutes, upon request.

32 ~~[7.]~~ 9. Notwithstanding any other provision of this section, when the
33 applicant raises a colorable claim of relief pursuant to this article,
34 the court shall not summarily deny the motion on the ground that the
35 applicant previously moved for relief under this article.

36 10. Regardless of whether a hearing was conducted, the court, upon
37 determining the motion, must set forth on the record its findings of
38 fact, its conclusions of law and the reasons for its determination.

39 § 5. Subdivision 4 of section 450.10 of the criminal procedure law, as
40 amended by chapter 671 of the laws of 1971 and as renumbered by chapter
41 516 of the laws of 1986, is amended to read as follows:

42 4. An order, entered pursuant to ~~[section 440.40, setting aside a
43 sentence other than one of death, upon motion of the People]~~ article
44 four hundred forty of this title, shall be authorized to an intermediate
45 appellate court as a matter of right.

46 § 6. Subdivision 5 of section 450.10 of the criminal procedure law is
47 REPEALED.

48 § 7. Section 216 of the judiciary law is amended by adding a new
49 subdivision 7 to read as follows:

50 7. The chief administrator of the courts shall collect data and report
51 every year in relation to applications and motions filed pursuant to
52 article four hundred forty of the criminal procedure law, broken down by
53 each section of such article to include motions filed pursuant to
54 sections 440.10, 440.20, 440.40, 440.46, 440.46-a, and 440.47 of the
55 criminal procedure law. Information to be collected and disclosed shall
56 include the raw number of both applications and/or motions filed in each

1 county and on appeal in each judicial department. Information shall
2 include the top conviction charge for each application or motion; when
3 pro se applicants request assignment of counsel pursuant to subdivision
4 two of section 440.30 of the criminal procedure law, whether or not
5 counsel was assigned; the outcome of each motion filed, whether denied
6 without hearing, denied with hearing, vacatur granted, or other; and the
7 average length of time motion under article four hundred forty of the
8 criminal procedure law remains pending for each county. Such report
9 shall aggregate the data collected by county and judicial department.
10 The data shall be aggregated in order to protect the identity of indi-
11 vidual applicants. The report shall be released publicly and published
12 on the websites of the office of court administration and the division
13 of criminal justice services. The first report shall be published twelve
14 months after this subdivision shall have become a law, and shall include
15 data from the first six months following the effective date of this
16 subdivision. Reports for subsequent periods shall be published annually
17 thereafter.

18 § 8. Severability. If any provision of this act, or any application of
19 any provision of this act, is held to be invalid, that shall not affect
20 the validity or effectiveness of any other provision of this act, or of
21 any other application of any provision of this act, which can be given
22 effect without that provision or application; and to that end, the
23 provisions and applications of this act are severable.

24 § 9. This act shall take effect one year after it shall have become a
25 law.

26 PART FFF

27 Section 1. The retirement and social security law is amended by adding
28 a new section 89-y to read as follows:

29 § 89-y. Twenty-five year retirement plan for firefighters employed by
30 the division of military and naval affairs. a. A member who serves as an
31 airport firefighter apprentice, airport firefighter I, airport fire-
32 fighter II, airport firefighter III, or training and safety officer and
33 is employed by the division of military and naval affairs shall be
34 eligible to retire pursuant to the provisions of this section. Such
35 eligibility shall be an alternative to the eligibility provisions avail-
36 able under any other plan of this article to which such member is
37 subject.

38 b. Such member shall be entitled to retire upon the completion of
39 twenty-five years of total creditable service by filing an application
40 therefor in the manner provided for in section seventy of this article.

41 c. Upon completion of twenty-five years of such service and upon
42 retirement, each such member shall receive a pension which, together
43 with an annuity which shall be the actuarial equivalent of their accumu-
44 lated contributions at the time of their retirement and an additional
45 pension which is the actuarial equivalent of the reserved-for-in-
46 creased-take-home-pay to which they may then be entitled shall be suffi-
47 cient to provide them with a retirement allowance equal to one-half of
48 their final average salary.

49 d. As used in this section, "creditable service" shall include any and
50 all services performed as a firefighter apprentice, airport firefighter
51 I, airport firefighter II, airport firefighter III, or training and
52 safety officer employed by the division of military and naval affairs.

53 e. Credit for service as a paid firefighter or officer of any organ-
54 ized fire department shall also be deemed to be creditable service and

1 shall be included in computing years of total service for retirement
2 pursuant to this section.

3 f. A member contributing on the basis of this section at the time of
4 retirement, may retire after the completion of twenty-five years of
5 total creditable service. Application therefor may be filed in a manner
6 similar to that provided in section seventy of this article. Upon
7 completion of twenty-five years of such service and upon retirement,
8 each such member shall receive a pension which, together with an annuity
9 which shall be the actuarial equivalent of their accumulated contribu-
10 tions at the time of their retirement and an additional pension which
11 is the actuarial equivalent of the reserved-for-increased-take-home-pay
12 to which they may then be entitled shall be sufficient to provide them
13 with a retirement allowance equal to one-half of their final average
14 salary; for service beyond twenty-five years and for non-firefighter
15 service the benefit is increased by one-sixtieth of final average salary
16 for each year of additional service credit.

17 g. In computing the twenty-five years of total service of a member
18 pursuant to this section full credit shall be given and full allowance
19 shall be made for service of such member in time of war after World War
20 I as defined in section two of this article, provided such member at the
21 time of their entrance into the armed forces was in the service of the
22 state.

23 h. Nothing in this section shall be construed to prevent a member, who
24 does not retire pursuant to the provisions of this section, from utiliz-
25 ing service which is creditable service pursuant to the provisions of
26 this section for service credit pursuant to the provisions of any other
27 plan of this article to which such member is subject.

28 i. The provisions of this section shall be controlling notwithstanding
29 any other provision in this article to the contrary.

30 j. Any member who, on or before the effective date of this section, is
31 a firefighter apprentice, airport firefighter I, airport firefighter II,
32 airport firefighter III, or training and safety officer employed by the
33 division of military and naval affairs may, by filing an election within
34 one year after the effective date of this section, elect to be subject
35 to the provisions of this section. Such election shall be in writing,
36 shall be duly executed and filed with the comptroller and shall be irre-
37 vocable.

38 § 2. Subdivision a of section 445 of the retirement and social securi-
39 ty law, as amended by chapter 714 of the laws of 2023, is amended to
40 read as follows:

41 a. No member of a retirement system who is subject to the provisions
42 of this article shall retire without regard to age, exclusive of retire-
43 ment for disability, unless [~~he or she is~~] they are a police officer, an
44 investigator member of the New York city employees' retirement system,
45 firefighter, correction officer, a qualifying member as defined in
46 section eighty-nine-t, as added by chapter six hundred fifty-seven of
47 the laws of nineteen hundred ninety-eight, of this chapter, sanitation
48 worker, a special officer (including persons employed by the city of New
49 York in the title urban park ranger or associate urban park ranger),
50 school safety agent, campus peace officer or a taxi and limousine
51 commission inspector member of the New York city employees' retirement
52 system or the New York city board of education retirement system, a
53 dispatcher member of the New York city employees' retirement system, a
54 police communications member of the New York city employees' retirement
55 system, an EMT member of the New York city employees' retirement system,
56 a deputy sheriff member of the New York city employees' retirement

1 system, a correction officer of the Westchester county correction
2 department as defined in section eighty-nine-e of this chapter or
3 employed in Suffolk county as a peace officer, as defined in section
4 eighty-nine-s, as added by chapter five hundred eighty-eight of the laws
5 of nineteen hundred ninety-seven, of this chapter, employed in Suffolk
6 county as a correction officer, as defined in section eighty-nine-f of
7 this chapter, or employed in Nassau county as a correction officer,
8 uniformed correction division personnel, sheriff, undersheriff or deputy
9 sheriff, as defined in section eighty-nine-g of this chapter, or
10 employed in Nassau county as an ambulance medical technician, an ambu-
11 lance medical technician/supervisor or a member who performs ambulance
12 medical technician related services, or a police medic, police medic
13 supervisor or a member who performs police medic related services, as
14 defined in section eighty-nine-s, as amended by chapter five hundred
15 seventy-eight of the laws of nineteen hundred ninety-eight, of this
16 chapter, or employed in Nassau county as a peace officer, as defined in
17 section eighty-nine-s, as added by chapter five hundred ninety-five of
18 the laws of nineteen hundred ninety-seven, of this chapter, or employed
19 in Albany county as a sheriff, undersheriff, deputy sheriff, correction
20 officer or identification officer, as defined in section eighty-nine-h
21 of this chapter or is employed in St. Lawrence county as a sheriff,
22 undersheriff, deputy sheriff or correction officer, as defined in
23 section eighty-nine-i of this chapter or is employed in Orleans county
24 as a sheriff, undersheriff, deputy sheriff or correction officer, as
25 defined in section eighty-nine-l of this chapter or is employed in
26 Jefferson county as a sheriff, undersheriff, deputy sheriff or
27 correction officer, as defined in section eighty-nine-j of this chapter
28 or is employed in Onondaga county as a deputy sheriff-jail division
29 competitively appointed or as a correction officer, as defined in
30 section eighty-nine-k of this chapter or is employed in a county which
31 makes an election under subdivision j of section eighty-nine-p of this
32 chapter as a sheriff, undersheriff, deputy sheriff or correction officer
33 as defined in such section eighty-nine-p or is employed in Broome County
34 as a sheriff, undersheriff, deputy sheriff or correction officer, as
35 defined in section eighty-nine-m of this chapter or is a Monroe county
36 deputy sheriff-court security, or deputy sheriff-jailor as defined in
37 section eighty-nine-n, as added by chapter five hundred ninety-seven of
38 the laws of nineteen hundred ninety-one, of this chapter or is employed
39 in Greene county as a sheriff, undersheriff, deputy sheriff or
40 correction officer, as defined in section eighty-nine-o of this chapter
41 or is a traffic officer with the town of Elmira as defined in section
42 eighty-nine-q of this chapter or is employed by Suffolk county as a park
43 police officer, as defined in section eighty-nine-r of this chapter or
44 is a peace officer employed by a county probation department as defined
45 in section eighty-nine-t, as added by chapter six hundred three of the
46 laws of nineteen hundred ninety-eight, of this chapter or is employed in
47 Rockland county as a deputy sheriff-civil as defined in section eighty-
48 nine-v of this chapter as added by chapter four hundred forty-one of the
49 laws of two thousand one, or is employed in Rockland county as a superi-
50 or correction officer as defined in section eighty-nine-v of this chap-
51 ter as added by chapter five hundred fifty-six of the laws of two thou-
52 sand one or is a paramedic employed by the police department in the town
53 of Tonawanda and retires under the provisions of section eighty-nine-v
54 of this chapter, as added by chapter four hundred seventy-two of the
55 laws of two thousand one, or is a county fire marshal, supervising fire
56 marshal, fire marshal, assistant fire marshal, assistant chief fire

1 marshal, chief fire marshal, division supervising fire marshal or fire
2 marshal trainee employed by the county of Nassau as defined in section
3 eighty-nine-w of this chapter or is employed in Monroe county as a depu-
4 ty sheriff-civil as defined in section eighty-nine-x of this chapter,
5 employed as an emergency medical technician, critical care technician,
6 advanced emergency medical technician, paramedic or supervisor of such
7 titles in a participating Suffolk county fire district as defined in
8 section eighty-nine-ss of this chapter, or is a firefighter apprentice,
9 airport firefighter I, airport firefighter II, airport firefighter III,
10 or training and safety officer employed by the division of military and
11 naval affairs as defined in section eighty-nine-y of this chapter and is
12 in a plan which permits immediate retirement upon completion of a speci-
13 fied period of service without regard to age. Except as provided in
14 subdivision c of section four hundred forty-five-a of this article,
15 subdivision c of section four hundred forty-five-b of this article,
16 subdivision c of section four hundred forty-five-c of this article,
17 subdivision c of section four hundred forty-five-d of this article,
18 subdivision c of section four hundred forty-five-e of this article,
19 subdivision c of section four hundred forty-five-f of this article and
20 subdivision c of section four hundred forty-five-h of this article, a
21 member in such a plan and such an occupation, other than a police offi-
22 cer or investigator member of the New York city employees' retirement
23 system or a firefighter, shall not be permitted to retire prior to the
24 completion of twenty-five years of credited service; provided, however,
25 if such a member in such an occupation is in a plan which permits
26 retirement upon completion of twenty years of service regardless of age,
27 ~~[he or she]~~ they may retire upon completion of twenty years of credited
28 service and prior to the completion of twenty-five years of service, but
29 in such event the benefit provided from funds other than those based on
30 such a member's own contributions shall not exceed two per centum of
31 final average salary per each year of credited service.

32 § 3. Section 603 of the retirement and social security law is amended
33 by adding a new subdivision w to read as follows:

34 w. The service retirement benefit specified in section six hundred
35 four of this article shall be payable to members with twenty-five years
36 of creditable service, without regard to age, who are employed by the
37 division of military and naval affairs as a firefighter apprentice,
38 airport firefighter I, airport firefighter II, airport firefighter III,
39 or training and safety officer as defined in section eighty-nine-y of
40 this chapter if: (i) such members have met the minimum service require-
41 ments upon retirement; and (ii) in the case of a member subject to the
42 provisions of article fourteen of this chapter, such member files an
43 election therefor which provides that they will be subject to the
44 provisions of this article and to none of the provisions of such article
45 fourteen. Such election, which shall be irrevocable, shall be in writ-
46 ing, duly executed and shall be filed with the comptroller within one
47 year of the effective date of this subdivision or within one year after
48 entering the employment with the division of military and naval affairs
49 upon which eligibility is based, whichever comes later. For the purposes
50 of this subdivision, the term "creditable service" shall have the mean-
51 ing as so defined in both sections eighty-nine-y and six hundred one of
52 this chapter.

53 § 4. Section 604 of the retirement and social security law is amended
54 by adding a new subdivision w to read as follows:

55 w. The early service retirement benefit for a member who is employed
56 in the division of military and naval affairs as a firefighter appren-

tice, airport firefighter I, airport firefighter II, airport firefighter III, or training and safety officer employed as defined in section eighty-nine-y of this chapter shall be a pension equal to one-fiftieth of final average salary times years of credited service at the completion of twenty-five years of service as such division of military and naval affairs firefighter apprentice, airport firefighter I, airport firefighter II, airport firefighter III, or training and safety officer, but not exceeding one-half of their final average salary.

§ 5. This act shall take effect January 1, 2026.

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

This bill would permit members of the New York State and Local Employees' Retirement System employed by the Division of Military and Naval Affairs in certain airport firefighter titles to retire upon completion of twenty-five years of creditable service with a benefit of one-half final average salary. Affected members in Tiers 1 or 2 would be awarded additional sixtieths for all service, including non-firefighter service, in excess of twenty-five years. Additionally, members covered under Article 14 would be permitted one year to make an irrevocable election to switch to the twenty-five-year plan.

If this bill is enacted during the 2025 Legislative Session, we anticipate that there will be an increase of approximately \$280,000 in the annual contributions of the State of New York for the fiscal year ending March 31, 2026. In future years this cost will vary but is expected to average 4.2% of salary annually.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$2.17 million which will be borne by the State of New York as a one-time payment. This estimate assumes that payment will be made on March 1, 2026.

These estimated costs are based on 55 affected members employed by the Division of Military and Naval Affairs, with annual salary of approximately \$5.3 million as of March 31, 2024.

Summary of relevant resources:

Membership data as of March 31, 2024 was used in measuring the impact of the proposed change, the same data used in the April 1, 2024 actuarial valuation. Distributions and other statistics can be found in the 2024 Report of the Actuary and the 2024 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2024 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The Market Assets and GASB Disclosures are found in the March 31, 2024 New York State and Local Retirement System Financial Statements and Supplementary Information.

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

This estimate, dated January 23, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-12. As Chief Actuary of the New York State and Local Retirement System, I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member.

1 Section 1. The retirement and social security law is amended by adding
2 a new section 63-j to read as follows:

3 § 63-j. Death benefits for state-paid judges and justices. a. As used
4 in this section, the term "judge or justice" shall mean a state-paid
5 judge or justice of the unified court system including a retired judge
6 of the court of appeals or retired justice of the supreme court who is
7 serving as a justice of the supreme court pursuant to certification by
8 the administrative board of the courts in accordance with section one
9 hundred fourteen or one hundred fifteen of the judiciary law, or a hous-
10 ing judge of the civil court of the city of New York.

11 b. Notwithstanding any provision of law to the contrary, where a judge
12 or justice would have been entitled to a service retirement benefit at
13 the time of such judge or justice's death and where such death occurs on
14 or after the effective date of this section, the beneficiary or benefi-
15 ciaries may elect to receive, in a lump sum, an amount payable which
16 shall be equal to the pension reserve that would have been established
17 had the member retired on the date of such judge or justice's death, or
18 the value of the death benefit and the reserve-for-increased-take-home-
19 pay, if any, whichever is greater.

20 § 2. The retirement and social security law is amended by adding a new
21 section 508-d to read as follows:

22 § 508-d. Death benefits for state-paid judges and justices. a. As
23 used in this section, the term "judge or justice" shall mean a state-
24 paid judge or justice of the unified court system including a retired
25 judge of the court of appeals or retired justice of the supreme court
26 who is serving as a justice of the supreme court pursuant to certif-
27 ication by the administrative board of the courts in accordance with
28 section one hundred fourteen or one hundred fifteen of the judiciary
29 law, or a housing judge of the civil court of the city of New York.

30 b. Notwithstanding any provision of law to the contrary, where a judge
31 or justice would have been entitled to a service retirement benefit at
32 the time of such judge or justice's death and where such death occurs on
33 or after the effective date of this section, the beneficiary or benefi-
34 ciaries may elect to receive, in a lump sum, an amount payable which
35 shall be equal to the pension reserve that would have been established
36 had the member retired on the date of such judge or justice's death, or
37 the value of the death benefit and the reserve-for-increased-take-home-
38 pay, if any, whichever is greater.

39 § 3. The retirement and social security law is amended by adding a new
40 section 606-d to read as follows:

41 § 606-d. Death benefits for state-paid judges and justices. a. As
42 used in this section, the term "judge or justice" shall mean a state-
43 paid judge or justice of the unified court system including a retired
44 judge of the court of appeals or retired justice of the supreme court
45 who is serving as a justice of the supreme court pursuant to certif-
46 ication by the administrative board of the courts in accordance with
47 section one hundred fourteen or one hundred fifteen of the judiciary
48 law, or a housing judge of the civil court of the city of New York.

49 b. Notwithstanding any provision of law to the contrary, where a judge
50 or justice would have been entitled to a service retirement benefit at
51 the time of such judge or justice's death and where such death occurs on
52 or after the effective date of this section, the beneficiary or benefi-
53 ciaries may elect to receive, in a lump sum, an amount payable which
54 shall be equal to the pension reserve that would have been established
55 had the member retired on the date of such judge or justice's death, or

1 the value of the death benefit and the reserve-for-increased-take-home-
2 pay, if any, whichever is greater.

3 § 4. All past service costs associated with implementing the
4 provisions of this act shall be borne by the state of New York and may
5 be amortized over a period of ten years.

6 § 5. Notwithstanding any other provision of law to the contrary, none
7 of the provisions of this act shall be subject to the appropriation
8 requirement of section 25 of the retirement and social security law.

9 § 6. This act shall take effect immediately.

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

This bill would modify the in-service death benefit for retirement eligible members of the New York State and Local Employees' Retirement System who are employed as state-paid judges or justices of the Unified Court System. The in-service death benefit will be the value of the pension reserve as if the member had retired on their date of death.

If this bill is enacted during the 2025 Legislative Session, we anticipate that there will be an increase of approximately \$287,000 in the annual contributions of the State of New York for the fiscal year ending March 31, 2026. In future years this cost will vary but is expected to average 0.1% of salary annually.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$4.85 million which will be borne by the State of New York as a one-time payment. This estimate assumes that payment will be made on March 1, 2026. If the State of New York elects to amortize this cost over a 10-year period, the cost for each year including interest would be \$619,000.

These estimated costs are based on 1,153 affected members employed by the State of New York, with annual salary of approximately \$228 million as of March 31, 2024.

Summary of relevant resources:

Membership data as of March 31, 2024 was used in measuring the impact of the proposed change, the same data used in the April 1, 2024 actuarial valuation. Distributions and other statistics can be found in the 2024 Report of the Actuary and the 2024 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2024 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The Market Assets and GASB Disclosures are found in the March 31, 2024 New York State and Local Retirement System Financial Statements and Supplementary Information.

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

This estimate, dated February 13, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-24. As Chief Actuary of the New York State and Local Retirement System, I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member.

10

PART HHH

11 Section 1. Section 106 of the alcoholic beverage control law is
12 amended by adding a new subdivision 2-b to read as follows:

1 2-b. Notwithstanding any provision of this chapter to the contrary, a
2 retail licensee for on-premises consumption shall be authorized to
3 purchase up to twelve bottles of wine and liquor per week from an off-
4 premises retail licensee, and may resell any wine and liquor so
5 licensed for consumption on the premises licensed therefor.

6 § 2. Section 105 of the alcoholic beverage control law is amended by
7 adding a new subdivision 2 to read as follows:

8 2. (a) Notwithstanding any provision of this chapter to the contrary,
9 a retail licensee to sell liquor and/or wine for consumption off the
10 premises shall be authorized to sell up to twelve bottles of wine and
11 liquor per week to a retail licensee for on-premises consumption.

12 (b) A retail licensee for on-premises consumption shall retain
13 evidence of each purchase of wine and liquor from a retailer licensed to
14 sell liquor and/or wine for consumption off the premises in the form of
15 a purchase receipt showing the name of the retailer, the date of
16 purchase, a description of the alcohol beverages purchased, and the
17 price paid for the alcohol beverages. The retail licensee for on-premises
18 consumption shall retain the receipt and make it available for
19 inspection by the state liquor authority and its duly authorized agents
20 and employees.

21 § 3. This act shall take effect on the ninetieth day after it shall
22 have become a law. Effective immediately, the addition, amendment and/or
23 repeal of any rule or regulation necessary for the implementation of
24 this act on its effective date are authorized to be made and completed
25 on or before such effective date.

26 PART III

27 Section 1. Subdivision 3 of section 99-ii of the state finance law is
28 amended by adding a new paragraph (i) to read as follows:

29 (i) Necessary and reasonable costs incurred by the office of cannabis
30 management to relieve licensed cultivators of the expenses of implement-
31 ing a seed to sale track and trace system.

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

34 PART JJJ

35 Section 1. Subdivision c of section 3 of chapter 729 of the laws of
36 2023 acknowledging the fundamental injustice, cruelty, brutality and
37 inhumanity of slavery in the City of New York and the State of New York,
38 is amended to read as follows:

39 c. Report to the legislature. The commission shall submit a written
40 report of its findings and recommendations to the temporary president of
41 the senate, the speaker of the assembly, the minority leaders of the
42 senate and the assembly and the governor not later than [~~one-year~~] two
43 years after the date of the first meeting of the commission held pursu-
44 ant to subdivision c of section four of this act.

45 § 2. This act shall take effect immediately; provided however, that
46 the amendments to chapter 729 of the laws of 2023 made by section one of
47 this act shall not affect the expiration of such chapter and shall
48 expire and be deemed repealed therewith.

49 PART KKK

1 Section 1. Section 212 of the retirement and social security law is
2 amended by adding a new subdivision 2-a to read as follows:

3 2-a. Notwithstanding the provisions of subdivision two of this
4 section, the earning limitations for retired persons in positions of
5 public service shall be increased to sixty-five thousand dollars from
6 the year two thousand twenty-five and thereafter.

7 § 2. This act shall take effect immediately.

8 PART LLL

9 Section 1. The retirement and social security law is amended by
10 adding two new sections 383-e and 383-f to read as follows:

11 § 383-e. Retirement of officers of state law enforcement; twenty year
12 retirement plan. a. Membership. Every non-seasonally appointed sworn
13 member or officer of the division of law enforcement in the department
14 of environmental conservation, a forest ranger in the service of the
15 department of environmental conservation, which shall mean a person who
16 serves on a full-time basis in the title of forest ranger I, forest
17 ranger II, forest ranger III, assistant superintendent of forest fire
18 control, superintendent of forest fire control or any successor titles
19 or new titles in the forest ranger title series in the department of
20 environmental conservation, a police officer in the department of envi-
21 ronmental conservation, the regional state park police, and university
22 police officers who enter or re-enter service in any such title whose
23 date of membership is on or after January first, two thousand ten shall
24 be covered by the provisions of this section, and every member described
25 in this subdivision in such service on or before one year prior to the
26 effective date of this section may elect to be covered by the provisions
27 of this section by filing an election therefor with the comptroller. To
28 be effective, such election must be duly executed and acknowledged on a
29 form prepared by the comptroller for that purpose.

30 b. Retirement allowance. A member, covered by the provisions of this
31 section at the time of retirement, shall be entitled to retire upon
32 completion of twenty years of total creditable service in such titles,
33 and shall retire upon the attainment of the mandatory retirement age
34 prescribed by this section, by filing an application therefor in a
35 manner similar to that provided in section three hundred seventy of this
36 article.

37 1. Upon completion of twenty years of such service and upon retire-
38 ment, each such member shall receive a pension which, together with an
39 annuity for such years of service as provided in paragraph four of this
40 subdivision, shall be sufficient to provide such member with a retire-
41 ment allowance of one-half of such member's final average salary.

42 2. Upon completion of more than twenty years of such service and upon
43 retirement, each such member shall receive, for each year of service in
44 excess of twenty, an additional pension which, together with an annuity
45 for each such year as provided in paragraph four of this subdivision,
46 shall be equal to one-sixtieth of such member's final average salary,
47 provided, however, that the pension payable pursuant to this section
48 shall not exceed three-quarters of final average salary.

49 3. Upon attainment of the mandatory retirement age without completion
50 of twenty years of such service, each such member shall receive a
51 pension which, together with an annuity for such years of service as
52 provided in paragraph four of this subdivision, shall be equal to one-
53 fortieth of such member's final average salary for each year of credita-
54 ble service in such titles. Every such member shall also be entitled to

1 an additional pension equal to the pension for any creditable service
2 rendered while not an employee in such titles as provided under para-
3 graphs three and four of subdivision a of section three hundred seven-
4 ty-five of this article. This latter pension shall not increase the
5 total allowance to more than one-half of such member's final average
6 salary.

7 4. The annuity provided under paragraphs one, two and three of this
8 subdivision shall be the actuarial equivalent, at the time of retire-
9 ment, of the member's accumulated contributions based upon the rate of
10 contribution fixed under section three hundred eighty-three of this
11 title and upon the salaries earned while in such service. Such annuity
12 shall be computed as it would be if it were not reduced by the actuarial
13 equivalent of any outstanding loan nor by reason of the member's
14 election to decrease such member's contributions toward retirement in
15 order to apply the resulting amount toward payment of contributions for
16 old age and survivor's insurance. Any accumulated contributions in
17 excess of the amount required to provide the annuity computed pursuant
18 to this paragraph shall be used to increase the member's retirement
19 allowance.

20 c. Credit for previous service. In computing the years of total cred-
21 itable service for each member described herein, full credit shall be
22 given and full allowance shall be made for service rendered as a police
23 officer or state university peace officer or member of a police force or
24 department of a state park authority or commission or an organized
25 police force or department of a county, city, town, village, police
26 district, authority or other participating employer or member of the
27 capital police force in the office of general services while a member of
28 the New York state and local police and fire retirement system, of the
29 New York state and local employees' retirement system or of the New York
30 city police pension fund and for all service for which full credit has
31 been given and full allowance made pursuant to the provisions of section
32 three hundred seventy-five-h of this article provided, however, that
33 full credit pursuant to the provisions of such section shall mean only
34 such service as would be creditable service pursuant to the provisions
35 of section three hundred eighty-three, three hundred eighty-three-a,
36 three hundred eighty-three-b, as added by chapter six hundred seventy-
37 four of the laws of nineteen hundred eighty-six, three hundred eighty-
38 three-b, as added by chapter six hundred seventy-seven of the laws of
39 nineteen hundred eighty-six, three hundred eighty-three-c or three
40 hundred eighty-three-d of this title or pursuant to the provisions of
41 title thirteen of the administrative code of the city of New York for
42 any member contributing pursuant to this section who transferred to the
43 jurisdiction of the department of environmental conservation including
44 but not limited to environmental conservation officers and forest
45 rangers, regional state park police or state university of New York
46 peace officers.

47 d. Retirement for cause. Upon receipt of a certificate from the head
48 of the entity where such member is employed or such member's designee, a
49 member as described in subdivision a of this section, who has accrued
50 twenty-five or more years of service credit under this section shall be
51 retired on the first day of the second month next succeeding the date
52 such certificate was filed with the comptroller.

53 e. Credit for military service. In computing the years of total cred-
54 itable service full credit shall be given and full allowance shall be
55 made for service of such member in war after world war I as defined in
56 section three hundred two of this article, provided such member at the

1 time of such member's entrance into the armed forces was in police
2 service as defined in subdivision eleven of section three hundred two of
3 this article.

4 f. Transfer of membership to employees' retirement system. Any member
5 currently enrolled pursuant to this section and who previously trans-
6 ferred service credit from the New York state and local employees'
7 retirement system to the New York state and local police and fire
8 retirement system, may elect to transfer such previously transferred
9 service credit back to the New York state and local employees' retire-
10 ment system, and such member shall have the option to retroactively
11 transfer such member's membership into such employees' retirement
12 system.

13 g. The provisions of this section shall be controlling, notwithstand-
14 ing any provision of this article to the contrary.

15 § 383-f. Retirement of officers of state law enforcement; alternative
16 twenty-five year retirement plan. a. Membership. Every non-seasonally
17 appointed sworn member or officer of the division of law enforcement in
18 the department of environmental conservation, a forest ranger in the
19 service of the department of environmental conservation, which shall
20 mean a person who serves on a full-time basis in the title of forest
21 ranger I, forest ranger II, forest ranger III, assistant superintendent
22 of forest fire control, or any successor titles or new titles in the
23 forest ranger title series in the department of environmental conserva-
24 tion, a police officer in the department of environmental conservation,
25 the regional state park police, and university police officers whose
26 date of membership is prior to January first, two thousand ten shall be
27 covered by the provisions of this section, and every member described in
28 this subdivision in such service within one year of the effective date
29 of this section or within one year of employment in an eligible title,
30 whichever is later, may elect to be covered by the provisions of this
31 section by filing an election therefor with the comptroller. Upon
32 completion of twenty-five years of such service and upon retirement,
33 each such member shall receive a pension which, together with an annui-
34 ty, if any, which shall be the actuarial equivalent of such member's
35 accumulated contributions at the time of their retirement and an addi-
36 tional pension which is the actuarial equivalent of the reserve-for-in-
37 creased-take-home-pay to which such member may then be entitled, if any,
38 shall be sufficient to provide such member with a retirement allowance
39 equal to fifty-eight percent of their final average salary. To be
40 effective, such election must be duly executed and acknowledged on a
41 form prepared by the comptroller for such purpose.

42 b. Retirement allowance. 1. A member, covered by the provisions of
43 this section at the time of retirement, shall be entitled to retire upon
44 completion of twenty-five years of total creditable service in such
45 titles by filing an application therefor in a manner similar to that
46 provided in section three hundred seventy of this article.

47 2. Upon completion of more than twenty-five years of such service and
48 upon retirement, each such member shall receive, for each year of
49 service in excess of twenty-five, an additional pension which, together
50 with an annuity for each such year as provided in paragraph three of
51 this subdivision, shall be equal to one-sixtieth of their final average
52 salary, provided, however, that the pension payable pursuant to this
53 section shall not exceed three-quarters of such member's final average
54 salary.

55 3. The annuity provided under paragraph two of this subdivision shall
56 be the actuarial equivalent, at the time of retirement, of the member's

1 accumulated contributions based upon the rate of contributions fixed
2 under section three hundred eighty-three of this title and upon the
3 salaries earned while in such service. Such annuity shall be computed as
4 it would be if it were not reduced by the actuarial equivalent of any
5 outstanding loan nor by reason of the member's election to decrease such
6 member's contributions for old age and survivor's insurance. Any accumu-
7 lated contributions in excess of the amount required to provide the
8 annuity computed pursuant to this paragraph shall be used to increase
9 the member's retirement allowance.

10 c. Credit for previous service. In computing the years of total cred-
11 itable service for each member described herein, full credit shall be
12 given and full allowance shall be made for service rendered as a police
13 officer or state university peace officer or member of a police force or
14 department of a state park authority or commission or an organized
15 police force or department of a county, city, town, village, police
16 district, authority or other participating employer or member of the
17 capital police force in the office of general services while a member of
18 the New York state and local police and fire retirement system, of the
19 New York state and local employees' retirement system or of the New York
20 city police pension fund and for all service for which full credit has
21 been given and full allowance made pursuant to the provisions of section
22 three hundred seventy-five-h of this article provided, however, that
23 full credit pursuant to the provisions of such section shall mean only
24 such service as would be creditable service pursuant to the provisions
25 of section three hundred eighty-three, three hundred eighty-three-a,
26 three hundred eighty-three-b, as added by chapter six hundred seventy-
27 four of the laws of nineteen hundred eighty-six, three hundred eighty-
28 three-b, as added by chapter six hundred seventy-seven of the laws of
29 nineteen hundred eighty-six, three hundred eighty-three-c or three
30 hundred eighty-three-d of this title or pursuant to the provisions of
31 title thirteen of the administrative code of the city of New York for
32 any member contributing pursuant to this section who transferred to the
33 jurisdiction of the department of environmental conservation including
34 but not limited to environmental conservation officers and forest
35 rangers, regional state park police or state university of New York
36 peace officers.

37 § 2. This act shall take effect on the first of January next succeed-
38 ing the date on which it shall have become a law.

39 PART MMM

40 Section 1. Subdivision 1, paragraphs (c), (d) and (e) of subdivision 6
41 and subdivisions 10 and 13 of section 5-900 of the election law, as
42 amended by chapter 37 of the laws of 2021, are amended to read as
43 follows:

44 1. In addition to any other method of voter registration provided for
45 by this chapter, state and local agencies designated in subdivisions
46 thirteen and fourteen of this section shall provide to the state board
47 of elections voter registration qualification information associated
48 with each person who submits an application for services or assistance
49 at such agency, including a renewal, recertification, or reexamination
50 transaction at such agency, and each person who submits a change of
51 address or name form. ~~For the purposes of the department of motor vehi-~~
52 ~~cles, "application for services or assistance at such agency" refers~~
53 ~~only to an application for a motor vehicle driver's license, a driver's~~
54 ~~license renewal or an identification card if such card is issued by the~~

1 ~~department of motor vehicles in its normal course of business.~~ For
2 purposes of the New York city housing authority "application for
3 services or assistance at such agency" refers only to applications that
4 reach an eligibility interview and reexamination transactions. Such
5 designated agencies shall ensure agency applications substantially
6 include all of the elements required by section 5-210 of this article,
7 including the appropriate attestation, so that persons completing such
8 applications shall be able to also submit an application to register to
9 vote through the electronic voter registration transmittal system. For
10 purposes of this section, "agency" shall mean any state or local agency,
11 department, division, office, institution or other entity designated in
12 subdivision thirteen of this section or designated by the governor
13 pursuant to subdivision fourteen of this section. For purposes of this
14 section, registration shall also include pre-registration pursuant to
15 section 5-507 of this article.

16 (c) include a box for the applicant to check to indicate whether the
17 applicant would like to decline to register to vote along with the
18 following statement, or its substantial equivalent, in prominent type,
19 "IF YOU DO NOT CHECK THIS BOX, AND YOU PROVIDE YOUR SIGNATURE ON THE
20 SPACE BELOW, YOU WILL HAVE APPLIED TO REGISTER OR PRE-REGISTER TO VOTE,
21 AND YOU WILL HAVE ATTESTED TO YOUR ELIGIBILITY TO REGISTER OR PRE-REGIS-
22 TER TO VOTE."

23 (d) include the following warning statement, or its substantial equiv-
24 alent, in prominent type, "IF YOU ARE NOT A CITIZEN OF THE UNITED
25 STATES, YOU MUST CHECK THE BOX BELOW. NON-CITIZENS WHO REGISTER OR
26 PRE-REGISTER TO VOTE MAY BE SUBJECT TO CRIMINAL PENALTIES AND SUCH VOTER
27 REGISTRATION OR PRE-REGISTRATION MAY RESULT IN DEPORTATION OR REMOVAL,
28 EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF NATURALIZA-
29 TION.";

30 (e) include a space for the applicant to indicate the applicant's
31 choice of party enrollment, with a clear alternative provided for the
32 applicant to decline to affiliate with any party and the following
33 statement, or its substantial equivalent, in prominent type "ONLY
34 ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMA-
35 RIES".

36 10. A voter shall be able to decline to register to vote using an
37 integrated application by selecting a single check box, or equivalent,
38 which shall include the following statement, or its substantial equiv-
39 alent: "I DECLINE USE OF THIS FORM FOR VOTER REGISTRATION AND PRE-REGIS-
40 TRATION PURPOSES. DO NOT FORWARD MY INFORMATION TO THE BOARD OF
41 ELECTIONS."

42 13. [~~Beginning January first, two thousand twenty three, designated~~
43 ~~agencies for purposes of this section shall include the department of~~
44 ~~motor vehicles.~~] Beginning January first, two thousand twenty-four,
45 designated agencies for the purposes of this section shall [~~also~~]
46 include the department of health, the office of temporary and disability
47 assistance, the department of labor, the office of adult career and
48 continuing education services - vocational rehabilitation, county and
49 city departments of social services, and the New York city housing
50 authority, as well as any other agency designated by the governor.
51 Provided that, any transactions with the department of health or county
52 and city departments of social services involving Medicaid enrollment
53 shall be processed pursuant to section 5-901-a of this title, in place
54 of this section. Beginning January first, two thousand twenty-five,
55 designated agencies for the purposes of this section shall also include
56 the state university of New York. Each designated agency shall enter

1 into an agreement with the state board of elections finalizing the
2 format and content of electronic transmissions required by this section.
3 The state board of elections shall prepare and distribute to designated
4 agencies written instructions as to the implementation of the program
5 and shall be responsible for establishing training programs for employ-
6 ees of designated agencies listed in this section. Such instructions and
7 such training shall ensure usability of the integrated application for
8 low English proficiency voters. Any such designated agency shall take
9 all actions that are necessary and proper for the implementation of this
10 section, including facilitating technological capabilities to allow
11 transmission of data through an interface with the electronic voter
12 registration transmittal system in a secure manner.

13 § 2. The election law is amended by adding a new section 5-901 to read
14 as follows:

15 § 5-901. Procedures specific to the department of motor vehicles. 1.
16 Beginning January first, two thousand twenty-eight, the department of
17 motor vehicles shall utilize the automatic voter registration procedures
18 established by this section for each person who conducts any of the
19 following REAL ID or Enhanced license transactions: an application for
20 a motor vehicle driver's license or an identification card, or any
21 renewal, recertification, or reexamination transaction for such docu-
22 ments, or any change of address or name form for such documents. Prior
23 to January first, two thousand twenty-eight, the department of motor
24 vehicles shall utilize the procedures required under section 5-900 of
25 this title for such transactions. Beginning January first, two thousand
26 twenty-nine, the department of motor vehicles shall utilize the automat-
27 ic voter registration procedures established by this section for each
28 person who conducts any of the following standard license transactions:
29 an application for a motor vehicle driver's license or an identification
30 card, or any renewal, recertification, or reexamination transaction for
31 such documents, or any change of address or name form for such docu-
32 ments. Prior to January first, two thousand twenty-nine, the department
33 of motor vehicles shall utilize the procedures required under section
34 5-900 of this title for such standard license transactions.

35 2. (a) Except as provided in paragraph (c) of this subdivision, where
36 a person conducts a department of motor vehicles transaction pursuant to
37 subdivision one of this section and such person has provided documenta-
38 tion to the department of motor vehicles conclusively demonstrating
39 United States citizenship and is of sufficient age to register or pre-
40 register to vote, the department of motor vehicles shall promptly trans-
41 mit electronically to the state board of elections the following infor-
42 mation regarding such person:

43 (i) such person's name;
44 (ii) such person's date of birth;
45 (iii) such person's driver's license or state ID number;
46 (iv) such person's residence address, and mailing address if different
47 from such residence address;
48 (v) such person's county of residence;
49 (vi) such person's citizenship status;
50 (vii) an electronic copy of such person's manual signature that is in
51 the custody of the department of motor vehicles;
52 (viii) the date of such person's transaction with the department of
53 motor vehicles;
54 (ix) such person's gender, if available;
55 (x) such person's telephone number, if available; and
56 (xi) such person's e-mail address, if available.

1 (b) The department of motor vehicles and the state board of elections
2 shall jointly determine which documents acceptable for transactions
3 pursuant to subdivision one of this section conclusively demonstrate
4 United States citizenship.

5 (c) The department of motor vehicles shall not transmit information
6 pursuant to paragraph (a) of this subdivision for any person who is a
7 program participant in the address confidentiality program pursuant to
8 section one hundred eight of the executive law.

9 (d) Upon receiving information pursuant to paragraph (a) of this
10 subdivision for a person who is not registered to vote in New York state
11 and who is of sufficient age to register or pre-register to vote, unless
12 the state board of elections has evidence that such person is a program
13 participant in the address confidentiality program pursuant to section
14 one hundred eight of the executive law, the state board of elections
15 shall electronically forward such information to the board of elections
16 of the county or the city of the person's residence address for regis-
17 tration or pre-registration consistent with this chapter.

18 (e) (i) Upon receiving information pursuant to paragraph (d) of this
19 subdivision, a county or city board of elections shall register or pre-
20 register the person to vote pursuant to section 5-210 of this article
21 effective as of the date of such person's transaction with the depart-
22 ment of motor vehicles. The county or city board of elections shall
23 promptly send to such person's mailing address, by non-forwardable mail,
24 a notice that such person has been registered to vote, or pre-registered
25 to vote, if applicable, that contains a postage paid preaddressed return
26 form by which such person may decline to be registered or pre-regis-
27 tered. Such notice shall be combined with the notice required pursuant
28 to subdivision one of section 5-308 of this article and shall also offer
29 such person the opportunity to enroll with a party. Such notice shall
30 also include a statement that, if such person declines to register or
31 pre-register to vote, the fact that such person has declined registra-
32 tion or pre-registration will remain confidential and will be used only
33 for election administration purposes, and a statement that, if such
34 person does not decline registration or pre-registration, the office at
35 which such person was registered or pre-registered will remain confiden-
36 tial and will be used only for election administration purposes. Such
37 notice shall also provide information and procedures for anyone wishing
38 to prevent disclosure of their residence address, including information
39 regarding the address confidentiality program for victims of domestic
40 violence under section 5-508 of this article. The notice required by
41 this subparagraph may be combined with the notice provided to newly
42 registered voters pursuant to subdivision nine of section 5-210 of this
43 article.

44 (ii) Notwithstanding any other provision of this article, a person of
45 sufficient age to register to vote whose information is transmitted to a
46 county or city board pursuant to subparagraph (i) of this paragraph
47 shall be registered to vote for an election if the date of such person's
48 transaction with the department of motor vehicles pursuant to subdivi-
49 sion one of this section occurs by the twelfth day before such election
50 and such person's information is transmitted to the county or city board
51 by the tenth day before such election. A person whose transaction with
52 the department of motor vehicles occurs within thirty days of an
53 election shall be required to affirm before voting that such person has
54 resided in such person's county, city, or village for at least thirty
55 days before such election. Such affirmation shall be available at the
56 time of voting and at the time of requesting an early mail or absentee

1 ballot. A voter who signs an affirmation pursuant to this subparagraph
2 shall not be challenged or required to vote an affidavit ballot on the
3 grounds that such voter signed such affirmation.

4 (f) (i) If a person returns the notice provided under subparagraph (i)
5 of paragraph (e) of this subdivision and declines to be registered or
6 pre-registered to vote, such person's registration or pre-registration
7 shall be canceled, and such person shall be deemed to have not regis-
8 tered or pre-registered. However, if such person has voted in an
9 election after the transmission of such person's information but before
10 the notice is returned, the returned form shall be of no effect and such
11 person shall remain registered as of the date of such person's trans-
12 action with the department of motor vehicles. Information relating to
13 the return of a notice form declining to be registered or pre-registered
14 shall not be used for any purpose other than election administration.

15 (ii) Notwithstanding subdivision two of section 5-304 of this article,
16 if a person returns the notice provided under subparagraph (i) of para-
17 graph (e) of this subdivision and elects to enroll in a party, such
18 enrollment shall take effect immediately. However, any pre-registrant's
19 registration shall remain classified as "pending" until the voter
20 reaches the age of eligibility.

21 (iii) If a person returns the notice provided under subparagraph (i)
22 of paragraph (e) of this subdivision but does not select any options,
23 the returned notice shall be of no force and effect, and such person
24 shall remain registered to vote, or pre-registered to vote, if applica-
25 ble.

26 3. (a) The department of motor vehicles shall not provide an opportu-
27 nity to register or pre-register to vote or transmit any information to
28 the board of elections for purposes of voter registration for any person
29 who, when conducting a department of motor vehicles transaction pursuant
30 to subdivision one of this section, provides documentation conclusively
31 demonstrating that such person is not a United States citizen. The
32 department of motor vehicles and the state board of elections shall
33 jointly determine which documents acceptable for transactions pursuant
34 to subdivision one of this section conclusively demonstrate that a
35 person is not a United States citizen.

36 (b) For any person who conducts a department of motor vehicles trans-
37 action pursuant to subdivision one of this section whose information is
38 not already subject to transmission to the state board of elections
39 pursuant to paragraph (a) of subdivision two of this section and who
40 does not provide documentation at the time of such person's transaction
41 conclusively demonstrating that such person is not a United States citi-
42 zen, the department of motor vehicles transaction shall provide an inte-
43 grated voter registration opportunity as part of such transaction. For
44 purposes of this paragraph, registration shall also include pre-regis-
45 tration pursuant to section 5-507 of this article.

46 (c) The department shall ensure agency applications pursuant to para-
47 graph (b) of this subdivision include all of the elements required by
48 section 5-210 of this article, including the appropriate attestation, so
49 that persons completing such applications shall be able to also submit
50 an application to register to vote through the electronic voter regis-
51 tration transmittal system.

52 (d) The integrated voter registration opportunity shall:

53 (i) include a statement of the eligibility requirements for voter
54 registration and shall require an applicant to attest that such appli-
55 cant meets such requirements under penalty of perjury;

1 (ii) inform an applicant, in print identical to that used in the
2 attestation section, of the following:

3 (A) voter eligibility requirements;

4 (B) penalties for submission of a false registration application;

5 (C) that the office where such applicant applies for registration
6 shall remain confidential and the voter registration information shall
7 be used only for voter registration purposes;

8 (D) that if such applicant applies to register to vote electronically,
9 such applicant thereby consents to the use of an electronic copy of such
10 applicant's manual signature that is in the custody of the department of
11 motor vehicles, as such applicant's voter registration exemplar signa-
12 ture;

13 (E) if such applicant signs the application and affirmatively selects
14 the voter registration option, such applicant thereby consents to the
15 use of any information required to complete the voter registration
16 application; and

17 (F) if such applicant declines to register, such applicant's declina-
18 tion shall remain confidential and be used only for voter registration
19 purposes;

20 (iii) require an applicant who attests to the eligibility requirements
21 for voter registration to either affirmatively select or affirmatively
22 decline voter registration as a necessary condition to complete the
23 application pursuant to subdivision one of this section;

24 (iv) include the following warning statement, or its substantial
25 equivalent, in prominent type, "IF YOU ARE NOT A CITIZEN OF THE UNITED
26 STATES, DO NOT SELECT THE OPTION TO REGISTER TO VOTE. NON-CITIZENS WHO
27 REGISTER OR PRE-REGISTER TO VOTE MAY BE SUBJECT TO CRIMINAL PENALTIES
28 AND SUCH VOTER REGISTRATION OR PRE-REGISTRATION MAY RESULT IN DEPORTA-
29 TION OR REMOVAL, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR
30 DENIAL OF NATURALIZATION.";

31 (v) include a space for an applicant to indicate such applicant's
32 choice of party enrollment, with a clear alternative provided for such
33 applicant to decline to affiliate with any party and the following
34 statement, or its substantial equivalent, in prominent type "ONLY
35 ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMA-
36 RIES."; and

37 (vi) include a statement that if an applicant is a victim of domestic
38 violence or stalking, such applicant may contact the state board of
39 elections before or after registering or pre-registering to vote in
40 order to receive information regarding the address confidentiality
41 program for victims of domestic violence under section 5-508 of this
42 article.

43 (e) For each person who completes an application to register to vote
44 pursuant to paragraph (d) of this subdivision, who attests to the eligi-
45 bility requirements for voter registration, and affirmatively selects
46 voter registration pursuant to subparagraph (iii) of paragraph (d) of
47 this subdivision, the department of motor vehicles shall electronically
48 transmit to the state board of elections through an interface with the
49 electronic voter registration transmittal system established and main-
50 tained by the state board of elections such portion of the application
51 that includes voter registration information. If such person is not
52 already registered to vote in New York state, the state board of
53 elections shall electronically forward such application to the applica-
54 ble board of elections of each county or the city of New York for regis-
55 tration consistent with this chapter. The department shall not transmit
56 to the state board of elections an application for registration for a

1 person who indicates on the integrated personal voter registration
2 application that such person does not meet the eligibility requirements
3 for registration.

4 (f) An integrated voter registration application submitted to the
5 department of motor vehicles in an electronic format shall be transmit-
6 ted to the state board of elections through the electronic voter regis-
7 tration transmittal system and shall include all of the voter registra-
8 tion data elements, including electronic signature, as applicable, and
9 record of attestation of the accuracy of the voter registration informa-
10 tion and any relevant document images.

11 (g) An integrated voter registration form submitted to the department
12 of motor vehicles in paper format shall be transmitted to the state
13 board of elections through the electronic voter registration transmittal
14 system by converting the paper form to an image file or a portable docu-
15 ment format file which shall thereafter be deemed the original form for
16 voter registration and enrollment purposes. The department shall retain
17 the complete original paper application for no less than two years. The
18 transmittal of the converted paper application may include or be accom-
19 panied by data elements and transmittal information as required by the
20 rules and regulations of the state board of elections.

21 (h) The department shall redact or remove from the completed inte-
22 grated application to be transmitted to the state board of elections any
23 information solely applicable to the agency application.

24 (i) Information from an applicant relevant to both voter registration
25 and the department application shall be entered by the applicant only
26 once upon an electronic application.

27 (j) Information concerning the citizenship status of individuals, when
28 collected and transmitted pursuant to this subdivision, shall not be
29 retained, used, or shared for any other purpose except as may be
30 required by law.

31 (k) For each person who attests to the eligibility requirements for
32 voter registration, but who does not affirmatively select voter regis-
33 tration pursuant to subparagraph (iii) of paragraph (d) of this subdivi-
34 sion, the department of motor vehicles shall electronically transmit to
35 the state board of elections through an interface with the electronic
36 voter registration transmittal system established and maintained by the
37 state board of elections such portion of the application that includes
38 voter registration information with a clear designation that such infor-
39 mation shall be used only for the purpose of updating existing registra-
40 tion records.

41 4. (a) If information is received by the state board of elections from
42 the department of motor vehicles pursuant to paragraph (a) of subdivi-
43 sion two or paragraph (e) or (k) of subdivision three of this section
44 for a person who is already registered or pre-registered to vote in New
45 York state, the state board of elections shall determine whether the
46 information provided to the department of motor vehicles indicates a
47 different name, residence address, or mailing address from that on such
48 person's registration record.

49 (b) If information provided to the department of motor vehicles pursu-
50 ant to paragraph (a) of subdivision two or paragraph (e) or (k) of
51 subdivision three of this section indicates a different name, residence
52 address, or mailing address for a registered or pre-registered voter
53 from that on such person's registration record, the state board of
54 elections shall electronically transmit the updated name or address for
55 such person to the appropriate board of elections for such person's
56 residence. If such person has changed residence from one county to

1 another, the state board of elections shall electronically transmit such
2 information to both the board of the previous county or city of resi-
3 dence and the new county or city of residence. The board of elections in
4 such person's county or city of residence shall use the information
5 transmitted by the board to update such person's existing voter regis-
6 tration record, transfer the person's registration, if inactive, to
7 active status, and send to such person's address of record the notice
8 required under subdivision five of section 5-208 of this article. The
9 board of elections in any previous county or city of residence shall
10 update such person's voter registration record to reflect that such
11 person has moved to a different county.

12 (c) If a person returns the notice required under paragraph (b) of
13 this subdivision and indicates that the change to such person's regis-
14 tration record was in error, the appropriate boards of elections,
15 including the board of the previous county or city of residence, shall
16 promptly correct such person's previously updated information in the
17 statewide voter registration list.

18 (d) Any application pursuant to subdivision one of this section shall
19 inform the applicant that if such applicant is already registered or
20 pre-registered to vote in New York state, the name, residence address,
21 and mailing address provided on the application shall be used to update
22 such person's registration record and that such person shall receive
23 notice of any update by mail, along with information on how to correct
24 such update, if needed.

25 5. The state board of elections shall prepare and distribute to the
26 department of motor vehicles written instructions as to the implementa-
27 tion of this section and shall be responsible for establishing training
28 programs for employees of the department of motor vehicles. Such
29 instructions and such training shall ensure usability of the integrated
30 application in subdivision three of this section for low-English profi-
31 ciency voters. The department of motor vehicles shall take all actions
32 that are necessary and proper for the implementation of this section,
33 including facilitating technological capabilities to allow transmission
34 of data through an interface with the electronic voter registration
35 transmittal system in a secure manner.

36 6. The state board of elections may promulgate rules and regulations
37 for the administration of this section.

38 7. Nothing in this section shall be construed to require documentary
39 proof of citizenship for voter registration. Nothing in this section
40 shall be construed to authorize or require the department of motor vehi-
41 cles to request documentation establishing an applicant's citizenship
42 solely for the purposes of voter registration.

43 8. The state board of elections shall publicly release data reports,
44 as described in this subdivision, on a monthly basis. Such data reports
45 shall not include any personally identifying information, shall be
46 subcategorized by gender and age of the individuals included, and shall
47 include all of the following information:

48 (a) The number of individuals registered to vote or pre-registered to
49 vote under the procedures in subdivision two of this section.

50 (b) The number of individuals registered to vote or pre-registered to
51 vote under the procedures in subdivision three of this section.

52 (c) The number of individuals who declined voter registration or pre-
53 registration under the procedures in subdivision two of this section.

54 (d) The number of individuals who declined voter registration or pre-
55 registration under the procedures in subdivision three of this section.

1 (e) The number of individuals whose voter registration or pre-regis-
2 tration was updated pursuant to the procedures in subdivision four of
3 this section.

4 § 3. The election law is amended by adding a new section 5-901-a to
5 read as follows:

6 § 5-901-a. Procedures specific to Medicaid enrollment. 1. Subject to
7 any modifications necessary to comply with applicable federal laws and
8 regulations including such modifications under subdivision two of this
9 section, beginning January first, two thousand twenty-eight, the depart-
10 ment of health and county and city departments of social services shall
11 automatically and electronically transmit the following information to
12 the state board of elections for purposes of voter registration and
13 pre-registration for each person who applies for or re-enrolls in Medi-
14 caid, who is of sufficient age to register or pre-register to vote, and
15 who is externally verified as a United States citizen as part of an
16 application for Medicaid:

17 (a) such person's name;

18 (b) such person's date of birth;

19 (c) the last four digits of such person's social security number;

20 (d) such person's residence address, and mailing address if different
21 from the residence address;

22 (e) such person's county of residence;

23 (f) such person's citizenship status;

24 (g) an electronic copy of such person's manual signature, if avail-
25 able;

26 (h) the date of such person's application or re-enrollment trans-
27 action;

28 (i) such person's gender, if available;

29 (j) such person's telephone number, if available; and

30 (k) such person's e-mail address, if available.

31 2. If necessary to comply with federal law, before transmitting a
32 person's information to the state board of elections for purposes of
33 voter registration pursuant to subdivision one of this section, the
34 department of health and county and city departments of social services
35 or their designees shall, within fifteen days of such person's applica-
36 tion or re-enrollment transaction, notify by mail such person whose data
37 is subject to transmission pursuant to subdivision one of this section
38 and provide such person an opportunity to decline transmission. Such
39 notice shall be sent to such person's mailing address by non-forwardable
40 mail, notify such person that such person's information will be shared
41 with election officials for purposes of keeping voter registration
42 records complete and accurate, and contain a postage paid preaddressed
43 return form by which such person may decline transmission of such
44 person's data to the state board of elections. If such person returns
45 such notice within seventeen days of mailing and declines transmission
46 of such person's information, such person's information shall not be
47 transmitted to the state board of elections for purposes of voter regis-
48 tration. If such person does not return the notice provided under this
49 subdivision and declines transmission of such person's information with-
50 in seventeen days of mailing, such person's information shall be trans-
51 mitted to the state board of elections within three days for purposes of
52 voter registration.

53 3. In processing information received the department of health and
54 county and city departments of social services pursuant to subdivision
55 one of this section, the state board of elections and boards of
56 elections for each county or the city of New York shall comply with the

1 requirements established in subdivisions two and four of section 5-901
 2 of this title. Provided that, a person of sufficient age to register to
 3 vote whose information is transmitted to a county or city board pursuant
 4 to this section shall be registered to vote for an election if the
 5 information is transmitted to the county or city board by the tenth day
 6 before such election.

7 4. Prior to January first, two thousand twenty-eight, the department
 8 of health and county and city departments of social services shall
 9 utilize the procedures required under section 5-900 of this title for
 10 Medicaid enrollment transactions.

11 § 4. Section 5-902 of the election law, as amended by chapter 37 of
 12 the laws of 2021, is amended to read as follows:

13 § 5-902. Failure to receive exemplar signature not to prevent regis-
 14 tration. If a voter registration exemplar signature is not received from
 15 an applicant who submits a voter registration or pre-registration appli-
 16 cation or is otherwise registered or pre-registered to vote pursuant to
 17 this title and such signature exemplar is not otherwise available from
 18 the statewide voter registration database or a state or local agency,
 19 the local board of elections shall, absent another reason to reject the
 20 application, proceed to register or pre-register and, as applicable,
 21 enroll the applicant. Within ten days of such action, the board of
 22 elections shall send a standard form promulgated by the state board of
 23 elections to the voter whose record lacks an exemplar signature, requir-
 24 ing such voter to submit a signature for identification purposes. The
 25 voter shall submit to the board of elections a voter registration exemp-
 26 lar signature by any one of the following methods: in person, by mail
 27 with return postage paid provided by the board of elections, by elec-
 28 tronic mail, or by electronic upload to the board of elections through
 29 the electronic voter registration transmittal system. If such voter does
 30 not provide the required exemplar signature, when the voter appears to
 31 vote the voter shall be entitled to vote by affidavit ballot.

32 § 5. The opening paragraphs of subdivisions 1 and 2 of section 5-904
 33 of the election law, as amended by chapter 37 of the laws of 2021, are
 34 amended to read as follows:

35 Notwithstanding subdivision six of section 5-210 of this article or
 36 any other law to the contrary, a person who is ineligible to vote who
 37 fails to decline to register or pre-register to vote in accordance with
 38 the provisions of this [~~section~~] title or who is otherwise registered or
 39 pre-registered to vote in accordance with the provisions of this title,
 40 and who did not willfully and knowingly seek to register or pre-register
 41 to vote knowing that the person is not eligible to do so:

42 Notwithstanding subdivision six of section 5-210 of this article or
 43 any other law to the contrary, a person who is ineligible to vote who
 44 fails to decline to register or pre-register to vote in accordance with
 45 the provisions of this [~~section~~] title or who is otherwise registered or
 46 pre-registered to vote in accordance with the provisions of this title,
 47 and who then either votes or attempts to vote in an election held after
 48 the effective date of that person's registration, and who did not will-
 49 fully and knowingly seek to register or pre-register to vote knowing
 50 that the person is not eligible to do so, and did not subsequently vote
 51 or attempt to vote knowing that the person is not eligible to do so:

52 § 6. Subdivisions 1 and 2 of section 5-308 of the election law, as
 53 amended by chapter 37 of the laws of 2021, are amended to read as
 54 follows:

55 1. The board of elections shall, promptly and not later than twenty-
 56 one days after receipt of a voter registration or pre-registration

1 application submitted pursuant to title nine of this article by a voter
2 registering or pre-registering for the first time, send any such voter
3 who did not enroll in a party a notice and a form to indicate party
4 enrollment. Such notice shall offer the voter the opportunity to enroll
5 with a party or to decline to enroll with a party and contain the
6 following statement in prominent type "ONLY ENROLLED MEMBERS OF A POLI-
7 TICAL PARTY MAY VOTE IN THAT PARTY'S PRIMARIES." Such form shall provide
8 a clear alternative for the applicant to decline to affiliate with any
9 party. If the board of elections has not received a response to the
10 party enrollment notice and form sent pursuant to this subdivision, or
11 to a notice sent pursuant to subparagraph (i) of paragraph (e) of subdivi-
12 vision two of section 5-901 of this article within forty-five days of a
13 person's registration, the board shall mail a second party enrollment
14 notice and form to such person.

15 2. Notwithstanding subdivision two of section 5-304 of this title, if
16 a voter who registered to vote for the first time (or pre-registered)
17 pursuant to title nine of this article responds to either of the
18 [~~notice~~] notices required by subdivision one of this section and elects
19 to enroll in a party, such enrollment shall take effect immediately.
20 However, any pre-registrant's registration shall remain classified as
21 "pending" until the voter reaches the age of eligibility.

22 § 7. This act shall take effect January 1, 2028.

23 PART NNN

24 Section 1. Section 43 of the retirement and social security law is
25 amended by adding a new subdivision m to read as follows:

26 m. 1. Notwithstanding any other law, rule or regulation to the contra-
27 ry, any member in the title of deputy sheriff who provided police
28 protection or correction officer service transferring from the New York
29 state and local employees' retirement system to the New York state and
30 local police and fire retirement system after the effective date of this
31 subdivision and any member previously in the title of deputy sheriff who
32 provided police protection or correction office service having made such
33 transfer shall be entitled to a determination of the amount of service
34 credit that is eligible on a twenty year or twenty-five year retirement
35 plan if, within one year of the date on which such deputy sheriff first
36 became a member of the New York state and local police and fire retire-
37 ment system or within one year of the effective date of this subdivi-
38 sion, such member elects to do so. If the member subsequently transfers
39 back to the New York state and local employees' retirement system, the
40 full amount of service credit earned while in the title of deputy sher-
41 iff who provided police protection or correction officer service shall
42 be transferred back to the New York state and local employees' retire-
43 ment system.

44 2. The calculation of the amount of such service credit for a member
45 will be determined by multiplying the eligible service credited while in
46 the title of deputy sheriff who provided police protection or correction
47 officer service in the New York state and local employees' retirement
48 system plan by a salary multiplier, reflecting the rate of salary in the
49 New York state and local employees' retirement system plan relative to
50 the rate of salary in the New York state and local police and fire
51 retirement system plan, and a billing rate multiplier, reflecting the
52 actuarial long-term average billing rate in the New York state and local
53 employees' retirement system plan relative to the actuarial long-term
54 average billing rate in the New York state and local police and fire

1 retirement system plan. The determination of the salary multiplier and
2 billing rate multiplier will be determined by the actuary of the New
3 York state and local employees' retirement system and the New York state
4 and local police and fire retirement system. The amount of such service
5 credited to the member in the New York state and local police and fire
6 retirement system plan shall not exceed the amount of service credited
7 to the member while in the title of deputy sheriff who provided police
8 protection or correction officer service in the New York state and local
9 employees' retirement system plan.

10 § 2. Section 343 of the retirement and social security law is amended
11 by adding a new subdivision j to read as follows:

12 j. 1. Notwithstanding any other law, rule or regulation to the contra-
13 ry, any member in the title of deputy sheriff who provided police
14 protection or correction officer service transferring from the New York
15 state and local employees' retirement system to the New York state and
16 local police and fire retirement system after the effective date of this
17 subdivision and any member previously in the title of deputy sheriff who
18 provided police protection or correction officer service having made
19 such transfer shall be entitled to a determination of the amount of
20 service credit that is eligible on a twenty year or twenty-five year
21 retirement plan if, within one year of the date on which such deputy
22 sheriff first became a member of the New York state and local police and
23 fire retirement system or within one year of the effective date of this
24 subdivision, such member elects to do so. If the member subsequently
25 transfers back to the New York state and local employees' retirement
26 system, the full amount of service credit earned while in the title of
27 deputy sheriff who provided police protection or correction officer
28 service shall be transferred back to the New York state and local
29 employees' retirement system.

30 2. The calculation of the amount of such service credit for a member
31 will be determined by multiplying the eligible service credited while in
32 the title of deputy sheriff who provided police protection or correction
33 officer service in the New York state and local employees' retirement
34 system plan by a salary multiplier, reflecting the rate of salary in the
35 New York state and local employees' retirement system plan relative to
36 the rate of salary in the New York state and local police and fire
37 retirement system plan, and a billing rate multiplier, reflecting the
38 actuarial long-term average billing rate in the New York state and local
39 employees' retirement system plan relative to the actuarial long-term
40 average billing rate in the New York state and local police and fire
41 retirement system plan. The determination of the salary multiplier and
42 billing rate multiplier will be determined by the actuary of the New
43 York state and local employees' retirement system and the New York state
44 and local police and fire retirement system. The amount of such service
45 credited to the member in the New York state and local police and fire
46 retirement system plan shall not exceed the amount of service credited
47 to the member while in the title of deputy sheriff who provided police
48 protection or correction officer service in the New York state and local
49 employees' retirement system plan.

50 3. If such member subsequently retires on an age based retirement plan
51 in the New York state and local police and fire retirement system
52 instead of a twenty year or twenty-five year plan, the full amount of
53 service credit earned while in the title of deputy sheriff shall be
54 granted.

55 4. No member who receives service credit pursuant to this subdivision
56 shall be eligible to receive additional service credit pursuant to

1 subdivision b of section three hundred eighty-four-e of this article if
2 such deputy sheriff's employer has elected to provide such service cred-
3 it.

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

6 PART 000

7 Section 1. Section 3 of part HH of chapter 56 of the laws of 2022
8 amending the retirement and social security law relating to waiving
9 approval and income limitations on retirees employed in school districts
10 and board of cooperative educational services, as amended by section 1
11 of part GG of chapter 55 of the laws of 2024, is amended to read as
12 follows:

13 § 3. This act shall take effect immediately and shall expire and be
14 deemed repealed June 30, [~~2025~~] 2027.

15 § 2. This act shall take effect immediately.

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

This bill would amend Part HH of Chapter 56 of the laws of 2022, most recently amended by Part GG of Chapter 55 of the laws of 2024, to extend the waiver of the earnings-after-retirement limitation for two more years to June 30, 2027 for retired members who return to work with a school district or a board of cooperative educational services (BOCES). The current expiration date is June 30, 2025 for the waiver of this limit. This act shall take effect immediately and shall be deemed repealed on June 30, 2027.

This waiver of the earnings-after-retirement limit is expected to have an impact on the Retirement System's patterns of retirement, and it is expected that some members will retire earlier than they otherwise would have. Earlier retirement generally increases plan costs since members will be receiving their benefits for a longer period. If retirement patterns shift more than expected, there will be additional costs.

The annual cost to the employers of members of the New York State Teachers' Retirement System for this benefit is estimated to be \$27.0 million or 0.13% of payroll if this bill is enacted. Additional costs would be expected if this change is made permanent.

Member data is from the System's most recent actuarial valuation files as of June 30, 2024, consisting of data provided by the employers to the Retirement System. The most recent data distributions and statistics can be found in the System's Annual Report for fiscal year ended June 30, 2024. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods will be provided in the System's Actuarial Valuation Report as of June 30, 2024, except rates of retirement which have been modified to reflect anticipated utilization of this benefit.

The source of this estimate is Fiscal Note 2025-14 dated March 7, 2025 prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2025 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

1 Section 1. 1. New York state aid and incentives for municipalities
2 redesign task force. There is hereby created the aid and incentives for
3 municipalities redesign task force whose membership shall consist of 7
4 members: the director of the division of the budget or such director's
5 designee as chair; the comptroller or such comptroller's designee; the
6 executive director of the New York State Conference of Mayors or such
7 director's designee; the executive director of the New York State Asso-
8 ciation of Counties or such director's designee; the executive director
9 of the New York State Association of Towns or such director's designee;
10 one member appointed by the temporary president of the senate; and one
11 member appointed by the speaker of the assembly. The task force shall
12 report to the governor, the speaker of the assembly and the temporary
13 president of the senate no later than one year after the effective date
14 of this act. Such report shall include, but not be limited to:

15 (a) A review and analysis of the current aid and incentives for muni-
16 cipalities formula and allocations;

17 (b) An analysis of available alternatives to the current aid and
18 incentives for municipalities formula and allocations, including models
19 from other states; provided however, that such alternatives shall
20 include the allocation of funds to any municipality which is not
21 currently receiving aid and incentives for municipalities funding;

22 (c) Recommendations concerning such alternatives to the formula used
23 to determine future aid and incentives to municipalities funding allo-
24 cations; provided however, that such recommendations shall include the
25 allocation of funds to any municipality which is not currently receiving
26 aid and incentives for municipalities funding; and

27 (d) Any other information the task force deems necessary or relevant.

28 2. All appointments to the task force shall be made no later than
29 sixty days after the effective date of this act. Any vacancy shall be
30 filled by the appointing authority. The task force shall meet as
31 frequently as it deems necessary prior to issuing its findings and
32 recommendations. The members of the task force shall serve without
33 compensation, except that members shall be allowed their necessary and
34 actual expenses incurred in the performance of their duties under this
35 section. The department of taxation and finance and the division of the
36 budget shall provide the task force with such data as the task force may
37 request to carry out its powers and duties. To the extent practicable,
38 such data shall be provided in a format in accordance with the standards
39 outlined in the New York State Open Data Handbook pursuant to executive
40 order 95 of the laws of 2013. The task force may consult with any public
41 or private entity it deems necessary in order to assist the task force
42 with information gathering, analysis, and formulating its conclusions
43 and recommendations.

44 § 2. This act shall take effect immediately and shall expire and be
45 deemed repealed December 31, 2026.

46

PART QQQ

47 Section 1. Subparagraph (ii) of paragraph p of subdivision 10 of
48 section 54 of the state finance law, as amended by section 1 of part CC
49 of chapter 55 of the laws of 2018, is amended to read as follows:

50 (ii) Within the annual amounts appropriated therefor, surviving muni-
51 cipalities following a consolidation or dissolution occurring on or
52 after the state fiscal year commencing April first, two thousand seven,
53 and any new coterminous town-village established after July first, two
54 thousand twelve that operates principally as a town or as a village but

1 not as both a town and a village, shall be awarded additional annual
2 aid, starting in the state fiscal year following the state fiscal year
3 in which such reorganization took effect, equal to [~~fifteen~~] thirty
4 percent of the combined amount of real property taxes levied by all of
5 the municipalities participating in the reorganization in the local
6 fiscal year prior to the local fiscal year in which such reorganization
7 took effect. In instances of the dissolution of a village located in
8 more than one town, such additional aid shall equal the sum of [~~fifteen~~]
9 thirty percent of the real property taxes levied by such village in the
10 village fiscal year prior to the village fiscal year in which such
11 dissolution took effect plus [~~fifteen~~] thirty percent of the average
12 amount of real property taxes levied by the towns in which the village
13 was located in the town fiscal year prior to the town fiscal year in
14 which such dissolution took effect, and shall be divided among such
15 towns based on the percentage of such village's population that resided
16 in each such town as of the most recent federal decennial census. In no
17 case shall the additional annual aid pursuant to this paragraph exceed
18 [~~one~~] three million dollars. For villages in which a majority of the
19 electors voting at a referendum on a proposed dissolution pursuant to
20 section seven hundred eighty of the general municipal law vote in favor
21 of dissolution after December thirty-first, two thousand seventeen, in
22 no case shall the additional annual aid pursuant to this paragraph
23 exceed the lesser of [~~one~~] three million dollars or the amount of real
24 property taxes levied by such village in the village fiscal year prior
25 to the village fiscal year in which such dissolution took effect. Such
26 additional annual aid shall be apportioned and paid to the chief fiscal
27 officer of each eligible municipality on or before September twenty-
28 fifth of each such state fiscal year on audit and warrant of the state
29 comptroller out of moneys appropriated by the legislature for such
30 purpose to the credit of the local assistance fund.

31 § 2. This act shall take effect immediately, and shall apply to tax
32 years beginning on or after January 1, 2025.

33

PART RRR

34 Section 1. Section 854 of the general municipal law is amended by
35 adding a new subdivision 22 to read as follows:

36 (22) "Labor organization"--shall mean any organization which exists
37 and is constituted for the purpose, in whole or in part, of collective
38 bargaining, or of dealing with employers concerning grievances, terms or
39 conditions of employment, or of other mutual aid or protection and which
40 is not a company union.

41 § 2. Subdivision 2 of section 856 of the general municipal law, as
42 amended by chapter 356 of the laws of 1993, is amended to read as
43 follows:

44 2. (a) An agency shall be a corporate governmental agency, constitut-
45 ing a public benefit corporation. Except as otherwise provided by
46 special act of the legislature, an agency shall consist of not less than
47 three nor more than seven members who shall be appointed by the govern-
48 ing body of each municipality and who shall serve at the pleasure of the
49 appointing authority. If the initial addition of the mandatory members
50 required pursuant to paragraph (b) of this subdivision would increase
51 the agency size to above the maximum seven-member limit, the agency may
52 temporarily increase its size to allow for the addition of such mandato-
53 ry members. Provided, however, that such agency size shall decrease to

1 seven or fewer members as the seats of non-mandatory members are
2 vacated.

3 (b) Such members may include representatives of local government
4 [~~school~~] and business, and shall at least include a representative of a
5 local labor organization and either a school district superintendent or
6 a representative of a school board. A member shall continue to hold
7 office until [~~his~~] their successor is appointed and has qualified. The
8 governing body of each municipality shall designate the first [~~chairman~~]
9 chairperson and file with the secretary of state a certificate of
10 appointment or reappointment of any member. Such members shall receive
11 no compensation for their services but shall be entitled to the neces-
12 sary expenses, including traveling expenses, incurred in the discharge
13 of their duties.

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

16 PART SSS

17 Section 1. This act shall be known and may be cited as the "Oak
18 Orchard wastewater project act".

19 § 2. Definitions. For the purposes of this act, the following terms
20 shall have the following meanings:

21 1. "Oak Orchard wastewater project" or "project" shall mean, in
22 conformity with the requirements of this act, any and all phases of
23 planning, development, financing, design, construction, expansion,
24 improvements, repairs which are undertaken in whole or in part by the
25 county for the wastewater treatment plant known as the "Oak Orchard
26 wastewater treatment plant" located at 4300 Oak Orchard Road in the Town
27 of Clay, Onondaga county, SBL No. 031.-01-03.0, including any other
28 necessary improvements or expansions to the county wastewater treatment
29 and collection system within five miles of the perimeter of the plant.

30 2. "Oak Orchard wastewater treatment plant" shall mean the parcel more
31 particularly described as follows:

32 Beginning at a point on the division line between said lands conveyed
33 to Joseph V. Jankowski by the first above mentioned deed on the west and
34 lands conveyed by Scott Sitterly and Lena E. Sitterly to Green Island
35 Contracting Corporation in Parcel No. 1 of feed dated April 24, 1970 and
36 recorded in Onondaga County Clerk's Office on April 24, 1970 in Book of
37 Deeds 2426 at Page 210, on the east, said point also being 400 distant
38 southerly, measured along the division line from its intersection with
39 the division line between lands conveyed to Joseph V. Jankowski in the
40 first above mentioned deed, on the south, and said lands conveyed to
41 Green Island Contracting Corporation in Parcel No. 2 of the aforemen-
42 tioned deed, on the north; running thence S 3°03'04" E along said divi-
43 sion line and its southerly prolongation, a distance of 2587.66 feet to
44 a point on the easterly prolongation of the southerly boundary of lands
45 conveyed by Effie J. Bush to Scott Sitterly and Lena E. Sitterly by deed
46 dated March 1, 1994 and recorded in Onondaga County Clerk's Office on
47 March 2, 1944, in Book of Deeds 1089 at Page 35; thence S 86°.4'06" W, a
48 distance of 1141.86 feet to the southeast corner of said lands conveyed
49 to Scott Sitterly and Lena E. Sitterly in the last mentioned deed;
50 thence N 4°04'05" W along the easterly boundary of said lands conveyed
51 to Scott Sitterly and Lena E. Sitterly, a distance of 663.82 feet to the
52 northeast corner thereof; thence S86°28'55" W along the northerly bound-
53 ary of said lands conveyed by Effie J. Bush to Scott Sitterly and Lena
54 E. Sitterly, a distance of about 119 feet to the centerline of "Mud

1 Creek"; thence northerly along the centerline of Mud Creek", as it winds
2 and turns, a distance of about 1965 feet to its intersection with the
3 southwest prolongation of the southeasterly boundary of lands conveyed
4 by Owen P. Honors to Charles F. Honors and Marion F. Honors by deed
5 dated April 8, 1972 and recorded in Onondaga County Clerk's Office on
6 June 30, 1972 in Book of Deeds 2478 at Page 719; thence N 41°08'58" E
7 along said prolongation and along the southeasterly boundary of said
8 lands conveyed to Charles F. Honors and Marion F. Honors, a distance of
9 about 595 feet to a point, said point being S 41°08'58" W, a distance of
10 238.94 feet as measured along the southeasterly boundary from an iron
11 pipe monument marking the most easterly corner of said lands conveyed to
12 Charles F. Honors and Marion F. Honors; thence N 86°28'55" E, parallel
13 to the southerly boundary of Farm Lot No. 16, a distance of 1328.39 feet
14 to a point of beginning. Containing 74.41 acres of land more or less.

15 Subject to a Flowage Easement granted by William Lepinski and Dora
16 Lepinske to the State of New York dated January 2, 1917 and recorded in
17 Onondaga County Clerk's Office on January 27, 1917 in Book of Deed 455
18 at Page 176.

19 3. "County" shall mean the county of Onondaga.

20 4. "Best value" shall mean the basis for awarding contracts for
21 services to the proposer that optimize quality, cost and efficiency,
22 price and performance criteria, which may include, but is not limited
23 to:

24 (a) The quality of the contractor's performance on previous projects;
25 (b) The timeliness of the contractor's performance on previous
26 projects;

27 (c) The level of customer satisfaction with the contractor's perform-
28 ance on previous projects;

29 (d) The contractor's record of performing previous projects on budget
30 and ability to minimize cost overruns;

31 (e) The contractor's ability to limit change orders;

32 (f) The contractor's ability to prepare appropriate project plans;

33 (g) The contractor's technical capacities;

34 (h) The individual qualifications of the contractor's key personnel;

35 (i) The contractor's ability to assess and manage risk and minimize
36 risk impact; and

37 (j) The contractor's past record of encouraging women and minority
38 owned business enterprise participation and compliance with article 15-A
39 of the executive law.

40 Such basis shall reflect, wherever possible, objective and quantifiable
41 analysis.

42 5. "Design-build contract" shall mean, in conformity with the require-
43 ments of this act a contract for the design and construction of the Oak
44 Orchard wastewater project with a single entity, which may be a team
45 comprised of separate entities.

46 6. "Procurement record" shall mean documentation of the decisions made
47 and the approach taken in the procurement process.

48 7. "Project labor agreement" shall mean a pre-hire collective bargain-
49 ing agreement between a contractor and a bona fide building and
50 construction trade labor organization establishing the labor organiza-
51 tion as the collective bargaining representative for all persons who
52 will perform work on a project, and which provides that only contractors
53 and subcontractors who sign a pre-negotiated agreement with the labor
54 organization can perform project work.

55 § 3. Notwithstanding section 103 of the general municipal law or the
56 provisions of any other law to the contrary, in conformity with the

1 requirements of this act, and only when a project labor agreement is
2 performed, the county may utilize the alternative delivery method
3 referred to as a design-build contract for a project. The county shall
4 ensure that its procurement record reflects the design-build contract
5 process authorized by this act.

6 § 4. An entity selected by the county to enter into a design-build
7 contract for a project shall be selected on the basis of which proposal
8 provides the best value to the county, as follows:

9 1. The county shall issue a request for proposals for a project. The
10 request for proposals for a project shall set forth the project's scope
11 of work, qualifications and experience required, minimum business terms,
12 technical requirements as well as other requirements, as determined by
13 the county. The request for proposals shall specify the criteria to be
14 used to evaluate the responses and the relative weight of each such
15 criteria. Such criteria shall include the proposal's cost, the quality
16 of the proposal's solution, the qualifications and experience of the
17 design-build entity, adherence to minimum business terms, technical
18 approach and other factors deemed pertinent by the county, which may
19 include, but shall not be limited to, the proposal's project implementa-
20 tion, ability to complete the work in a timely and satisfactory manner,
21 operation and maintenance costs of the completed project, maintenance of
22 traffic approach, and community impact. Any contract awarded pursuant to
23 this act shall be awarded to a responsive and responsible entity that
24 submits the proposal, which, in consideration of these and other speci-
25 fied criteria deemed pertinent to the project, offers the best value to
26 the county, as determined by the county. Nothing in this act shall be
27 construed to prohibit the county from negotiating final contract terms
28 and conditions including cost. As used herein, qualifications and expe-
29 rience shall include the qualifications and experience of the design and
30 construction team, organization, demonstrated responsibility, ability of
31 the team or of a member or members of the team to comply with applicable
32 requirements, including the provisions of articles 145, 147 and 148 of
33 the education law, past record of compliance with the labor law includ-
34 ing prevailing wage requirements under state and federal law; the past
35 record of compliance with existing labor standards and maintaining
36 harmonious labor relations; the record of protecting the health and
37 safety of workers on public works projects and job sites as demonstrated
38 by the experience modification rate for each of the last three years;
39 the prospective proposer's ability to undertake the particular type and
40 complexity of work; the financial capability, responsibility and reli-
41 ability of the prospective proposer for such type and complexity of
42 work; the prospective proposer's compliance with equal employment oppor-
43 tunity requirements and anti-discrimination laws, and demonstrated
44 commitment to working with minority and women-owned businesses through
45 joint ventures or subcontractor relationships; whether or not the
46 prospective proposer or a person or entity with an interest of at least
47 ten per centum in the prospective proposer, is debarred for having
48 disregarded obligations to employees under the Davis-Bacon Act pursuant
49 to 40 U.S.C. 3144 and 29 C.F.R. 5.12 and such other qualifications the
50 county deems appropriate which may include but are not limited to
51 project understanding, financial capability and record of past perform-
52 ance. To the extent consistent with applicable federal law, the county
53 shall consider, when awarding any contract pursuant to this section, the
54 participation of: (a) firms certified pursuant to article 15-A of the
55 executive law as minority or women-owned businesses and the ability of
56 other businesses under consideration to work with minority and women-

1 owned businesses so as to promote and assist participation by such busi-
2 nesses; and (b) small business concerns identified pursuant to subdivi-
3 sion (b) of section 139-g of the state finance law.

4 2. Notwithstanding the foregoing provisions of this section, when any
5 person or entity is debarred for having disregarded obligations to
6 employees under the Davis-Bacon Act pursuant to 40 U.S.C. 3144 and 29
7 C.F.R. 5.12, such person or entity, and any firm, corporation, partner-
8 ship or association in which the person or entity owns or controls at
9 least ten per centum, shall be ineligible to submit a bid on or be
10 awarded any contract authorized by this act while the name of the person
11 or entity is published in the list of debarred contractors pursuant to
12 40 U.S.C. 3144. The department of labor will notify the person or entity
13 immediately of such ineligibility and such person or entity must be
14 afforded the opportunity to appeal to the department of labor.

15 § 5. Any contract entered into pursuant to this act shall include a
16 clause requiring that any professional services regulated by articles
17 145, 147 and 148 of the education law shall be performed and stamped and
18 sealed, where appropriate, by a professional licensed in accordance with
19 such articles.

20 § 6. The construction, demolition, reconstruction, excavation, reha-
21 bilitation, repair, renovation of a project undertaken by the county
22 pursuant to this act shall be deemed a "public work" to be performed in
23 accordance with the provisions of article 8 of the labor law, as well as
24 subject to sections 200, 240, 241 and 242 of the labor law and enforce-
25 ment of prevailing wage requirements by the New York state department of
26 labor.

27 § 7. A project labor agreement shall be included in the request for
28 proposals for a project, provided that, based upon a study done by or
29 for the county, the county determines that its interest in obtaining the
30 best work at the lowest possible price, preventing favoritism, fraud and
31 corruption, and other considerations such as the impact of delay, the
32 possibility of cost savings advantages, and any local history of labor
33 unrest, are best met by requiring a project labor agreement. The county
34 shall conduct such a study and the project labor agreement shall be
35 performed consistent with the provisions of section 222 of the labor
36 law. If a project labor agreement is not performed on the project: (1)
37 the county shall not utilize a design-build contract for the project;
38 and (2) sections 101 and 103 of the general municipal law shall apply to
39 the project.

40 § 8. Each contract entered into by the county pursuant to this act
41 shall comply, whenever practical, with the objectives and goals of
42 minority and women-owned business enterprises pursuant to article 15-A
43 of the executive law or, if a project receives federal aid, shall comply
44 with applicable federal requirements for disadvantaged business enter-
45 prises.

46 § 9. A project undertaken by the county pursuant to this act shall be
47 subject to the requirements of article 8 of the environmental conserva-
48 tion law, and, where applicable, the requirements of the national envi-
49 ronmental policy act.

50 § 10. If otherwise applicable, a project undertaken by the county
51 pursuant to this act shall be governed by the general municipal law.

52 § 11. The submission of a proposal or responses or the execution of a
53 design-build contract pursuant to this act shall not be construed to be
54 a violation of section 6512 of the education law.

55 § 12. Nothing contained in this act shall limit the right or obli-
56 gation of the county to comply with the provisions of any existing

1 contract, including any existing contract with or for the benefit of the
 2 holders of the obligations of the county, or to award contracts as
 3 otherwise provided by law.

4 § 13. This act shall take effect immediately and shall expire and be
 5 deemed repealed ten years after such date, provided that if Onondaga
 6 county has issued requests for proposals for a project prior to such
 7 repeal, such project shall be permitted to continue under this act
 8 notwithstanding such repeal.

9 PART TTT

10 Section 1. Section 532 of the real property tax law is amended by
 11 adding two new subdivisions (m) and (n) to read as follows:

12 (m) All state lands located within the boundaries of the Sojourner
 13 Truth state park in the county of Ulster, exclusive of the improvements
 14 thereon.

15 (n) All state lands located within the boundaries of the Franny Reese
 16 state park in the county of Ulster, exclusive of the improvements there-
 17 on.

18 § 2. This act shall take effect immediately and shall apply to assess-
 19 ment rolls prepared on the basis of taxable status dates occurring on
 20 and after the date on which this act shall have become a law.

21 PART UUU

22 Section 1. Section 4 of part KK of chapter 55 of the laws of 2022,
 23 amending the general municipal law and the town law relating to author-
 24 izing fees and charges for emergency medical services, is amended to
 25 read as follows:

26 § 4. This act shall take effect on the ninetieth day after it shall
 27 have become a law and shall apply to health care claims submitted on or
 28 after such date[~~, provided, however, that this act shall expire and be~~
 29 ~~deemed repealed four years after it shall have become a law].~~

30 § 2. This act shall take effect immediately.

31 PART VVV

32 Section 1. Section 862 of the general municipal law is amended by
 33 adding a new subdivision 3 to read as follows:

34 (3) No funds, financial incentives or subsidies of the agency shall be
 35 used in respect of any project where facilities or property are used
 36 primarily for electronic commerce (e-commerce) storage and transfers, or
 37 the facilitation thereof.

38 § 2. The second undesignated paragraph of section 1953 of the public
 39 authorities law, as amended by chapter 579 of the laws of 2021, is
 40 amended to read as follows:

41 Notwithstanding the provisions of this section to the contrary, such
 42 financial assistance may, however, be provided to a project where facil-
 43 ities or property that are primarily used in making retail sales of
 44 goods or services to customers who personally visit such facilities to
 45 obtain such goods or services constitute more than one-third of the
 46 total project cost, where: (i) the predominant purpose of the project
 47 would be to make available goods or services which would not, but for
 48 the project, be reasonably accessible to the residents of the city of
 49 Troy because of a lack of reasonably accessible retail trade facilities
 50 offering such goods or services; or (ii) the project is located in a

1 highly distressed area. With respect to projects authorized pursuant to
2 this paragraph no project shall be approved unless the authority shall
3 find after the public hearing required by section twenty-three hundred
4 seven of this chapter that undertaking the project will serve the public
5 purposes of this article by preserving permanent, private sector jobs or
6 increasing the overall number of permanent, private sector jobs in the
7 state. Where the authority makes such a finding, prior to providing
8 financial assistance to the project by the authority, the chief execu-
9 tive officer of the city of Troy shall confirm the proposed action of
10 the authority. No funds, financial incentives or subsidies of the
11 authority shall be used in respect of any project where facilities or
12 property are used primarily for electronic commerce (e-commerce) storage
13 and transfers, or the facilitation thereof. To carry out said purposes,
14 the authority shall have power:

15 § 3. The second undesignated paragraph of section 2306 of the public
16 authorities law, as amended by chapter 304 of the laws of 2013, is
17 amended to read as follows:

18 Notwithstanding the provisions of this section to the contrary, such
19 financial assistance may, however, be provided to a project where facil-
20 ities or property that are primarily used in making retail sales of
21 goods or services to customers who personally visit such facilities to
22 obtain such goods or services constitute more than one-third of the
23 total project cost, where: (i) the predominant purpose of the project
24 would be to make available goods or services which would not, but for
25 the project, be reasonably accessible to the residents of the city of
26 Auburn because of a lack of reasonably accessible retail trade facili-
27 ties offering such goods or services; or (ii) the project is located in
28 a highly distressed area. With respect to projects authorized pursuant
29 to this paragraph no project shall be approved unless the authority
30 shall find after the public hearing required by section twenty-three
31 hundred seven of this title that undertaking the project will serve the
32 public purposes of this article by preserving permanent, private sector
33 jobs or increasing the overall number of permanent, private sector jobs
34 in the state. Where the authority makes such a finding, prior to provid-
35 ing financial assistance to the project by the authority, the chief
36 executive officer of the city of Auburn shall confirm the proposed
37 action of the authority. No funds, financial incentives or subsidies of
38 the authority shall be used in respect of any project where facilities
39 or property are used primarily for electronic commerce (e-commerce)
40 storage and transfers, or the facilitation thereof. To carry out said
41 purpose, the authority shall have power:

42 § 4. This act shall take effect immediately.

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

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