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 audiovisual 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:

Section 1. This act enacts into law major components of legislation necessary to implement the state public protection and general government budget for the 2025-2026 state fiscal year. Each component is wholly contained within a Part identified as Parts A through VVV. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

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

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

§ 2. Section 3 of 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, as amended by section 2 of part A of chapter 55 of the laws of 2023, is amended to read as follows:

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and shall remain in effect until the first day of September, [~~2025~~] **2027**, when it shall expire and be deemed repealed.

§ 3. Section 3 of 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, as amended by section 3 of part A of chapter 55 of the laws of 2023, is amended to read as follows:

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

§ 4. Section 20 of 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, as amended by section 4 of part A of chapter 55 of the laws of 2023, is amended to read as follows:

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

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

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

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

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

§ 7. Subdivision (c) of section 46 of 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, as amended by section 7 of part A of chapter 55 of the laws of 2023, is amended to read as follows:

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

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

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

§ 9. Section 12 of 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, as amended by section 9 of part A of chapter 55 of the laws of 2023, is amended to read as follows:

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

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

(p) The amendments to section 1809 of the vehicle and traffic law made by sections three hundred thirty-seven and three hundred thirty-eight of this act shall not apply to any offense committed prior to such effective date; provided, further, that section three hundred forty-one of this act shall take effect immediately and shall expire November 1, 1993 at which time it shall be deemed repealed; sections three hundred forty-five and three hundred forty-six of this act shall take effect July 1, 1991; sections three hundred fifty-five, three hundred fifty-six, three hundred fifty-seven and three hundred fifty-nine of this act shall take effect immediately and shall expire June 30, 1995 and shall revert to and be read as if this act had not been enacted; section three hundred fifty-eight of this act shall take effect immediately and shall expire June 30, 1998 and shall revert to and be read as if this act had not been enacted; section three hundred sixty-four through three hundred sixty-seven of this act shall apply to claims filed on or after such effective date; sections three hundred sixty-nine, three hundred seventy-two, three hundred seventy-three, three hundred seventy-four, three hundred seventy-five and three hundred seventy-six of this act shall remain in effect until September 1, [~~2025~~] 2027, at which time they shall be deemed repealed; provided, however, that the mandatory surcharge provided in section three hundred seventy-four of this act shall apply to parking violations occurring on or after said effective date; and provided further that the amendments made to section 235 of the vehicle and traffic law by section three hundred seventy-two of this act, the amendments made to section 1809 of the vehicle and traffic law by sections three hundred thirty-seven and three hundred thirty-eight of this act and the amendments made to section 215-a of the labor law by section three hundred seventy-five of this act shall expire on September 1, [~~2025~~] 2027 and upon such date the provisions of such subdivisions and sections shall revert to and be read as if the provisions of this act had not been enacted; the amendments to subdivisions 2 and 3 of section 400.05 of the penal law made by sections three hundred seventy-seven and three hundred seventy-eight of this act shall expire on July 1, 1992 and upon such date the provisions of such subdivisions shall revert and shall be read as if the provisions of this act had not been enacted; the state board of law examiners shall take such action as is

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

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

8. The provisions of this section shall only apply to offenses committed on or before September first, two thousand [~~twenty-five~~] twenty-seven.

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

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

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

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

§ 14. Section 4 of part D of 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, as amended by section 14 of part A of chapter 55 of the laws of 2023, is amended to read as follows:

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

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

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

§ 16. Section 5 of 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, as amended by section 16 of part A of chapter 55 of the laws of 2023, is amended to read as follows:

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

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

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

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

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

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

§ 3. This act shall take effect immediately, except that section one of this act shall take effect on the first of January next succeeding the date on which it shall have become a law, and shall remain in effect until the first of September, [~~2025~~] 2027, upon which date this act shall be deemed repealed and have no further force and effect; provided that section one of this act shall only take effect with respect to any compacting state which has enacted an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act and provided further that with respect to any such compacting state, upon the effective date of section one of this act, section 259-m of the executive law is hereby deemed REPEALED and section 259-mm of the executive law, as added by section one of this act, shall take effect; and provided further that with respect to any state which has not enacted an interstate compact entitled "Interstate compact for adult offender super-

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

§ 20. Section 8 of part H of 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, as amended by section 20 of part A of chapter 55 of the laws of 2023, is amended to read as follows:

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

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

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

§ 22. Section 5 of 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, as amended by section 22 of part A of chapter 55 of the laws of 2023, is amended to read as follows:

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

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

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

§ 24. This act shall take effect immediately.

PART B

Intentionally Omitted

PART C

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

9-a. The provisions of this section requiring a person to be a resident of the state shall not apply to any person employed as a correction officer trainee or correction officer who is employed at a state correctional facility.

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

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

Notwithstanding the foregoing, any member in service in the division on August fifteenth, two thousand seven, and who on that date was entitled to receive retirement benefits on the thirty-first day of December in the year in which [~~he or she~~] **such member** attained fifty-seven years of age as provided in paragraph three of subdivision b of this section, may elect to retain such entitlement, provided the member remains in service on the thirtieth day of December in the year in which [~~he or she~~] **such member** attains fifty-seven years of age**, and any member in service in the division on August thirty-first, two thousand twenty-five, and who on that date was entitled to receive retirement benefits on the thirty-first day of December in the year in which such member attained sixty years of age as provided in paragraph three of subdivision b of this section, may elect to retain such entitlement, provided the member remains in service on the thirtieth day of December in the year in which such member attains sixty years of age**. The provisions of this subdivision shall not apply to the superintendent.

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

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

and terminate one year after successful completion thereof. All other sworn members shall be subject to a probationary period of one year from the date of appointment. Following satisfactory completion of the probationary period the member shall be a permanent appointee. Voluntary resignation or withdrawal from the New York state police during such appointment shall be submitted to the superintendent for approval. Reasonable time shall be required to account for all equipment issued or for debts or obligations to the state to be satisfied. Resignation or withdrawal from the division during a time of emergency, so declared by the governor, shall not be approved if contrary to the best interest of the state and shall be a misdemeanor. No sworn member removed from the New York state police shall be eligible for reappointment. The superintendent shall make rules and regulations subject to approval by the governor for the discipline and control of the New York state police and for the examination and qualifications of applicants for appointment as members thereto and such examinations shall be held and conducted by the superintendent subject to such rules and regulations. The superintendent is authorized to charge a fee of twenty dollars as an application fee for any person applying to take a competitive examination for the position of trooper, and a fee of five dollars for any competitive examination for a civilian position. The superintendent shall promulgate regulations subject to the approval of the director of the budget, to provide for a waiver of the application fee when the fee would cause an unreasonable hardship on the applicant and to establish a fee schedule and charge fees for the use of state police facilities.

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

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

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

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

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

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

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

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

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

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

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

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

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

4. (a) [~~Any person who has received provisional or permanent appointment in the competitive class of the civil service as a police officer of the regional state park police, the state university of New York police, the department of environmental conservation or any police force or police department of any county, city, town, village, housing authority, transit authority or police district shall be eligible to resign from any police force or police department, and to be appointed as a police officer in the same or any other police force or police department without satisfying the age requirements set forth in paragraph (a) of subdivision one of this section at the time of such second or subsequent appointment, provided such second or subsequent appointment occurs within thirty days of the date of resignation.~~

~~(b)~~] Any person who has received permanent appointment in the competitive class of the civil service as a police officer of the regional state park police, the state university of New York police, the department of environmental conservation or any police force or police department of any county, city, town, village, housing authority, transit authority or police district shall be eligible to resign from any police force or police department and, subject to such civil service rules as may be applicable, shall be eligible for reinstatement in the same police force or police department or in any other police force or police department to which [~~he or she was~~] **they were** eligible for transfer, without satisfying the age requirements set forth in paragraph (a) of subdivision one of this section at the time of such reinstatement, provided such reinstatement occurs within one year of the date of resignation.

[~~(c)~~] **(b)** (i) Legislative findings and declaration. The legislature hereby finds and declares that it is frequently impracticable to ascertain fitness for the positions of detective and investigator within various police or sheriffs departments around the state by means of a competitive examination due to the unique nature of the duties assigned and the intangible personal qualities needed to perform such duties. The legislature further finds that competitive examination has never been employed in many police, correction or sheriffs departments, to ascertain fitness for the positions of detective and investigator within such police, correction or sheriffs departments; such fitness has always been determined by evaluation of the capabilities of an individual (who has in any case received permanent appointment to the position of police officer, correction officer of any rank or deputy sheriff) by supervisory personnel. The legislature further finds that an individual who performs in an investigatory position in a manner sufficiently satisfactory to the appropriate supervisors to hold such an assignment for a period of eighteen months, has demonstrated fitness for the position of

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

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

(iii) Nothing contained in subparagraph (ii) of this paragraph shall be construed to limit any jurisdiction's ability to administer examinations for appointment to the positions of detective and investigator, provided however that any person temporarily assigned to perform the duties of detective or investigator within the period commencing September twenty-third, nineteen hundred ninety-three through and including the date upon which this paragraph shall have become a law and who has not been designated as a detective or investigator and who has not been subject to an examination for which there is a certified eligible list, shall be permanently designated as a detective or investigator whenever such assignment to the duties of detective or investigator exceeds eighteen months.

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

5. The provisions of this section shall not apply to the investigatory personnel of the office of the district attorney in any county, including any county within the city of New York.

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

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

PART D

Intentionally Omitted

PART E

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

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

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

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

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

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

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

PART F

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

(a) A prosecution for a class A felony, or rape in the first degree as defined in section 130.35 of the penal law, or a crime defined or formerly defined in section 130.50 of the penal law, or aggravated sexual abuse in the first degree as defined in section 130.70 of the penal law, or course of sexual conduct against a child in the first degree as defined in section 130.75 of the penal law, **or sex trafficking as defined in section 230.34 of the penal law, or sex trafficking of a child as defined in section 230.34-a of the penal law,** or incest in the first degree as defined in section 255.27 of the penal law may be commenced at any time;

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

(b) Notwithstanding any provision of law which imposes a period of limitation to the contrary and the provisions of any other law pertaining to the filing of a notice of claim or a notice of intention to file a claim as a condition precedent to commencement of an action or special proceeding, with respect to all civil claims or causes of action brought by any person for physical, psychological or other injury or condition suffered by such person as a result of conduct which would constitute a sexual offense as defined in article one hundred thirty of the penal law committed against such person who was less than eighteen years of age, **sex trafficking as defined in section 230.34 of the penal law committed against such person who was less than eighteen years of age, sex trafficking of a child as defined in section 230.34-a of the penal law,** incest as defined in section 255.27, 255.26 or 255.25 of the penal law committed against such person who was less than eighteen years of age, or the use of such person in a sexual performance as defined in section 263.05 of the penal law, or a predecessor statute that prohibited such conduct at the time of the act, which conduct was committed against such person who was less than eighteen years of age, such action may be commenced, against any party whose intentional or negligent acts or omissions are alleged to have resulted in the commission of said conduct, on or before the plaintiff or infant plaintiff reaches the age of fifty-five years. In any such claim or action, in addition to any other defense and affirmative defense that may be available in accordance with law, rule or the common law, to the extent that the acts alleged in such action are of the type described in subdivision one of section 130.30 of the penal law or **formerly defined in** subdivision one of section 130.45 of the penal law, the affirmative defenses set forth, respectively, in the closing paragraph of such sections of the penal law shall apply.

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

§ 213-c. Action by victim of conduct constituting certain sexual offenses. Notwithstanding any other limitation set forth in this article, except as provided in subdivision (b) of section two hundred eight of this article, all civil claims or causes of action brought by any person for physical, psychological or other injury or condition suffered by such person as a result of conduct which would constitute rape in the first degree as defined in section 130.35 of the penal law, or rape in the second degree as defined in subdivision four, five or six of section 130.30 of the penal law, or rape in the second degree as defined in former subdivision two of section 130.30 of the penal law, or rape in the third degree as defined in subdivision one, two, three, seven, eight or nine of section 130.25 of the penal law, or a crime formerly defined in section 130.50 of the penal law, or a crime formerly defined in subdivision two of section 130.45 of the penal law, or a crime formerly defined in subdivision one or three of section 130.40 of the penal law, or incest in the first degree as defined in section 255.27 of the penal law, or incest in the second degree as defined in section 255.26 of the penal law (where the crime committed is rape in the second degree as defined in subdivision four, five or six of section 130.30 of the penal law, or rape in the second degree as formerly defined in subdivision two of section 130.30 of the penal law, or a crime formerly defined in subdivision two of section 130.45 of the penal law), or aggravated sexual abuse in the first degree as defined in section 130.70 of the penal law, or course of sexual conduct against a child in the first degree as defined in section 130.75 of the penal law**, or sex trafficking as**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 9. This act shall take effect immediately and shall apply to acts or omissions occurring on or after such effective date and to acts or omissions occurring prior to such effective date where the applicable statute of limitations in effect on the date of such act or omission has not yet expired.

PART G

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

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

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

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

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

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

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

2. Any award made pursuant to this article shall be in an amount not exceeding out-of-pocket expenses, including indebtedness reasonably incurred for medical or other services necessary as a result of the injury upon which the claim is based; loss of earnings or support resulting from such injury not to exceed thirty thousand dollars; loss of savings not to exceed thirty thousand dollars; burial expenses not exceeding [~~six~~] **twelve** thousand dollars of a victim who died on or after November first, nineteen ninety-six as a direct result of a crime; the costs of crime scene cleanup and securing of a crime scene not exceeding twenty-five hundred dollars; reasonable relocation expenses not exceeding twenty-five hundred dollars; reasonable employment-related transportation expenses, not exceeding twenty-five hundred dollars and the unreimbursed cost of repair or replacement of articles of essential personal property lost, damaged or destroyed as a direct result of the crime. An award for loss of earnings shall include earnings lost by a parent or guardian as a result of the hospitalization of a child victim under age eighteen for injuries sustained as a direct result of a crime. In addition to the medical or other services necessary as a result of the injury upon which the claim is based, an award may be made for rehabilitative occupational training for the purpose of job retraining or similar employment-oriented rehabilitative services based upon the claimant's medical and employment history. For the purpose of this subdivision, rehabilitative occupational training shall include but not be limited to educational training and expenses. An award for rehabilitative occupational training may be made to a victim, or to a family member of a victim where necessary as a direct result of a crime. An award for employment-related transportation expenses shall be limited to the time period necessary due to the personal physical injuries sustained as a direct result of the crime upon which the claim is based, as determined by the medical information collected during the investigation of the claim.

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

er, because of [~~his~~] **such victim's** conduct, the victim of such crime contributed to the infliction of [~~his~~] **such victim's** injury, and the office shall reduce the amount of the award or reject the claim altogether, in accordance with such determination.

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

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

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

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

(f) Notwithstanding the provisions of paragraph (a) of this subdivision, the office shall disregard for this purpose the responsibility of the victim for [~~his or her~~] **such victim's** own loss of savings.

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

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

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

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

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

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

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

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

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

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

PART H

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

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

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

(b) The rate for reimbursement shall be the amount of itemized charges, to be reimbursed at the [~~Medicaid rate and~~] **usual and customary rates as established pursuant to this subdivision and** which shall cumulatively not exceed (1) eight hundred dollars for an exam of a sexual assault survivor where no sexual offense evidence collection kit is used; (2) one thousand two hundred dollars for an exam of a sexual assault survivor where a sexual offense evidence collection kit is used; **and** (3) [~~one thousand five hundred dollars for an exam of a sexual assault survivor who is eighteen years of age or older, with or without the use of a sexual offense evidence collection kit, and with the provision of a necessary HIV post-exposure prophylaxis seven day starter pack; and (4)~~] two thousand five hundred dollars for an exam of a sexual assault survivor [~~who is less than eighteen years of age~~], with or without the use of a sexual offense evidence collection kit, and with the provision of the full regimen of necessary HIV post-exposure prophylaxis. The hospital, sexual assault examiner program, or licensed health care provider must accept this fee as payment in full for these specified services. No additional billing of the survivor for said services is permissible. A sexual assault survivor may voluntarily assign any private insurance benefits to which [~~she or he is~~] **they are** entitled for the healthcare forensic examination, in which case the hospital or healthcare provider may not charge the office; provided, however, in the event the sexual assault survivor assigns any private health insurance benefit, such coverage shall not be subject to annual deductibles or coinsurance or balance billing by the hospital, sexual assault examiner program or licensed health care provider. A hospital, sexual assault examiner program or licensed health care provider shall, at the time of the initial visit, request assignment of any private health insurance benefits to which the sexual assault survivor is entitled on a form prescribed by the office; provided, however, such sexual assault survivor shall be advised orally and in writing that [~~he or she~~] **they** may decline to provide such information regarding private health insurance benefits if [~~he or she believes~~] **they believe** that the provision of such information would substantially interfere with [~~his or her~~] **their** personal privacy or safety and in such event, the sexual assault forensic exam fee shall be paid by the office. Such sexual assault survivor shall also be advised that providing such information may provide additional resources to pay for services to other sexual assault victims. Such sexual assault survivor shall also be advised that the direct reimbursement program established by this subdivision does not automatically make them eligible for any other compensation benefits available from the office including, but not limited to, reimbursement for mental health counseling expenses, relocation expenses, and loss of earnings,

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

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

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

§ 3. This act shall take effect on the two hundred seventieth day after it shall have become a law and apply to all exams performed on or after such effective date. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

PART I

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

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

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

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

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

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

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

PART J

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

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

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

(b) Every bid hereafter made to the state or any public department or agency thereof, where competitive bidding is not required by statute, rule or regulation, for work or services performed or to be performed or goods sold or to be sold, may contain, at the discretion of the department, agency or official, the certification required pursuant to paragraph (a) of this subdivision.

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

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

4. Any bid hereafter made to the state or any public department, agency or official thereof, by a corporate bidder for work or services

performed or to be performed or goods sold or to be sold, where such bid contains the statement required by subdivision one of this section, shall be deemed to have been authorized by the board of directors of such bidder, and such authorization shall be deemed to include the signing and submission of such bid and the inclusion therein of such statement as the act and deed of the corporation.

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

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

7-a. Notwithstanding the electronic bid provisions set forth in subdivision seven of this section, starting April first, two thousand twenty-three, and ending March thirty-first, two thousand twenty-seven, state agencies may require electronic submission as the sole method for the submission of bids for commodity, service and technology contracts, including submission of the statement of non-collusion required by section one hundred thirty-nine-d of this chapter, and the statement of certification required by section one hundred thirty-nine-l **and section one hundred thirty-nine-m** of this chapter, and may require electronic signatures on all documents required for submission of a bid, any resulting contracts, and required submissions during the term of any contract. Prior to requiring the electronic submission of bids, the agency shall make a determination, which shall be documented in the procurement record, that electronic submission affords a fair and equal opportunity for offerers to submit responsive offers, and that the electronic signature complies with the provisions of article three of the state technology law.

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

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

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

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

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

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

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

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

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

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

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

PART K

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

ARTICLE 19-C

CYBERSECURITY INCIDENT REPORTING REQUIREMENTS FOR MUNICIPAL CORPORATIONS

Section 995-a. Definitions.
995-b. Reporting of cybersecurity incidents.
995-c. Notice and explanation of ransom payment.

§ 995-a. Definitions. For the purposes of this article: 1. "Cybersecurity incident" means an event occurring on or conducted through a computer network that actually or imminently jeopardizes the integrity, confidentiality, or availability of computers, information or communications systems or networks, physical or virtual infrastructure controlled by computers or information systems, or information resident thereon.

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

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

(a) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

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

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

(d) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

(e) malicious cyber command and control;

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

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

(h) any combination thereof.

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

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

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

6. "Municipal corporation" means:

(a) A municipal corporation as defined in section one hundred nineteen-n of this chapter; or

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

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

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

9. "Ransomware attack":

(a) means an incident that includes the use or threat of use of unauthorized or malicious code on an information system, or the use or threat of use of another digital mechanism such as a denial of service attack, to interrupt or disrupt the operations of an information system or compromise the confidentiality, availability, or integrity of electronic data stored on, processed by, or transiting an information system to extort a demand for a ransom payment; and

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

(i) not genuine; or

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

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

2. All municipal corporations and public authorities shall report cybersecurity incidents no later than seventy-two hours after the municipality or public authority reasonably believes the cybersecurity incident has occurred.

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

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

authority shall, in the event of a ransom payment made in connection with a cybersecurity incident involving the municipal corporation, provide the commissioner of the division of homeland security and emergency services through means prescribed by such commissioner with the following:

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

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

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

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

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

2. The commissioner, or their designee, may work with appropriate state agencies, federal law enforcement, and federal homeland security agencies to provide municipal corporations with reports of cybersecurity incidents and trends, including but not limited to, to the maximum extent practicable, related contextual information, cyber threat indicators, and defensive measures. The commissioner may coordinate and share such reported information with municipal corporations, state agencies, and federal law enforcement and homeland security agencies to respond to and mitigate cybersecurity threats.

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

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

PART L

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

§ 263.10 Promoting an obscene sexual performance by a child.

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

Promoting an obscene sexual performance by a child is a class D felony.

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

§ 263.11 Possessing an obscene sexual performance by a child.

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

Possessing an obscene sexual performance by a child is a class E felony.

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

§ 263.15 Promoting a sexual performance by a child.

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

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

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

§ 263.16 Possessing a sexual performance by a child.

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

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

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

PART M

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

§ 230.34 Sex trafficking.

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

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

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

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

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

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

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

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

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

(c) engage in other conduct constituting a felony or unlawful imprisonment in the second degree in violation of section 135.05 of this chapter; or

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

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

(f) testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or

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

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

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

Sex trafficking is a class B felony.

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

PART N

Intentionally Omitted

PART O

Intentionally Omitted

PART P

Intentionally Omitted

PART Q

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

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

§ 2. This act shall take effect immediately.

PART R

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

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

The aggregate principal amount of such bonds, notes or other obligations outstanding shall not exceed, beginning July first, two thousand twenty-four, twenty-one billion five hundred million dollars ($21,500,000,000) and beginning July first, two thousand twenty-five, [~~twenty-seven~~] **thirty** billion five hundred million dollars [~~($27,500,000,000)~~] **($30,500,000,000)**, excluding bonds, notes or other obligations issued pursuant to sections twenty-seven hundred ninety-nine-ss and twenty-seven hundred ninety-nine-tt of this title; provided, however, that upon any refunding or repayment of bonds (which term shall not, for this purpose, include bond anticipation notes), the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than, beginning July first, two thousand twenty-four, twenty-one billion five hundred million dollars ($21,500,000,000), and beginning July first, two thousand twenty-five, [~~twenty-seven~~] **thirty** billion five hundred million dollars [~~($27,500,000,000)~~] **($30,500,000,000)**, only if the refunding or repayment bonds, notes or other obligations were issued in accordance with the provisions of subparagraph (a) of subdivision two of paragraph b of section 90.10 of the local finance law, as amended from time to time. Notwithstanding the foregoing, bonds, notes or other obligations issued by the authority may be outstanding in an amount greater than the amount permitted by the preceding sentence, provided that such additional amount at issuance, together with the amount of indebtedness contracted by the city of New York, shall not exceed the limit prescribed by section 104.00 of the local finance law. The authority shall have the power from time to time to refund any bonds of the authority by the issuance of new bonds whether the bonds to be refunded have or have not matured, and may issue bonds partly to refund bonds of the authority then outstanding and partly to pay the cost of any project pursuant to section twenty-seven hundred ninety-nine-ff of this title. Bonds issued by the authority shall be payable solely out of particular revenues or other moneys of

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

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

PART S

Section 1. Subdivision 3 of section 489-cccccc of the real property tax law is amended by adding two new paragraphs (e) and (f) to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) If no building permit was required, then no benefits authorized pursuant to this part shall be granted for construction work that is commenced after April first, two thousand thirty, except that for property defined as a peaking unit, no benefits authorized pursuant to paragraph (2-a) of subdivision c of section 11-269 of this part shall be granted for construction work that is commenced after April first, two thousand twenty-nine.

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

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

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

(5) The commission may designate any area other than the area lying south of the center line of 96th Street in the borough of Manhattan **not including Governor's Island**, to be a special commercial abatement area if it determines that market conditions in the area are such that the availability of a special abatement is required in order to encourage commercial construction work in such area. In making such determination, the commission shall consider, among other factors, the existence in such area of a special need for commercial and job development, high unemployment, economic distress or unusually large numbers of vacant, underutilized, unsuitable or substandard structures, or other substandard, unsanitary, deteriorated or deteriorating conditions, with or without tangible blight**; provided that, however, in making such determination with respect to Governor's Island, the temporary commercial incentive area boundary commission shall only be required to consider, among other factors, whether such designation continues to be necessary to adequately promote commercial activity on Governor's Island the density of existing developments and the nature and purpose of planned developments on Governor's Island, and the development of emerging industries in the city**.

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

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

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

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

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

PART T

Intentionally Omitted

PART U

Intentionally Omitted

PART V

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

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

§ 2. Section 2 of 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, is amended to read as follows:

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

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

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

PART W

Intentionally Omitted

PART X

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

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

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

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

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

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

(a) "Breach of the security of the system" means (i) unauthorized exfiltration, acquisition, or acquisition without valid authorization, of computerized information which compromises the security, confidentiality, or integrity of state entity-maintained personal information, (ii) unauthorized access, or access without valid authorization, to state entity-maintained personal information or to an information system used for personal information, or (iii) unauthorized modification of the access permissions, including through the use of encryption, to an information system used for personal information. "Breach of the security of the system" does not include good faith acquisition of or access to personal information, or access to an information system by an employee or agent of a state entity for the purposes of the state entity; provided that the private information or information system is not used in an unauthorized manner, accessed for an unlawful or inappropriate purpose, modified to change access permissions without authorization, or subject to unauthorized disclosure. In determining whether state entity-maintained personal information or an information system used for personal information has been exfiltrated, acquired, accessed, or experienced a change in access permissions without authorization or

without valid authorization, such state entity may consider the following factors, among others:

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

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

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

(4) indications that the information or information system was accessed without authorization or without valid authorization, including but not limited to data in information system access logs, changes modifying access to the information or information system, modification or deletion of stored information, injecting or installing malicious code on the information system, or unauthorized encryption of stored information.

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

(c) "Data validation" means ensuring the accuracy, quality, and validity of source data before using, importing, saving, storing, or otherwise processing data.

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

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

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

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

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

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

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

(i) the judiciary; and

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

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

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

(ii) data backup that includes;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 2. This act shall take effect immediately.

PART Y

Intentionally Omitted

PART Z

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

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

[~~(1)~~] "Construction manager build" shall mean a project delivery method whereby a construction manager:

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

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

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

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

(b) This section may only be applied to:

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

~~(i) water or sewer infrastructure, and primarily consists of the replacement of existing, or installation of new, water mains or sewers or the installation of assets to manage stormwater flow, or a combination of the foregoing; or~~

~~(ii) coastal resiliency, and primarily consists of flood walls, deployable gates, the relocation or protection of existing infrastructure from flooding, or a combination of the foregoing~~]; or

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

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

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

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

expressed interest in response to the request for proposals released pursuant to subdivision (d) of this section, provided that such [~~department~~] **authorized entity** maintains a written record of the conduct of negotiations or discussions and the basis for every determination to continue or suspend negotiations, and, provided, further, that if such [~~department~~] **authorized entity** determines for a particular contract or for a particular type of contract that it is in the best interest of the public to negotiate or enter into discussions with fewer proposers, it shall make such a determination in writing. If such [~~department~~] **authorized entity** enters into such negotiations, such [~~department~~] **authorized entity** shall allow all proposers to revise their proposals upon conclusion of negotiations, and shall evaluate any such revised proposals using the criteria included in the request for proposals. The request for proposals shall include a statement that proposers shall designate in writing those portions of the proposal that contain trade secrets or other proprietary information that are to remain confidential; that the material designated as confidential shall be readily separable from the proposal. Nothing in this section shall be construed to prohibit the authorized entity from negotiating final contract terms and conditions including cost. All proposals submitted shall be scored according to the criteria listed in the request for proposals and such final scores shall be published on the authorized entity's website after registration of such contract or the date upon which such contract may be implemented, if registration requirements do not apply.

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

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

PART AA

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

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

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

§ 2. This act shall take effect immediately.

PART BB

Intentionally Omitted

PART CC

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

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

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

(a) the board has received a notice of temporary payment of compensation relating to such injured employee;

(b) the payment of temporary compensation and medical treatment and care, including prescribed medicine and the injured employee's acceptance of such temporary compensation and medical treatment and care, including prescribed medicine shall not be an admission of liability by the employer, nor prejudice the claim of the injured employee;

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

(d) the injured employee may be required to enter into an agreement with the employer to ensure the continuation of payments of temporary compensation and medical treatment and care, including prescribed medicine.

3. An employer may cease making temporary payments of compensation and medical treatment and care, including prescribed medicine if such employer delivers within five days after the last payment, to the injured employee and the board, a notice of termination of temporary payments of compensation on a form prescribed by the board. Such notice shall inform the injured employee that the employer is ceasing temporary payment of compensation and medical treatment and care, including prescribed medicine. Upon the cessation of temporary payments of compensation and medical treatment and care, including prescribed medicine,

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

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

PART DD

Intentionally Omitted

PART EE

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

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

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

93. Information technology capital financing account (32215).
94. New York environmental protection and spill remediation account (32219).
95. Department of financial services IT modernization capital account (32230).
96. Mental hygiene facilities capital improvement fund (32300).
97. Correctional facilities capital improvement fund (32350).
98. New York State Storm Recovery Capital Fund (33000).
99. OGS convention center account (50318).
100. Empire Plaza Gift Shop (50327).
101. Unemployment Insurance Benefit Fund, Interest Assessment Account (50651).
102. Centralized services fund (55000).
103. Archives records management account (55052).
104. Federal single audit account (55053).
105. Civil service administration account (55055).
106. Civil service EHS occupational health program account (55056).
107. Banking services account (55057).
108. Cultural resources survey account (55058).
109. Neighborhood work project account (55059).
110. Automation & printing chargeback account (55060).
111. OFT NYT account (55061).
112. Data center account (55062).
113. Intrusion detection account (55066).
114. Domestic violence grant account (55067).
115. Centralized technology services account (55069).
116. Labor contact center account (55071).
117. Human services contact center account (55072).
118. Tax contact center account (55073).
119. Department of law civil recoveries account (55074).
120. Executive direction internal audit account (55251).
121. CIO Information technology centralized services account (55252).
122. Health insurance internal service account (55300).
123. Civil service employee benefits division administrative account (55301).
124. Correctional industries revolving fund (55350).
125. Employees health insurance account (60201).
126. Medicaid management information system escrow fund (60900).
127. Animal shelter regulation account.
128. Climate initiative account.
129. Employers Assessment account.

§ 2. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to any account within the following federal funds, provided the comptroller has made a determination that sufficient federal grant award authority is available to reimburse such loans:

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

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

Economic Development and Public Authorities:

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

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

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

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

Education:

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

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

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

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

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

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

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

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

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

9. $300,000 from the New York state local government records management improvement fund, local government records management account (20501), to the New York state archives partnership trust fund, archives partnership trust maintenance account (20351).

10. $900,000 from the general fund to the miscellaneous special revenue fund, Batavia school for the blind account (22032).

11. $900,000 from the general fund to the miscellaneous special revenue fund, Rome school for the deaf account (22053).

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

13. Intentionally omitted.

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

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

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

17. Intentionally omitted.

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

Environmental Affairs:

1. $16,000,000 from any of the department of environmental conservation's special revenue federal funds, and/or federal capital funds, to the environmental conservation special revenue fund, federal indirect recovery account (21065).

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

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

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

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

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

7. $1,800,000 from the miscellaneous special revenue fund, public service account (22011) to the miscellaneous special revenue fund, utility environmental regulatory account (21064).

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

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

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

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

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

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

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

Family Assistance:

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

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

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

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

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

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

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

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

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

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

11. $5,000,000 from the general fund to the housing program fund (31850).

12. $15,000,000 from any of the office of children and family services special revenue federal funds to the office of court administration special revenue other federal iv-e funds account.

13. $10,000,000 from any of the office of children and family services special revenue federal funds to the office of indigent legal services special revenue other federal iv-e funds account.

General Government:

1. $9,000,000 from the general fund to the health insurance revolving fund (55300).

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

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

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

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

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

7. $3,828,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the miscellaneous special revenue fund, authority budget office account (22138).

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

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

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

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

12. $33,000,000 from the general fund to the internal service fund, business services center account (55022).

13. $9,500,000 from the general fund to the internal service fund, building support services account (55018).

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

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

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

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

18. $12,400,000 from the banking department special revenue fund (21970) funded by the assessment to defray operating expenses authorized by section 206 of the financial services law to the IT Modernization Capital Fund.

19. $12,400,000 from the insurance department special revenue fund (21994) funded by the assessment to defray operating expenses authorized by section 206 of the financial services law to the IT Modernization Capital Fund.

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

21. $4,650,000 from the virtual currency special revenue fund (22262) funded by the assessment to defray operating expenses authorized by section 206 of the financial services law, to the IT Modernization Capital Fund.

Health:

1. A transfer from the general fund to the combined gifts, grants and bequests fund, breast cancer research and education account (20155), up

to an amount equal to the monies collected and deposited into that account in the previous fiscal year.

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

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

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

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

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

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

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

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

10. $500,000 from the miscellaneous special revenue fund, New York State cannabis revenue fund (24800), to the miscellaneous special revenue fund, environmental laboratory fee account (21959).

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

12. $1,000,000,000 from the general fund to the health care transformation fund (24850).

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

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

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

16. $2,200,000 from the miscellaneous special revenue fund, adult home quality enhancement account (22091), to the general fund.

17. $17,283,000 from the general fund, to the miscellaneous special revenue fund, helen hayes hospital account (22140).

18. $3,672,000 from the general fund, to the miscellaneous special revenue fund, New York city veterans' home account (22141).

19. $2,731,000 from the general fund, to the miscellaneous special revenue fund, New York state home for veterans' and their dependents at oxford account (22142).

20. $1,455,000 from the general fund, to the miscellaneous special revenue fund, western New York veterans' home account (22143).

21. $4,683,000 from the general fund, to the miscellaneous special revenue fund, New York state for veterans in the lower-hudson valley account (22144).

22. $350,000,000 from the general fund, to the miscellaneous special revenue fund, healthcare stability fund account (22267).

23. $20,000,000 from the general fund to the occupational health clinics account (22177).

24. $88,000 from the miscellaneous special revenue fund, veterans home assistance account (20208), to the miscellaneous special revenue fund, New York city veterans' home account (22141).

25. $88,000 from the miscellaneous special revenue fund, veterans home assistance account (20208), to the miscellaneous special revenue fund, New York state home for veterans' and their dependents at oxford account (22142).

26. $88,000 from the miscellaneous special revenue fund, veterans assistance account (20208), to the miscellaneous special revenue fund, western New York veterans' home account (22143).

27. $88,000 from the miscellaneous special revenue fund, veterans assistance account (20208), to the miscellaneous special revenue fund, New York state for veterans in the lower-Hudson valley account (22144).

28. $88,000 from the miscellaneous special revenue fund, veterans assistance account (20208), to the state university income fund, Long Island Veterans' Home Account (22652).

29. $120,000,000 from the health care reimbursement account (20807) to the medical indemnity fund account (22240).

Labor:

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

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

3. $50,000,000 from the DOL fee and penalty account (21923), unemployment insurance special interest and penalty account (23601), and public work enforcement account (21998), to the general fund.

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

5. $22,000,000 from the miscellaneous special revenue fund, Interest and Penalty Account (23601), to the Training and Education Program on Occupation Safety and Health Fund, OSHA Training and Education Account (21251).

6. $1,000,000 from the miscellaneous special revenue fund, Public Work Enforcement account (21998), to the Training and Education Program on Occupation Safety and Health Fund, OSHA Training and Education Account (21251).

7. $250,000,000 from the general fund to the enterprise fund, unemployment insurance benefit fund, interest assessment account (50651).

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

Mental Hygiene:

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

2. $20,000,000 from the opioid settlement fund (23817) to the miscellaneous capital projects fund, opioid settlement capital account (32200).

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

Public Protection:

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

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

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

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

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

6. $5,000,000 from the general fund to the dedicated highway and bridge trust fund (30050) for the purpose of work zone safety activities provided by the division of state police for the department of transportation.

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

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

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

10. $7,980,000 from the miscellaneous special revenue fund, fingerprint identification & technology account (21950), to the general fund.

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

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

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

14. Intentionally omitted.

Transportation:

1. $20,000,000 from the general fund to the mass transportation operating assistance fund, public transportation systems operating assistance account (21401), of which $12,000,000 constitutes the base need for operations.

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

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

4. $477,000 from the miscellaneous special revenue fund, traffic adjudication account (22055), to the general fund.

5. $5,000,000 from the miscellaneous special revenue fund, transportation regulation account (22067) to the general fund, for disbursements made from such fund for motor carrier safety that are in excess of the

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

Miscellaneous:

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

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

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

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

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

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

7. $1,000,000,000 from the general fund to the hazardous waste cleanup account (31506), State parks infrastructure account (30351), environmental protection fund transfer account (30451), the correctional facilities capital improvement fund (32350), housing program fund (31850), or the Mental hygiene facilities capital improvement fund (32300), up to an amount equal to certain outstanding accounts receivable balances.

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

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

2. Upon request of the commissioner of agriculture and markets, up to $3,000,000 from any special revenue fund or enterprise fund within the department of agriculture and markets to the general fund, to pay appropriate administrative expenses.

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

4. Upon request of the commissioner of the division of housing and community renewal, up to $5,500,000 may be transferred from any miscellaneous special revenue fund account, to any miscellaneous special revenue fund.

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 13. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller, after consultation with the state university chancellor or their designee, is hereby authorized and directed to transfer moneys, in the first instance, from the state university collection fund, Stony Brook hospital collection account (61006), Brooklyn hospital collection account (61007), and Syracuse hospital collection account (61008) to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals. Notwithstanding any law to the contrary, the comptroller is also hereby authorized and directed, after consultation with the state university chancellor or their designee, to transfer moneys from the state university income fund to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to pay hospital operating costs or to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals on or before March 31, 2026.

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

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

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

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

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

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

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

of labor, including but not limited to the office of just energy transition and programs for workforce training and retraining, to prepare workers for employment for work in the renewable energy field.

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

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

§ 22. Section 56 of 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, authorizing certain payments and transfers, is amended to read as follows:

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

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

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

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

Notwithstanding any other provisions of law to the contrary, commencing on April first, two thousand [~~twenty-one~~] twenty-five, and continuing through March thirty-first, two thousand [~~twenty-five~~] twenty-nine, the comptroller is hereby authorized to transfer monies from the dedicated infrastructure investment fund to the general fund, and from the general fund to the dedicated infrastructure investment fund, in an amount determined by the director of the budget to the extent moneys are available in the fund; provided, however, that the comptroller is only authorized to transfer monies from the dedicated infrastructure invest-

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

§ 25. Intentionally omitted.

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

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

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

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

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

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

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

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

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

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

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

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

§ 27. Intentionally omitted.

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

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

1. include a summary financial plan showing for each of the governmental fund types: (a) the disbursements estimated to be made before the close of the current fiscal year and the moneys estimated to be available from receipts and other sources therefor; and (b) the disbursements proposed to be made during the ensuing fiscal year, and the moneys estimated to be available from receipts and other sources therefor inclusive of any receipts which are expected to result from proposed legislation

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

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

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

1-c. within ten days following the submission of the financial plans presented in accordance with subdivision one of this section, the director of the budget shall submit to the chairs of the senate finance and the assembly ways and means committees and the comptroller an estimate of the fiscal impact of the executive budget general fund changes on local governments and, where practicable, the fiscal impact on local governments of the executive budget all fund changes concerning the medicaid program, homeland security program, and workforce investment programs. Such estimate shall be presented by class of local government and shall measure all of the impacts of the executive budget, including aid program changes, reimbursement changes, statutory changes in authorizations for local taxation, mandates on local governments and other requirements. Such estimate shall show the impact on local governments by local fiscal years affected and shall cover the first local fiscal year affected as well as the ensuing local fiscal year. Where such estimate depends on any local option or action, the estimate shall explicitly describe the assumptions used to calculate the estimate. When under existing law a local tax option or program would end and the executive budget proposes the continuation thereof, the impact shall be identified as a "deferral of sunset" and shall be calculated as a separate component of such estimate.

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

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

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

a. The appropriations, including reappropriations, made for the current fiscal year, the appropriations and reappropriations recommended for the ensuing fiscal year, the disbursements estimated to be made before the close of the current fiscal year and proposed to be made during the ensuing fiscal year based upon available and recommended appropriations and reappropriations. Disbursements proposed to be made shall be shown in separate parts as follows: those disbursements proposed to be made for state purposes shall be set forth in one part, those disbursements proposed to be made for local assistance shall be set forth in another separate and distinct part, those disbursements proposed to be made for capital projects shall be set forth in a third separate and distinct part and those disbursements proposed to be made for debt service shall be set forth in a fourth separate and distinct part. The effect of any proposed changes in the payment dates of particular disbursements on the financial plan presented in accordance with subdivision one of this section shall be set forth separately.

a-1. For each state agency, the appropriations, including reappropriations, made for the current fiscal year and recommended for the ensuing fiscal year for contracts for services made for state purposes.

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

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

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

c. [~~The expenditures estimated to be made in accordance with generally accepted accounting principles before the close of the current fiscal year and proposed to be made in accordance with generally accepted accounting principles during the ensuing fiscal year. Expenditures estimated and proposed to be made shall be shown in separate parts as follows: those expenditures for state purposes shall be set forth in one part, those expenditures for local assistance shall be set forth in 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.

[~~c-1.~~] d-1. Within ten days following the submission of the financial plans presented in accordance with [~~subdivisions~~] subdivision one [~~and two~~] of this section, the anticipated general fund monthly and governmental fund types quarterly schedule and fiscal year total for the ensuing fiscal year 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.

[~~c-2.~~] d-2. A description of employment levels for each state department, division or office, for the prior, current and next ensuing fiscal year containing:

(1) separate schedules for each fund type; and

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

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

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

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

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

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

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

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

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

[~~4. a.~~] 3. Include a three year financial projection showing the anticipated disbursements and receipts for each of the governmental fund types of the state. For the purposes of this three year financial projection, disbursements shall be presented by the following purposes: state purposes, local assistance, capital projects, debt service, transfers and general state charges with each major function or major program identified separately within each purpose; and receipts shall be presented 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 for the prior year, current year and next three fiscal years, and otherwise by each major source which is separately estimated and presented pursuant to paragraph b of subdivision [~~three~~] two of this section. Receipts and disbursements for special revenue funds shall be presented separately for federal funds and all other special revenue funds. Whenever receipts and disbursements are proposed to be moved to a different fund type, each significant amount so moved shall be explained. This three year financial projection shall include an explanation of any changes to the financial plans submitted in accordance with subdivision one of this section and include explanations of the economic, statutory and other assumptions used to estimate the disbursements and receipts which are presented. Whenever the projections for receipts and disbursements are based on assumptions other than the current levels of service, such assumptions shall be separately identified and explained. The three year financial projections shall include a description of any projected deficits or surpluses.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[~~9.~~] 8. Include a summary of disbursements by function of state government for the preceding fiscal year and the estimated disbursements for the current and ensuing fiscal years in a form suitable for comparison. Such summary shall present such disbursements by purpose as set forth in subdivision one of this section and also including special revenue funds-federal and special revenue funds-other. Such summary shall also describe the state entities, as defined by [~~subdivisions five, six, seven and eight of~~] section two-a of this chapter, within each function. For the fiscal year beginning in nineteen hundred ninety-three, such summary shall be presented within ten days of the budget submission for the general fund, special revenue funds-other, capital projects funds and debt service funds. For the fiscal year beginning in nineteen hundred ninety-four, such summary shall be presented with the budget for the general fund and within ten days of the budget submission for special revenue funds-other, capital projects funds and debt service funds. For fiscal years beginning in nineteen hundred ninety-five and thereafter, such summary shall be presented with the budget.

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

[~~11.~~] 10. 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

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

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

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

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

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

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

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

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

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

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

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

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

Estimated costs by fiscal year shall not be disclosed.

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

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

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

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

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

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

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

b. the expenditures estimated to be made in accordance with generally accepted accounting principles before the close of the current fiscal year and proposed to be made in accordance with generally accepted accounting principles during the ensuing fiscal year. Expenditures estimated and proposed to be made shall be shown in separate parts as follows: those expenditures for state purposes shall be set forth in one part, those expenditures for local assistance shall be set forth in 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;

c. the revenues actually accrued in the preceding fiscal year and 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. 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;

e. 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; and

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

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

(vi) the total amount of disbursements for the project estimated to be made during the current fiscal year and during each of the next ensuing five fiscal years, provided however, that (A) the information required by this subparagraph may be provided for groupings of projects in those cases where the governor determines it cannot be provided on a project by project basis, and (B) the total of all disbursements estimated in accordance with the requirements of this subparagraph to be made for all capital projects during the current fiscal year and during each of the next ensuing five fiscal years, excluding those disbursements which are estimated in accordance with the requirements of this subparagraph to be made by public benefit corporations and which are not subject to appropriations, shall be equal, respectively, to the total of all disbursements estimated, in the financial projections required by subdivisions one and [~~four~~] three of section twenty-two of this article, to be made for all capital projects during the then current fiscal year and during each of the next ensuing five fiscal years,

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

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

4. Financial plan updates. Quarterly, throughout the fiscal year, the governor shall submit to the comptroller, the chairs of the senate finance and the assembly ways and means committees, within thirty days of the close of the quarter to which it shall pertain, a report which summarizes the actual experience to date and projections for the remaining quarters of the current fiscal year and for each of the next two fiscal years of receipts, disbursements, tax refunds, and repayments of advances presented in forms suitable for comparison with the financial plan submitted pursuant to subdivisions one, **three and** four[~~, and five,~~] of section twenty-two of this article and revised in accordance with the provisions of subdivision three of this section. The governor shall submit with the budget a similar report that summarizes revenue and expenditure experience to date in a form suitable for comparison with the financial plan submitted pursuant to **paragraph a of** subdivision [~~two~~] **sixteen** of section twenty-two of this article and revised in accordance with the provisions of subdivision three of this section. Such reports shall provide an explanation of the causes of any major deviations from the revised financial plans and, shall provide for the amendment of the plan or plans to reflect those deviations. The governor may, if [~~he~~] **the governor** determines it advisable, provide more frequent reports to the legislature regarding actual experience as compared to the financial plans. The quarterly financial plan update most proximate to October thirty-first of each year shall include the calculation of the limitations on the issuance of state-supported debt computed pursuant to the provisions of subdivisions one and two of section sixty-seven-b of this chapter.

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

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

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

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

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

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

(a) Subject to the provisions of chapter fifty-nine of the laws of two thousand, in order to enhance and encourage the promotion of housing programs and thereby achieve the stated purposes and objectives of such housing programs, the agency shall have the power and is hereby authorized from time to time to issue negotiable housing program bonds and notes in such principal amount as shall be necessary to provide sufficient funds for the repayment of amounts disbursed (and not previously reimbursed) pursuant to law or any prior year making capital appropriations or reappropriations for the purposes of the housing program; provided, however, that the agency may issue such bonds and notes in an aggregate principal amount not exceeding [~~fourteen billion five hundred twenty-six million eighty-nine thousand dollars $14,526,089,000, plus a principal amount of bonds issued to fund the debt service reserve fund in accordance with the debt service reserve fund requirement established by the agency and to fund any other reserves that the agency reasonably deems necessary for the security or marketability of such bonds and to provide for the payment of fees and other charges and expenses, including underwriters' discount, trustee and rating agency fees, bond insurance, credit enhancement and liquidity enhancement related to the issuance of such bonds and notes~~] seventeen billion three hundred eighteen million nine hundred sixty-four thousand dollars $17,318,964,000, excluding bonds issued after April first, two thousand twenty-five to (i) fund one or more debt service reserve funds, (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise repay such bonds or notes previously issued, provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date. No reserve fund securing the housing program bonds shall be entitled or eligible to receive state funds apportioned or appropriated to maintain or restore such reserve fund at or to a particular level, except to the extent of any deficiency resulting directly or indirectly from a failure of the state to appropriate or pay the agreed amount under any of the contracts provided for in subdivision four of this section.

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

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

gations, net of all costs to the authority in connection therewith, for the purposes of financing all or a portion of the costs of activities for which moneys in the dedicated highway and bridge trust fund established in section eighty-nine-b of the state finance law are authorized to be utilized or for the financing of disbursements made by the state for the activities authorized pursuant to section eighty-nine-b of the state finance law; and (iii) to enter into agreements with the commissioner of transportation pursuant to section ten-e of the highway law with respect to financing for any activities authorized pursuant to section eighty-nine-b of the state finance law, or agreements with the commissioner of transportation pursuant to sections ten-f and ten-g of the highway law in connection with activities on state highways pursuant to these sections, and (iv) to enter into service contracts, contracts, agreements, deeds and leases with the director of the budget or the commissioner of transportation and project sponsors and others to provide for the financing by the authority of activities authorized pursuant to section eighty-nine-b of the state finance law, and each of the director of the budget and the commissioner of transportation are hereby authorized to enter into service contracts, contracts, agreements, deeds and leases with the authority, project sponsors or others to provide for such financing. The authority shall not issue any bonds or notes in an amount in excess of [~~twenty-one billion four hundred fifty-eight million three hundred nine thousand dollars $21,458,309,000~~] **twenty-two billion three hundred nine million two hundred ninety-four thousand dollars $22,309,294,000**, plus a principal amount of bonds or notes: (A) to fund capital reserve funds; (B) to provide capitalized interest; and, (C) to fund other costs of issuance. In computing for the purposes of this subdivision, the aggregate amount of indebtedness evidenced by bonds and notes of the authority issued pursuant to this section, as amended by a chapter of the laws of nineteen hundred ninety-six, there shall be excluded the amount of bonds or notes issued that would constitute interest under the United States Internal Revenue Code of 1986, as amended, and the amount of indebtedness issued to refund or otherwise repay bonds or notes.

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

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, (i) the dormitory authority shall not deliver a series of bonds for city university community college facilities, except to refund or to be substituted for or in lieu of other bonds in relation to city university community college facilities pursuant to a resolution of the dormitory authority adopted before July first, nineteen hundred eighty-five or any resolution supplemental thereto, if the principal amount of bonds so to be issued when added to all principal amounts of bonds previously issued by the dormitory authority for city university community college facilities, except to refund or to be substituted in lieu of other bonds in relation to city university community college facilities will exceed the sum of four hundred twenty-five million dollars and (ii) the dormitory authority shall not deliver a series of bonds issued for city university facilities, including community college facilities, pursuant to a resolution of the dormitory authority adopted on or after July first, nineteen hundred eighty-five, except to refund or to be substituted for or in lieu of other bonds in relation to city university facilities and except for bonds issued pursuant to a resolution supplemental to a resolution of the dormitory authority adopted prior to July

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

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

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

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

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, the dormitory authority shall not issue any bonds for state university educational facilities purposes if the principal amount of bonds to be issued when added to the aggregate principal amount of bonds issued by the dormitory authority on and after July first, nineteen hundred eighty-eight for state university educational facilities will exceed [~~eighteen billion nine hundred eighty-eight million one hundred sixty-four thousand dollars $18,988,164,000; provided, however, that bonds issued or to be issued shall be excluded from such limitation if: (1) such bonds are issued to refund state university construction bonds and state university construction notes previously issued by the housing finance agency; or (2) such bonds are issued to refund bonds of the authority or other obligations issued for state university educational facilities purposes and the present value of the aggregate debt service on the refunding bonds does not exceed the present value of the aggregate debt service on the bonds refunded thereby; provided, further that upon certification by the director of the budget that the issuance of refunding bonds or other obligations issued between April first, nineteen hundred ninety-two and March thirty-first, nineteen hundred ninety-three will generate long term economic benefits to the state, as assessed on a present value basis, such issuance will be deemed to have met the present value test noted above. For purposes of this subdivision, the present value of the aggregate debt service of the refunding bonds and the aggregate debt service of the bonds refunded, shall be calculated by utilizing the true interest cost of the refunding bonds, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service~~

~~payments on the refunding bonds from the payment dates thereof to the date of issue of the refunding bonds to the purchase price of the refunding bonds, including interest accrued thereon prior to the issuance thereof. The maturity of such bonds, other than bonds issued to refund outstanding bonds, shall not exceed the weighted average economic life, as certified by the state university construction fund, of the facilities in connection with which the bonds are issued, and in any case not later than the earlier of thirty years or the expiration of the term of any lease, sublease or other agreement relating thereto; provided that no note, including renewals thereof, shall mature later than five years after the date of issuance of such note~~] **twenty-one billion eighty-eight million one hundred sixty-four thousand dollars $21,088,164,000, excluding bonds issued after April first, two thousand twenty-five to (i) fund one or more debt service reserve funds, (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise repay such bonds or notes previously issued, provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date**. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the state university of New York, and the state university construction fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

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

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

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

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

ment bonds and notes and all other expenditures of the agency incident to and necessary or convenient to providing the facilities development corporation, or any successor agency, with funds for the financing or refinancing of or for any such design, construction, acquisition, reconstruction, rehabilitation or improvement and for the refunding of mental hygiene improvement bonds issued pursuant to section 47-b of the private housing finance law; provided, however, that the agency shall not issue mental health services facilities improvement bonds and mental health services facilities improvement notes in an aggregate principal amount exceeding [~~twelve billion nine hundred twenty-one million seven hundred fifty-six thousand dollars $12,921,756,000, excluding mental health services facilities improvement bonds and mental health services facilities improvement notes issued to refund outstanding mental health services facilities improvement bonds and mental health services facilities improvement notes; provided, however, that upon any such refunding or repayment of mental health services facilities improvement bonds and/or mental health services facilities improvement notes the total aggregate principal amount of outstanding mental health services facilities improvement bonds and mental health facilities improvement notes may be greater than twelve billion nine hundred twenty-one million seven hundred fifty-six thousand dollars $12,921,756,000, only if, except as hereinafter provided with respect to mental health services facilities bonds and mental health services facilities notes issued to refund mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law, the present value of the aggregate debt service of the refunding or repayment bonds to be issued shall not exceed the present value of the aggregate debt service of the bonds to be refunded or repaid. For purposes hereof, the present values of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the authority including estimated accrued interest from the sale thereof. Such bonds, other than bonds issued to refund outstanding bonds, shall be scheduled to mature over a term not to exceed the average useful life, as certified by the facilities development corporation, of the projects for which the bonds are issued, and in any case shall not exceed thirty years and the maximum maturity of notes or any renewals thereof shall not exceed five years from the date of the original issue of such notes. Notwithstanding the provisions of this section, the agency shall have the power and is hereby authorized to issue mental health services facilities improvement bonds and/or mental health services facilities improvement notes to refund outstanding mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law and the amount of bonds issued or outstanding for such purposes shall not be included for purposes of determining the amount of bonds issued pursuant to this section~~] **thirteen billion six hundred fifty-four million five hundred fifty-four thousand dollars $13,654,554,000, excluding bonds issued after April**

first, two thousand twenty-five to (i) fund one or more debt service reserve funds, (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise repay such bonds or notes previously issued, provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date. The director of the budget shall allocate the aggregate principal authorized to be issued by the agency among the office of mental health, office for people with developmental disabilities, and the office of addiction services and supports, in consultation with their respective commissioners to finance bondable appropriations previously approved by the legislature.

§ 40. Subdivision (a) of section 48 of 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, as amended by section 36 of part XX of chapter 56 of the laws of 2024, is amended to read as follows:

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

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

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

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

§ 42. Subdivision (b) of section 11 of 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, as amended by section 38 of part XX of chapter 56 of the laws of 2024, is amended to read as follows:

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

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

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

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

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

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

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

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

in shall affect the exclusion of refunding debt issued prior to such date. Which authorization increases the aggregate principal amount of bonds, notes and other obligations authorized by section 40 of chapter 309 of the laws of 1996, and shall include all bonds, notes and other obligations issued pursuant to chapter 211 of the laws of 1990, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the youth facilities improvement fund or the capital projects fund, to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the office of children and family services from the youth facilities improvement fund or the capital projects fund for capital projects. [~~The aggregate amount of bonds, notes and other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the office of children and family services; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than one billion sixty-six million seven hundred fifty-five thousand dollars $1,066,755,000, only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.~~]

(a) The New York state office of general services shall be responsible for the undertaking of studies, planning, site acquisition, design, construction, reconstruction, renovation and development of youth facilities and the Tonawanda Indian Community House, including the making of any purchases therefor, on behalf of the New York state office of children and family services.

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

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

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

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

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medicine, the olympic regional development authority, projects at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, high tech innovation and economic development infrastructure program, high technology manufacturing projects in Chautauqua and Erie county, an industrial scale research and development facility in Clinton county, upstate revitalization initiative projects, downstate revitalization initiative, market New York projects, fairground buildings, equipment or facilities used to house and promote agriculture, the state fair, the empire state trail, the moynihan station development project, the Kingsbridge armory project, strategic economic development projects, the cultural, arts and public spaces fund, water infrastructure in the city of Auburn and town of Owasco, a life sciences laboratory public health initiative, not-for-profit pounds, shelters and humane societies, arts and cultural facilities improvement program, restore New York's communities initiative, heavy equipment, economic development and infrastructure projects, Roosevelt Island operating corporation capital projects, Lake Ontario regional projects, Pennsylvania station and other transit projects, athletic facilities for professional football in Orchard Park, New York, Rush - NY, New York AI Consortium, New York Creates UEV Tool, and other state costs associated with such projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~twenty billion eight hundred seventy-eight million one hundred ninety-four thousand dollars $20,878,194,000~~] twenty-three

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

§ 48. Subdivision (a) of section 28 of 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, as amended by section 44 of part XX of chapter 56 of the laws of 2024, is amended to read as follows:

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

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

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

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

§ 49-a. Paragraph (b) of subdivision 3 and clause (B) of subparagraph (iii) of paragraph (j) of subdivision 4 of section 1 of 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, as amended by section 47 of part XX of chapter 56 of the laws of 2024, are amended to read as follows:

(b) Within amounts appropriated therefor, the board is hereby authorized and directed to award matching capital grants totaling [~~four hundred twenty-five million dollars $425,000,000~~] four hundred seventy-five million dollars $475,000,000. Each college shall be eligible for a grant award amount as determined by the calculations pursuant to subdivision five of this section. In addition, such colleges shall be eligible to compete for additional funds pursuant to paragraph (h) of subdivision four of this section.

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

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

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

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

§ 51. Subdivision 1 of section 1680-r of the public authorities law, as amended by section 46 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the capital restructuring financing program for health care and related facilities licensed pursuant to the public health law or the mental hygiene law and other state costs associated with such capital projects, the health care facility transformation programs, the essential health care provider program, and other health care capital project costs. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~five billion one hundred fifty-three million dollars $5,153,000,000~~] six billion one hundred sixty-eight million dollars $6,168,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

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

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

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

§ 53. Subdivision (a) of section 27 of 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, as amended by section 28 of part PP of chapter 56 of the laws of 2023, is amended to read as follows:

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

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

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

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

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

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed [~~ten billion two hundred ninety-nine million three hundred fifty-nine thousand dollars $10,299,359,000, and shall include all bonds, notes and other obligations issued pursuant to chapter 56 of the laws of 1983, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the correctional facilities capital improvement fund to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the department of corrections and community supervision from the correctional facilities capital improvement fund for capital projects. The aggregate amount of bonds, notes or other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the department of corrections and community supervision; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than ten billion two hundred ninety-nine million three hundred fifty-nine thousand dollars $10,299,359,000, only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof~~] **eleven billion one hundred seventeen million three hundred fifty-nine thousand dollars $11,117,359,000, excluding bonds issued after April first, two thousand twenty-five to (i) fund one or more debt service reserve funds, (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise repay such bonds or notes previously issued, provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date**.

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

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

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

(a) The commissioner shall, after the first day of July, nineteen hundred seventy-one, pay over moneys received by the department including**, subject to subdivision six of this section,** moneys received from the Roswell Park Cancer Institute corporation for the care, maintenance and treatment of patients at state hospitals in the department as enumerated in section four hundred three of this chapter, together with money received from fees, including parking fees, refunds, reimbursements, payments received pursuant to leases, sales of property and miscellaneous receipts of such hospitals other than gifts, grants, bequests and moneys received under research contracts, and clinical practice income received pursuant to a clinical practice plan established pursuant to subdivision fourteen of section two hundred six of this chapter except for the amount of money required by the comptroller to be maintained on deposit in the department of health income fund pursuant to paragraph (c) of this subdivision less payments required to be made into pools created by this chapter and for assessments established pursuant to this chapter and less refunds made pursuant to law, to the comptroller to be deposited by [~~him~~] **the comptroller** in the department of health income fund. Such moneys shall be kept separate and shall not be commingled with any other moneys in the hands of the comptroller. All deposits of such money shall, if required by the comptroller, be secured by obligations of the United States or of the state of market value equal at all times to the amount of the deposit and all banks and trust companies are authorized to give such securities for such deposits. The commissioner shall identify to the comptroller moneys received from Roswell Park Cancer Institute corporation or its subsidiaries.

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

special investigations or crisis intervention unit is conducting an interview with an incarcerated individual providing confidential information where a record of interview is completed;

(b) when staff observe unauthorized activity by an incarcerated individual, a department employee or any other person in the facility;

(c) during general movement of incarcerated individuals;

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

(e) during all incarcerated individual escorts;

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

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

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

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

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

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

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

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

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

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

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

charge, and issue such cameras to assigned staff for uploading and storage.

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

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

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

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

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

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

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

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

PART HH

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

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

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

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

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

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

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

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

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

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

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

3. Meet at least once per calendar month at a time and place designated by the [~~chairman~~] chair of the council.

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

1. There shall be within the commission a correction medical review board. It shall consist of six persons to be appointed by the governor by and with the advice and consent of the senate. In addition, the governor shall designate one of the full-time members other than the [~~chairman~~] chair of the commission and the [~~chairman~~] chair of the council as [~~chairman~~] chair of the board to serve as such at the pleasure of the governor. Of the appointed members of the board one shall be a physician duly licensed to practice in this state; one shall be a physician duly licensed to practice in this state and a board certified forensic pathologist; one shall be a physician duly licensed to practice in this state and shall be a board certified forensic psychiatrist; one shall be an attorney admitted to practice in this state; two shall be members appointed at large.

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

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

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

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

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

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

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

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

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

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

4. Establish procedures to assure effective investigation of grievances of, and conditions affecting, incarcerated individuals of local correctional facilities. Such procedures shall include but not be limited to receipt of written complaints, interviews of persons, and on-site monitoring of conditions. In addition, the commission shall establish procedures for the speedy and impartial review of grievances referred to it by the commissioner [~~of the department of corrections and community supervision~~]. The commission shall maintain a website that allows for the submission of written complaints regarding any correctional facility, and provides the commission's address for the receipt of complaints by mail. The commission shall promulgate rules and regulations requiring correctional facilities to provide incarcerated individuals, in writing, the commission's website and mailing address.

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

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

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

1. The commission, any member or any employee designated by the commission must be granted access at any and all times to any correctional facility or part thereof and to all books, records, medical **and substance use disorder treatment and transition services** records of incarcerated individuals and data pertaining to any correctional facility deemed necessary for carrying out the commission's functions, powers and duties. The commission, any member or any employee designated by the [~~chairman~~] **chair** may require from the officers or employees of a correctional facility any information deemed necessary for the purpose of carrying out the commission's functions, powers and duties. **Commission members and employees may conduct private interviews of correctional facility officers and employees, who may be accompanied by counsel or a union representative acting on such officer or employee's behalf. Commission members and employees may also conduct private interviews of incarcerated individuals, upon such individual's consent.**

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

(d) Upon review of the cause of death and circumstances surrounding the death of any incarcerated individual, the board shall submit its report thereon to the commission and to the governor, the [~~chairman~~] **chair** of the assembly committee on correction and the [~~chairman~~] **chair** of the senate committee on crime victims, crime and correction and, where appropriate, make recommendations to prevent the recurrence of such deaths to the commission and the administrator of the appropriate correctional facility. The report provided to the governor, the [~~chairman~~] **chair** of the assembly committee on correction and the [~~chairman~~] **chair** of the senate committee on crime victims, crime and correction shall not be redacted except as otherwise required to protect confidential medical records and behavioral health records in accordance with state and federal laws, rules, and regulations.

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

(i) Investigate and report to the commission on the condition of systems for the delivery of medical care to incarcerated individuals of correctional facilities and where appropriate recommend such changes as it shall deem necessary and proper to improve the quality and availability of such medical care. **Such report and recommendation shall minimally consist of an annual report of the board to the commission.**

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

PART II

Section 1. Notwithstanding the provisions of sections 79-a and 79-b of the correction law, the governor is authorized to close up to five correctional facilities of the department of corrections and community supervision, in the state fiscal year 2025--2026, as the governor determines to be necessary for the cost-effective and efficient operation of the correctional system, provided that the governor provides at least 90 days' notice prior to any such closures to the temporary president of the senate and the speaker of the assembly. Such notice shall include the list of facilities the governor plans to close, the number of incarcerated individuals in said facilities, and the number of staff working in said facilities. The commissioner of corrections and community supervision shall also report in detail to the temporary president of the senate and the speaker of the assembly on the results of staff relocation efforts within 60 days after such closures.

§ 2. 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 this act shall expire and be deemed repealed March 31, 2026.

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

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

PART JJ

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

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

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

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

(iii) The first statement of registration filed biennially by each lobbyist for the first biennial registration requirements for calendar years **between** two thousand five and two thousand [~~six and thereafter~~] **twenty-five**, shall be accompanied by a registration fee of two hundred dollars except that no registration fee shall be required from any lobbyist who in any year does not expend, incur or receive an amount in excess of five thousand dollars of reportable compensation and expenses, as provided in paragraph five of subdivision (b) of section one-h of this article, for the purposes of lobbying or of a public corporation. A fee of two hundred dollars shall be required for any subsequent statement of registration filed by a lobbyist during the same biennial period; (iv) **The first statement of registration filed biennially by each lobbyist for the first biennial registration requirements for calendar year two thousand twenty-six and thereafter, shall be accompanied by a registration fee of two hundred dollars except that no registration fee shall be required from any lobbyist who is qualified as an exempt organization or entity by the United States department of the treasury under section 501(c)(3) of the internal revenue code and in any year does not expend, incur or receive an amount in excess of ten thousand dollars of reportable compensation and expenses, as provided in paragraph five of subdivision (b) of section one-h of this article, for the purposes of lobbying or of a public corporation. A fee of two hundred dollars shall be required for any subsequent statement of registration filed by a lobbyist during the same biennial period; (v)** The statement of registration filed after the due date of a biennial registration shall be accompanied by a registration fee that is prorated to one hundred dollars for any registration filed after January first of the second calendar year covered by the biennial reporting requirement. In addition to the fees authorized by this section, the commission may impose a fee for late filing of a registration statement required by this section not to exceed twenty-five dollars for each day that the statement required to be filed is late, except that if the lobbyist making a late filing has not previously been required by statute to file such a statement, the fee for late filing shall not exceed ten dollars for each day that the statement required to be filed is late.

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

(a) Any lobbyist required to file a statement of registration pursuant to section one-e of this article who in any lobbying year reasonably anticipates that during the year such lobbyist will expend, incur or receive combined reportable compensation and expenses in an amount in excess of [~~five~~] **ten** thousand dollars, **or ten thousand dollars where such lobbyist is qualified as an exempt organization or entity by the United States department of the treasury under section 501(c)(3) of the internal revenue code** as provided in paragraph five of subdivision (b) of this section, for the purpose of lobbying, shall file with the commission a bi-monthly written report, on forms supplied by the commission, by the fifteenth day next succeeding the end of the reporting period in which the lobbyist was first required to file a statement of registration. Such reporting periods shall be the period of January first to the last day of February, March first to April thirtieth, May

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

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

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

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

PART KK

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

§ 70. Commission [~~created~~] **continued**; terms and qualifications of members. A law revision commission is hereby [~~created~~] **continued**, [~~to~~] **and shall** consist of the [~~chairman~~] **chairs** of the committees on the judiciary and codes of the senate and assembly, ex-officio, and [~~five~~] **ten** additional members, **five members** to be appointed by the governor**, one member to be appointed by the temporary president of the senate, one member to be appointed by the minority leader of the senate, one member to be appointed by the speaker of the assembly, one member to be appointed by the minority leader of the assembly, and one member to be appointed by the attorney general**. The members first appointed by the governor **following the effective date of the chapter of the laws of two thousand twenty-five that amended this section** shall be appointed for such terms that the term of one member will expire on each succeeding thirty-first day of December. **Members first appointed by the temporary president of the senate and the minority leader of the senate shall be appointed for a term of three years. Members first appointed by the speaker of the assembly and the minority leader of the assembly shall be appointed for a term of five years. The member first appointed by the attorney general shall be appointed for a term of five years.** The term of a member thereafter appointed, except to fill a vacancy occurring otherwise than by expiration of term, shall be five years from the expiration of the term of [~~his~~] **such member's** predecessor. A vacancy in the office of a member [~~appointed by the governor~~] occurring otherwise than by expiration of term, shall be filled by the [~~governor~~] **appointing authority** for **only** the remainder [~~only~~] of the term **of such member's predecessor**. [~~Upon making the original appointments~~] **In July of each year**, the [~~governor~~] **commission's membership** shall designate one of the appointed members as [~~chairman~~] **chair** of the commission. [~~Upon~~] **A vacancy in** the [~~appointment~~] **office** of [~~a successor to~~] the [~~chairman~~] **chair** of the commission **occurring otherwise than by expiration of term**, [~~the governor~~] shall [~~designate such successor or other member of~~] **be filled by** the [~~commission as chairman~~] **commission's membership for only the remainder of the term of such chair's predecessor**. Four members appointed by the governor shall be attorneys and counselors at law,

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

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

§ 71. Expenses; employees. Each of the members of the commission appointed by the governor **or by members of the legislature** shall receive **reimbursement for** necessary expenses incurred in the performance of official duty. The commission may appoint such employees as may be needed, prescribe their duties, and fix their compensation within the amount appropriated for the commission.

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

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

1. To examine the common law and statutes of the state and current judicial decisions [~~for the purpose of discovering defects and anachronisms in the law~~] and recommending needed reforms.

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

3. [~~To receive and consider suggestions from judges, justices, public officials, lawyers and the public generally as to defects and anachronisms in the law.~~

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

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

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

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

§ 5. This act shall take effect immediately.

PART LL

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

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

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

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

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

PART MM

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

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

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

PART NN

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

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

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

3. The sentence and commitment of an incarcerated individual in a local correctional facility shall be deemed sufficient to grant authorization to the sheriff of such local correctional facility to assist such incarcerated individual to apply for and obtain an identification card from the department of motor vehicles.

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

(b) If an identification card is obtained with the assistance of the sheriff of a local correctional facility for an incarcerated individual prior to such individual's release from such local correctional facility, such identification card shall be kept in such incarcerated individual's records until such individual is released from such local correctional facility; and upon such individual's release, such identification card shall be provided to such individual.

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

4. Identification card programs. Identification cards issued to incarcerated individuals pursuant to an identification card program under section eleven or five hundred twelve of the correction law shall be formatted identically to all other identification cards issued pursuant to this section. Such identification cards shall not contain any markings or other indications that such identification cards were issued pursuant to such an identification card program.

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

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

victim of a crime and the identification card applied for is a replacement for one that was lost or destroyed as a result of the crime.

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

PART OO

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

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

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

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

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

PART PP

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

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

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

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

PART QQ

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

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

8. 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 in accordance with section fifty-four-a of this article.

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

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

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

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

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

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

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

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

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

(i) procedures for the immediate and confidential reporting of allegations of sexual assault;

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

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

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

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

(vi) procedures for tracking and reporting on sexual assault allegations, investigations, and outcomes.

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

a. interviews with the victim, witnesses, and any alleged perpetrators;

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

c. review of relevant institutional or departmental records and policies, if relevant to the investigation;

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

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

5. The protocol and procedures established pursuant to this section shall be made available to all incarcerated individuals and and shall be regularly reviewed and updated by the state inspector general, as needed.

a. The department of corrections and community supervision, in consultation with the office of the state inspector general, shall provide individuals in its custody with information on how to report sexual assault to the state inspector general, including information on how to contact the state inspector general's office, and shall make this information readily available in a variety of formats.

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

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

6. a. Any individual in the custody of the department of corrections and community supervision who reports a sexual assault to the state inspector general shall be protected from retaliation, harassment, or any other form of retribution or adverse treatment as a result of making such report. Any allegations of retaliation, harassment, or any other form of retribution against an individual who reports sexual assault to the state inspector general shall be subject to investigation and potential referral for prosecution pursuant to the provisions of this article.

b. The office of the state inspector general shall protect the confidentiality of individuals who file reports of sexual assault in institutions to the fullest extent of the law.

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

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

PART RR

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

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

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

4. If in the course of an investigation, the commission determines that a hearing is warranted it shall direct that a formal written complaint signed and verified by the administrator be drawn and served upon the judge involved, either personally or by certified mail, return receipt requested. The judge shall file a written answer to the [~~the~~] **formal written** complaint with the commission within twenty days of such service. **The formal written complaint and answer, and the record of proceedings thereafter, including the hearing and any proceedings before the commission, shall be public.** If, upon receipt of the answer, or upon expiration of the time to answer, the commission shall direct that a hearing be held with respect to the **formal written** complaint, the judge involved shall be notified in writing of the date of the hearing either personally, at least twenty days prior thereto, or by certified mail, return receipt requested, at least twenty-two days prior thereto. Upon the written request of the judge, the commission shall, at least five days prior to the hearing or any adjourned date thereof, make available to the judge without cost copies of all documents which the commission intends to present at such hearing and any written statements made by witnesses who will be called to give testimony by the commission. The commission shall, in any case, make available to the judge at least five days prior to the hearing or any adjourned date thereof any exculpatory evidentiary data and material relevant to the **formal written** complaint. The failure of the commission to timely furnish any documents, statements and/or exculpatory evidentiary data and material provided for herein shall not affect the validity of any proceedings before the commission provided that such failure is not substantially prejudicial to the judge. The complainant may be notified of the hearing and unless [~~he~~] **the complainant** shall be subpoenaed as a witness by the judge, [~~his~~] **the complainant's** presence thereat shall be within the discretion of the commission. [~~The hearing shall not be public unless the judge involved shall so demand in writing.~~] At the hearing the commission may take the testimony of witnesses and receive evidentiary data and material relevant to the **formal written** complaint. The judge shall have the right to be represented by counsel during any and all stages of the hearing and shall have the right to call and cross-examine witnesses and present evidentiary data and material relevant to the **formal written** complaint. A transcript of the proceedings and of the testimony of witnesses at the hearing shall be taken and kept with the records of the commission.

§ 3. Section 45 of the judiciary law, as amended by chapter 35 of the laws of 1983, is amended to read as follows:

§ 45. Confidentiality of records. [~~1.~~] Except as hereinafter provided, all complaints, correspondence, commission proceedings and transcripts thereof, other papers and data and records of the commission shall be confidential and shall not be made available to any person except pursuant to section forty-four of this article. The commission and its designated staff personnel shall have access to confidential material in the performance of their powers and duties. If the judge who is the subject of a complaint so requests in writing, copies of [~~the~~] **any pending**

complaint, [~~the transcripts of hearings by the commission thereon, if any~~] any documents made public pursuant to section forty-four of this article, and the dispositive action of the commission with respect to [~~the~~] any complaint resulting in a caution, admonition, censure, removal, retirement, or resignation from judicial office, such copies with any reference to the identity of any person who did not participate at any such hearing suitably deleted therefrom, except the subject judge or complainant, shall be made available for inspection and copying to the public, or to any person, agency or body designated by such judge.

[~~2. Notwithstanding any provision in this section, the commission, with the consent of the applicant, shall provide the record of any proceeding pursuant to a formal written complaint against an applicant for judicial appointment in which the applicant's misconduct was established, any pending complaint against an applicant, and the record to date of any pending proceeding pursuant to a formal written complaint against an applicant for judicial appointment:~~

~~(a) to the commission on judicial nomination established by article three-A of this chapter, with respect to applicants for appointment to the court of appeals;~~

~~(b) to the governor with respect to all applicants whom the governor indicates are under consideration for any judicial appointment; and~~

~~(c) to the temporary president of the senate and the chairman of the senate judiciary committee with respect to all nominees for judicial appointments which are subject to the advice and consent of the senate.~~]

The commission shall respond within fifteen days of a request for the information provided for in this [~~subdivision~~] section.

§ 4. Section 47 of the judiciary law, as added by chapter 156 of the laws of 1978, is amended to read as follows:

§ 47. Resignation or retirement not to divest commission or court of appeals of jurisdiction. The jurisdiction of the court of appeals and the commission pursuant to this article shall continue notwithstanding that a judge resigns or retires from office after a [~~determination of the commission that the judge be removed from office has been transmitted to the chief judge of the court of appeals,~~] formal written complaint authorized pursuant to section forty-four of this article has been served on the judge or in any case in which the [~~commission's determination that a judge should be removed from office shall be transmitted to the chief judge of the court of apppeals~~] formal written complaint is served on the judge within one hundred twenty days after receipt by the chief administrator of the courts of the resignation or retirement of such judge. Any determination by the court of appeals that a judge who has resigned or retired should be removed from office shall render such judge ineligible to hold any other judicial office. The chief administrator of the courts shall give written notice to the commission of the resignation or retirement of any judge who is the subject of an investigation within five days after [~~his~~] receipt thereof.

§ 5. This act shall take effect immediately.

PART SS

Section 1. Section 218 of the judiciary law is REPEALED and a new section 218 is added to read as follows:

§ 218. Audio-visual coverage of judicial proceedings. 1. Authorization. Subject to the authority of the judge or justice presiding over the proceeding to exercise sound discretion to prohibit or limit filming

or photographing of particular participants in judicial proceedings to ensure safety and the fair administration of justice, audio-visual and still photography coverage by the media of public judicial proceedings in the appellate and trial courts of this state shall be allowed in accordance with this section.

2. Definitions. For purposes of this section, the following terms shall have the following meanings:

(a) "Proceeding" shall mean any action or proceeding heard in a court of competent jurisdiction in this state.

(b) "Media" shall mean any news reporting or news gathering agency and any employee or agent associated with such agency, including television, radio, radio and television networks, news services, newspapers, magazines, trade papers, in-house publications, professional journals or any other news reporting or news gathering agency, the function of which is to inform the public, or some segment thereof.

3. Equipment and personnel. The following shall be permitted in any trial court or appellate court proceeding other than a matrimonial proceeding or a proceeding in family court:

(a) At least one compact video camera, operated by no more than one camera person. Additional permitted cameras shall be within the sole discretion and authority of the judge or justice presiding over the proceeding.

(b) Not more than one audio system for radio broadcast purposes. Audio pickup for all media purposes shall be provided by existing audio systems present in the courtroom. If no technically suitable audio system exists in the courtroom, microphones and related wiring essential for media purposes shall be permissible provided they are unobtrusive and shall be located in places designated in advance of any proceeding by the judge or justice presiding over the proceeding. In the event that the courtroom has existing cameras suitable for audio-visual coverage, upon request the judge or justice presiding over the proceeding shall have sole discretion to provide a media feed from such cameras instead of allowing video cameras in the courtroom.

(c) Additional permitted equipment or personnel shall be within the sole discretion and authority of the judge or justice presiding over the proceeding. All costs of all audio and visual coverage shall be borne by the entity seeking to provide such coverage.

(d) Any pooling arrangements among members of the media concerning equipment and personnel shall be the sole responsibility of such members without calling upon the judge or justice presiding over the proceeding to mediate any dispute as to the appropriate media representative or equipment authorized to cover a particular proceeding. In the absence of advance media agreement concerning disputed equipment or personnel issues, the judge or justice presiding over the proceeding may exclude all media personnel from a proceeding.

4. Sound and light criteria. Any video and audio equipment, including still camera equipment, whether film or digital, shall be operated in a manner to generate the least possible sound or light, and such equipment shall not be permitted if it produces distracting sound or light. No artificial lighting device of any kind shall be used in connection with the video equipment or still camera.

5. Location of equipment personnel. Video camera equipment and still camera photographers shall be positioned in such location or locations in the courtroom as shall be designated by the judge or justice presiding over the proceeding. The area designated shall provide reasonable access to coverage of the proceedings, so long as such reasonable access

can be provided without interference with the proceedings. Video cameras and operators, and any still cameras and photographers, if permitted, shall assume a fixed position within the designated area and shall not be permitted to move about to obtain photographs or video recordings of court proceedings. Media representatives shall not move about the court facility while proceedings are in session.

6. Equipment movement during proceedings. News media photographic or audio equipment shall not be placed in, removed from, or moved about the authorized location as determined by the judge or justice presiding over the proceeding, except before commencement or after adjournment of proceedings each day. Equipment may be moved during a recess only with the prior approval of the judge or justice presiding over the proceeding. Neither video cassettes or film magazines nor still camera film, digital media cards or lenses shall be changed within a courtroom except during a recess in the proceeding.

7. Courtroom light sources. With the concurrence of the administrative judge or the presiding justice who oversees the court in which the proceeding is occurring, modifications and additions may be made in light sources existing in the courtroom, provided such modifications or additions are installed and maintained without public expense.

8. Restrictions on audio-visual coverage. Notwithstanding the initial approval of a request for audio-visual coverage of any court proceeding, the presiding trial judge shall have discretion throughout the proceeding to revoke such approval or limit such coverage, and may where appropriate exercise such discretion to limit, restrict or prohibit audio or visual broadcast or photography of any part of the proceeding in the courtroom, or of the name or features of any participant therein. In any case, audio-visual coverage shall be limited as follows:

(a) to protect the attorney-client privilege and the effective right to counsel, there shall be no video or audio pickup or broadcast of conferences that occur in a courtroom between attorneys and their clients, between co-counsel of a client, or between counsel and the presiding judge held at the bench;

(b) no conference in chambers shall be subject to audio-visual coverage;

(c) no audio-visual coverage of the selection of the prospective jury during voir dire shall be permitted;

(d) no audio-visual coverage of the jury, or of any juror or alternate juror, while in the jury box, in the courtroom, in the jury deliberation room during recess, or while going to or from the deliberation room at any time shall be permitted, provided, however, that upon consent of the foreperson of a jury, the presiding trial judge may, in such presiding trial judge's discretion, permit audio coverage of such foreperson delivering a verdict;

(e) no audio-visual coverage shall be permitted of a witness, who as a peace or police officer acted in a covert or undercover capacity in connection with the instant court proceeding, without the prior written consent of such witness;

(f) no audio-visual coverage shall be permitted of a witness, who as a peace officer or police officer is currently engaged in a covert or undercover capacity, without the prior written consent of such witness;

(g) no audio-visual coverage shall be permitted of the victim in a prosecution for rape, criminal sexual act, sexual abuse or other sex offense under article one hundred thirty or section 255.25 of the penal law. Notwithstanding the initial approval of a request for audio-visual coverage of such a proceeding, the presiding trial judge shall have

discretion throughout the proceeding to limit any coverage which would identify the victim, except that said victim can request of the presiding trial judge that audio-visual coverage be permitted of such victim's testimony, or in the alternative the victim can request that coverage of such victim's testimony be permitted but that such victim's image shall be visually obscured by the news media, and the presiding trial judge in such presiding trial judge's discretion shall grant the request of the victim for the coverage specified;

(h) no audio-visual coverage of any arraignment or suppression hearing shall be permitted without the prior consent of all parties to the proceeding, provided, however, where a party is not yet represented by counsel, consent may not be given unless the party has been advised of such party's right to the aid of counsel pursuant to subdivision four of section 170.10 or 180.10 of the criminal procedure law and the party has affirmatively elected to proceed without counsel at such proceeding;

(i) no judicial proceeding shall be scheduled, delayed, reenacted or continued at the request of, or for the convenience of the news media;

(j) no audio-visual coverage of any participant shall be permitted if the presiding trial judge finds that such coverage is liable to endanger the safety of any person; and

(k) no audio-visual coverage shall be permitted which focuses on or features a family member of a victim or a party in the trial of a criminal case, except while such family member is testifying. Audio-visual coverage operators shall make all reasonable efforts to determine the identity of such persons, so that such coverage shall not occur.

9. Impermissible use of media material. Film, digital files, videotape, still photographs, or audio reproductions captured or recorded during or by virtue of coverage of a judicial proceeding shall not be admissible as evidence in the proceeding out of which it arose, or upon retrial or appeal of such proceedings.

10. Written order. (a) An order restricting audio-visual coverage with respect to a particular participant shall be in writing. The order must state good cause why such coverage will have a substantial effect upon the individual which would be qualitatively different from the effect on members of the public in general and that such effect will be qualitatively different from coverage by other types of media. Before prohibiting audio-visual coverage, the presiding judge must first consider the imposition of special limitations, such as a delayed or modified still or audio-visual coverage of the proceedings.

(b) A presumption of good cause shall exist with respect to the testimony of minors and testimony of any individual covered by section fifty-b of the civil rights law.

11. Closing the courtroom. No audio-visual coverage will be permitted during any period in which the courtroom is lawfully closed to the general public in accordance with the United States and New York Constitutions, New York law and court rules.

12. Appellate review. Any order issued pursuant to this section shall be subject to review pursuant to article seventy-eight of the civil practice law and rules and any rules of the appellate courts promulgated to provide expedited review of such order.

13. Regulations. The chief administrator shall promulgate appropriate rules and regulations for the implementation of the provisions of this section after affording all interested persons, agencies and institutions an opportunity to review and comment thereon. Such rules and regulations shall include provisions to ensure that audio-visual cover-

age of trial proceedings shall not interfere with the decorum and dignity of courtrooms and court facilities.

§ 2. Section 52 of the civil rights law is REPEALED.

§ 3. Subdivision 5 of section 751 of the judiciary law, as added by chapter 187 of the laws of 1992, is amended to read as follows:

5. Where any member of the [~~news~~] media as [~~defined in subdivision two of~~] referenced in section two hundred eighteen of this chapter, willfully disobeys a lawful mandate of a court issued pursuant to such section, the punishment for each day that such contempt persists may be by a fine fixed in the discretion of the court, but not to exceed five thousand dollars per day or imprisonment, not exceeding thirty days, in the jail of the county where the court is sitting or both, in the discretion of the court. In fixing the amount of the fine, the court shall consider all the facts and circumstances directly related to the contempt, including, but not limited to: (i) the extent of the willful defiance of or resistance to the court's mandate, (ii) the amount of gain obtained by the willful disobedience of the mandate, and (iii) the effect upon the public and the parties to the proceeding of the willful disobedience.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law.

PART TT

Section 1. Subdivision 1 of section 730.10 of the criminal procedure law is amended to read as follows:

1. "Incapacitated person" means a defendant who as a result of mental disease or defect lacks capacity to understand the proceedings against [~~him~~] such defendant or to assist in [~~his~~] their own defense.

§ 2. Subdivision 8 of section 730.10 of the criminal procedure law, as separately amended by chapters 615 and 629 of the laws of 1974, is amended to read as follows:

8. "Examination report" means a report made by a psychiatric examiner wherein [~~he~~] such examiner sets forth [~~his~~] their opinion as to whether the defendant is or is not an incapacitated person, the nature and extent of [~~his~~] their examination and, if [~~he or she finds~~] they find that the defendant is an incapacitated person, [~~his~~] their diagnosis and prognosis and a detailed statement of the reasons for [~~his~~] their opinion by making particular reference to those aspects of the proceedings wherein the defendant lacks capacity to understand or to assist in [~~his~~] their own defense. The report must also state the examiner's professional opinion as to whether or not there is at least a reasonable expectation that restoration services could have a substantial probability of restoring the defendant to competence within a reasonable period of time. The state administrator and the commissioner must jointly adopt the form of the examination report; and the state administrator shall prescribe the number of copies thereof that must be submitted to the court by the director.

§ 3. Section 730.10 of the criminal procedure law is amended by adding a new subdivision 10 to read as follows:

10. "Restoration services" means those services including but not limited to medication support, classroom-based competency instruction, mock trials, symptom management, and rehabilitative services provided to an incapacitated person which are designed to improve their mental state or developmental status to the extent that they can understand the charges against them and participate in their own defense. Restoration

services are not intended to be mental health treatment aimed at recovery from mental illness or services aimed at improving a developmentally disabled person's ability to function on a day-to-day basis.

§ 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 amended by chapter 692 of the laws of 1972, is amended to read as follows:

§ 730.20 Fitness to proceed; generally.

1. [~~The appropriate director to whom a criminal court issues an order of examination must be determined in accordance with rules jointly adopted by the judicial conference and the commissioner.~~] Upon receipt of an examination order, the director to whom the court has issued an order must designate two qualified psychiatric examiners, of whom [~~he~~] such director may be one, to examine the defendant to determine if [~~he~~] the defendant is an incapacitated person. In conducting their examination, the psychiatric examiners [~~may~~] shall employ [~~any~~] a method [~~which is accepted by the medical profession for the examination of persons alleged to be mentally ill or mentally defective~~] as set forth in standards set by the commissioner to determine if the defendant is an incapacitated person. The court may authorize a psychiatrist or psychologist retained by the defendant to be present at such examination.

2. When the defendant is not in custody at the time a court issues an order of examination, because [~~he~~] the defendant was theretofore released on bail or on [~~his~~] the defendant's own recognizance, the court [~~may~~] shall direct that the examination be conducted on an out-patient basis, and at such time and place as the director shall designate and the court shall order the defendant to appear for such examination. If, however, the director informs the court that hospital confinement of the defendant is necessary for an effective examination, or if the defendant refuses to appear as ordered for the examination, the court may direct that the defendant be confined in a hospital [~~designated by the director~~] operated or approved by the commissioner only until the examination is completed. In no event shall the need for such examination be a basis for incarcerating a defendant who has been released on bail or their own recognizance.

3. When the defendant is in custody at the time a court issues an order of examination, the examination must be conducted at the place where the defendant is being held in custody. If, however, the director determines that hospital confinement of the defendant is necessary for an effective examination, the sheriff must deliver the defendant to a hospital designated by the [~~director~~] commissioner and hold [~~him~~] the defendant in custody therein, under sufficient guard, until the examination is completed.

4. Hospital confinement under subdivisions two and three shall be for a period not exceeding [~~thirty~~] ten days, except that, upon application of the director, the court may authorize confinement for an additional period not exceeding [~~thirty~~] ten days if it is satisfied that a longer period is necessary to complete the examination. [~~During the period of hospital confinement, the physician in charge of the hospital may administer or cause to be administered to the defendant such emergency psychiatric, medical or other therapeutic treatment as in his judgment should be administered.~~]

5. Each psychiatric examiner, after [~~he has completed his~~] completing the examination of the defendant, must promptly prepare and submit to the director an examination report [~~and submit it to the director~~] setting forth the examiner's opinion as to whether or not there is at

least a reasonable expectation that restoration services could have a substantial probability of restoring the defendant to competence within a reasonable period of time. If the psychiatric examiners are not unanimous in their opinion as to whether the defendant is or is not an incapacitated person, the director must designate another qualified psychiatric examiner to examine the defendant to determine if [~~he~~] the defendant is an incapacitated person and, if so, whether or not there is at least a reasonable expectation that restoration services could have a substantial probability of restoring the defendant to competence within a reasonable period of time. Upon receipt of the examination reports, the director must submit them to the court that issued the order of examination. The court must furnish a copy of the reports to counsel for the defendant and to the district attorney.

6. When a defendant is subjected to examination pursuant to an order issued by a criminal court in accordance with this article, any statement made by [~~him~~] such defendant for the purpose of the examination or treatment shall be inadmissible in evidence against [~~him~~] such defendant in any criminal action on any issue other than that of [~~his~~] such defendant's mental condition[~~, but such statement is admissible upon that issue whether or not it would otherwise be deemed a privileged communication~~].

7. A psychiatric examiner, who is not regularly employed by the county or the state of New York, is entitled to [~~his~~] their reasonable traveling expenses[~~, a~~] and to a reasonable fee [~~of fifty dollars~~] to be negotiated with the examiner by the director or the county or, if no such fee is agreed upon, to be set by the court for each examination of a defendant and [~~a fee of fifty dollars~~] for each appearance at a court hearing or trial [~~but not exceeding two hundred dollars in fees for examination and testimony in any one case~~]; except that if such psychiatric examiner be an employee of the county or of the state of New York [~~he~~] they shall be entitled only to reasonable traveling expenses, unless such psychiatric examiner makes the examination or appears at a court hearing or trial outside [~~his~~] their hours of state or county employment in a county in which the director of community [~~mental health~~] services certifies to the fiscal officer thereof that there is a shortage of qualified [~~psychiatrists~~] examiners available to conduct examinations under [~~the criminal procedure law~~] this chapter in such county, in which event [~~he~~] such examiner shall be entitled to [~~the foregoing~~] such fees and reasonable traveling expenses as approved by the court. Such fees and traveling expenses and the costs of sending a defendant to another place of detention or to a hospital for examination[~~, of his maintenance therein~~] and the cost of returning [~~him~~] the defendant shall, when approved and so ordered by the court, be a charge of the county in which the defendant is being tried, and the cost of the maintenance of such defendant therein shall be a cost to the state.

§ 5. Section 730.30 of the criminal procedure law, subdivision 3 as amended by chapter 629 of the laws of 1974, is amended to read as follows:

§ 730.30 Fitness to proceed; order of examination.

1. At any time after a defendant is arraigned upon an accusatory instrument other than a felony complaint and before the imposition of sentence, or at any time after a defendant is arraigned upon a felony complaint and before [~~he~~] such defendant is held for the action of the grand jury, or upon arraignment on an indictment by a grand jury, the court wherein the criminal action is pending [~~must~~] may issue an order

of examination when it [~~is of the opinion~~] **has a reasonable basis to believe** that the defendant may be an incapacitated person.

2. When the examination reports submitted to the court show that each psychiatric examiner is of the opinion that the defendant is not an incapacitated person, the court may, on its own motion, conduct a hearing to determine the issue of capacity, and it must conduct a hearing upon motion therefor by the defendant or by the district attorney. If **the court does not decide to hold a hearing on its own motion and** no motion for a hearing is made**, or if, following a hearing the court is satisfied that the defendant is not an incapacitated person**, the criminal action against the defendant must proceed. [~~If, following a hearing, the court is satisfied that the defendant is not an incapacitated person, the criminal action against him must proceed; if the court is not so satisfied, it must issue a further order of examination directing that the defendant be examined by different psychiatric examiners designated by the director.~~]

3. When the examination reports submitted to the court show that each psychiatric examiner is of the opinion that the defendant is an incapacitated person **and that there is at least a reasonable expectation that restoration services could have a substantial probability of restoring the defendant to competence within a reasonable period of time**, the court [~~may, on its own motion,~~] **shall** conduct a hearing to determine the issue of capacity [~~and it must conduct such hearing upon motion therefor by the defendant or by the district attorney~~].

4. When the examination reports submitted to the court show that the psychiatric examiners are not unanimous in their opinion as to whether the defendant is or is not an incapacitated person[~~, or when the examination reports submitted to the superior court show that the psychiatric examiners are not unanimous in their opinion as to whether the defendant is or is not a dangerous incapacitated person~~] **and that there is at least a reasonable expectation that restoration services could have a substantial probability of restoring the defendant to competence within a reasonable period of time**, the court must conduct a hearing to determine the issue of capacity [~~or dangerousness~~] **and expectation of restoration within a reasonable time**.

§ 6. Subdivision 1 of section 730.40 of the criminal procedure law, as amended by chapter 7 of the laws of 2013, is amended to read as follows:

1. When a local criminal court, following a hearing conducted pursuant to subdivision **two,** three or four of section 730.30 of this article, is satisfied that the defendant is not an incapacitated person, the criminal action against [~~him or her~~] **such defendant** must proceed. If [~~it~~] **a local criminal court accusatory instrument other than a felony complaint has been filed against the defendant and the court** is satisfied that the defendant is an incapacitated person, [~~or if no motion for such a hearing is made, such court must issue a final or temporary order of observation committing him or her to the custody of the commissioner for care and treatment in an appropriate institution for a period not to exceed ninety days from the date of the order, 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. When a local criminal court accusatory instrument other than a felony complaint has been filed against the defendant,~~] such court must issue a final order of observation. When a felony complaint has been filed against the

defendant, such court must issue a temporary order of observation committing [~~him or her~~] **such defendant** to the custody of the commissioner for [~~care and treatment~~] **restoration services** in an appropriate institution or, [~~upon the consent of the district attorney~~] **in the discretion of the court**, committing [~~him or her~~] **such defendant** to the custody of the commissioner for care and treatment on an out-patient basis, for a period not to exceed ninety days from the date of such order[~~, except that, with the consent of the district attorney,~~] **or** it may issue a final order of observation. Upon the issuance of a final order of observation, the district attorney shall immediately transmit to the commissioner, in a manner intended to protect the confidentiality of the information, a list of names and contact information of persons who may reasonably be expected to be the victim of any assault or any violent felony offense, as defined in the penal law, or any offense listed in section 530.11 of this [~~chapter~~] **part** which would be carried out by the committed person; provided that the person who reasonably may be expected to be a victim does not need to be a member of the same family or household as the committed person.

§ 7. Section 730.50 of the criminal procedure law, subdivision 1 as amended by chapter 7 of the laws of 2013, subdivision 2 as amended by chapter 789 of the laws of 1985, subdivision 5 as amended by chapter 629 of the laws of 1974, is amended to read as follows:

§ 730.50 Fitness to proceed; indictment.

1. When a superior court, following a hearing conducted pursuant to subdivision **two,** three or four of section 730.30 of this article, is satisfied that the defendant is not an incapacitated person, the criminal action against [~~him or her~~] **such defendant** must proceed. If [~~it is satisfied~~] **after a hearing, the court makes a finding** that the defendant is an incapacitated person, [~~or if no motion for such a hearing is made~~] **and that there is at least a reasonable expectation that restoration services could have a substantial probability of restoring the defendant to competence within a reasonable period of time**, it must adjudicate [~~him or her~~] **them** an incapacitated person[~~, and must issue a final order of observation or an order of commitment~~]. When the indictment does not charge a felony or when the defendant has been convicted of an offense other than a felony, such court (a) must issue a final order of observation [~~committing the defendant to the custody of the commissioner for care and treatment in an appropriate institution for a period not to exceed ninety days from the date of such order, 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~~], and (b) must dismiss the indictment filed in such court against the defendant, and such dismissal constitutes a bar to any further prosecution of the charge or charges contained in such indictment. Upon the issuance of a final order of observation, the district attorney shall immediately transmit to the commissioner, in a manner intended to protect the confidentiality of the information, a list of names and contact information of persons who may reasonably be expected to be the victim of any assault or any violent felony offense, as defined in the penal law, or any offense listed in section 530.11 of this [~~chapter~~] **part** which would be carried out by the committed person; provided that the person who reasonably may be expected to be a victim does not need to be a member of the same family or household as the committed person. When the

indictment charges a felony [~~or when the defendant has been convicted of a felony~~] and the court has determined that there is at least a reasonable expectation that restoration services could have a substantial probability of restoring the defendant to competence within a reasonable period of time, it must issue an order of commitment committing the defendant to the custody of the commissioner [~~for care and treatment~~] to receive restoration services in an appropriate institution or[~~, upon the consent of the district attorney,~~] committing [~~him or her~~] such defendant to the custody of the commissioner for care and treatment on an out-patient basis, for a period not to exceed [~~one year~~] ninety days from the date of such order. Upon the issuance of an order of commitment, the court must exonerate the defendant's bail if [~~he or she was~~] they were previously at liberty on bail; provided, however, that exoneration of bail is not required when a defendant is committed to the custody of the commissioner for care and treatment on an out-patient basis. [~~When the defendant is in the custody of the commissioner pursuant to a final order of observation, the commissioner or his or her designee, which may include the director of an appropriate institution, immediately upon the discharge of the defendant, must certify to such court that he or she has complied with the notice provisions set forth in paragraph (a) of subdivision six of section 730.60 of this article~~] In the event that the court determines there is not a reasonable expectation that restoration services could have a substantial probability of restoring the defendant to competence within a reasonable period of time the matter shall be referred to the supreme court for a hearing conducted in accordance with section 9.33 or 15.31 of the mental hygiene law.

2. When a defendant is in the custody of the commissioner immediately prior to the expiration of the period prescribed in a temporary order of commitment and the superintendent of the institution wherein the defendant is confined is of the opinion that the defendant continues to be an incapacitated person, such superintendent must apply to the court that issued such order for an order of retention for an additional period of ninety days. The court must hold a hearing on this application to determine if there is a substantial probability of recovery in the foreseeable future. If the court determines that there is such reasonable expectation of restoration, it shall issue an order of retention for an additional ninety days. If the court finds that the defendant is still incapacitated and there is not a substantial probability of restoration in the foreseeable future, it shall refer the matter to the civil section of the supreme court in the county where the defendant's case is pending, for a hearing pursuant to article nine or fifteen of the mental hygiene law to determine if the defendant shall be hospitalized or otherwise retained on an involuntary basis. [~~Such application must be made within sixty days prior to the expiration of such period on forms that have been jointly adopted by the judicial conference and the commissioner.~~] The superintendent must give written notice of the application for such order to the defendant and to the mental hygiene legal service. Upon receipt of such application, the court [~~may, on its own motion,~~] shall conduct a hearing [~~to determine the issue of capacity, and it must conduct such hearing if a demand therefor is made by the defendant or the mental hygiene legal service within ten days from the date that notice of the application was given them. If, at the conclusion of a hearing conducted pursuant to this subdivision, the court is satisfied that the defendant is no longer an incapacitated person, the criminal action against him must proceed. If it is satisfied that the~~

~~defendant continues to be an incapacitated person, or if no demand for a hearing is made, the court must adjudicate him an incapacitated person and must issue an order of retention which shall authorize continued custody of the defendant by the commissioner for a period not to exceed one year~~] pursuant to the provisions of article nine or fifteen of the mental hygiene law and the court shall order that the defendant shall be maintained in the custody of the commissioner but transferred to a hospital or other appropriate institution to be involuntarily admitted pursuant to article nine or fifteen of the mental hygiene law subject to the retention provisions of section 9.33 or 15.31 of the mental hygiene law except as specifically provided herein. Such order shall not be deemed in any way to be the order of a criminal court.

3. [~~When~~] Before a defendant is [~~in~~] released from the custody of the commissioner [~~immediately prior to the expiration of the period prescribed in the first order of retention, the procedure set forth in subdivision two shall govern the application for and the issuance of any subsequent order of retention, except that any subsequent orders of retention must be for periods not to exceed two years each; provided, however,~~] either pursuant to this section or pursuant to article nine or fifteen of the mental hygiene law, the court shall hold a hearing to determine whether or not the defendant continues to be an incapacitated person. If, at the conclusion of a hearing conducted pursuant to this subdivision, the court is satisfied that the defendant is no longer an incapacitated person, the criminal action against them must proceed except that the court shall have the discretion to dismiss the case in the interests of justice. If, at the conclusion of a hearing conducted pursuant to this subdivision, the court finds that the defendant continues to be an incapacitated person then the court shall make an order in accordance with section 9.33 or 15.31 of the mental hygiene law. In any case that the aggregate of periods prescribed in the temporary order of commitment[~~, the first order of retention and all subsequent orders of retention~~] and any order of retention pursuant to this article or article nine or fifteen of the mental hygiene law must not exceed two-thirds of the authorized maximum term of imprisonment for the highest class felony charged in the indictment [~~or for the highest class felony of which he was convicted~~].

4. When a defendant is in the custody of the commissioner either at the expiration of the authorized period prescribed in the last order of retention or any order of retention issued pursuant to article nine or fifteen of the mental hygiene law, the criminal action pending against [~~him~~] such defendant in the superior court that issued such order shall terminate for all purposes, and the commissioner must promptly certify to such court and to the appropriate district attorney that the defendant was in [~~his~~] their custody on such expiration date. Upon receipt of such certification, the court must dismiss the indictment, and such dismissal constitutes a bar to any further prosecution of the charge or charges contained in such indictment.

[~~5. When, on the effective date of this subdivision, any defendant remains in the custody of the commissioner pursuant to an order issued under former code of criminal procedure section six hundred sixty-two-b, the superintendent or director of the institution where such defendant is confined shall, if he believes that the defendant continues to be an incapacitated person, apply forthwith to a court of record in the county where the institution is located for an order of retention. The procedures for obtaining any order pursuant to this subdivision shall be in 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

for such period of time as was authorized by the prior order of commitment or order of retention. Upon such return, the defendant shall have all rights and privileges accorded by the provisions of this article.

3. When a defendant is in the custody of the commissioner pursuant to an order issued in accordance with this article, the commissioner may transfer [~~him~~] **such defendant** to any appropriate institution operated by the department of mental hygiene, 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 section. The commissioner may discharge a defendant in [~~his~~] **their** custody under a final order of observation at any time prior to the expiration date of such order, or otherwise treat or transfer such defendant in the same manner as if [~~he~~] **such defendant** were a patient not in confinement under a criminal court order.

4. When a defendant is in the custody of the commissioner pursuant to an order of commitment or an order of retention, [~~he~~] **they** may make any motion authorized by this chapter which is susceptible of fair determination without [~~his~~] **their** personal participation. If the court denies any such motion it must be without prejudice to a renewal thereof after the criminal action against the defendant has been ordered to proceed. If the court enters an order dismissing the indictment and does not direct that the charge or charges be resubmitted to a grand jury, the court must direct that such order of dismissal be served upon the commissioner.

5. When a defendant is in the custody of the commissioner pursuant to an order of commitment or an order of retention, the superior court that issued such order may, upon motion of the defendant, and with the consent of the district attorney, dismiss the indictment when the court is satisfied that (a) the defendant is a resident or citizen of another state or country and that [~~he~~] **they** will be removed thereto upon dismissal of the indictment, or (b) the defendant has been continuously confined in the custody of the commissioner**, either pursuant to this article or pursuant to article nine or fifteen of the mental hygiene law,** for a period of more than two years. Before granting a motion under this subdivision, the court must be further satisfied that dismissal of the indictment is consistent with the ends of justice and that custody of the defendant by the commissioner pursuant to an order of commitment or an order of retention is not necessary for the protection of the public and that care and treatment can be effectively administered to the defendant without the necessity of such order. If the court enters an order of dismissal under this subdivision, it must set forth in the record the reasons for such action, and must direct that such order of dismissal be served upon the commissioner. The dismissal of an indictment pursuant to this subdivision constitutes a bar to any further prosecution of the charge or charges contained in such indictment.

[~~6. (a) Notwithstanding any other provision of law, no person committed to the custody of the commissioner pursuant to this article, or continuously thereafter retained in such custody, shall be discharged, released on condition or placed in any less secure facility or on any less restrictive status, including, but not limited to vacations, furloughs and temporary passes, unless the commissioner or his or her designee, which may include the director of an appropriate institution,~~

~~shall deliver written notice, at least four days, excluding Saturdays, Sundays and holidays, in advance of the change of such committed person's facility or status, or in the case of a person committed pursuant to a final order of observation written notice upon discharge of such committed person, to all of the following:~~

~~(1) The district attorney of the county from which such person was committed;~~

~~(2) The superintendent of state police;~~

~~(3) The sheriff of the county where the facility is located;~~

~~(4) The police department having jurisdiction of the area where the facility is located;~~

~~(5) Any person who may reasonably be expected to be the victim of any assault or any violent felony offense, as defined in the penal law, or any offense listed in section 530.11 of this part which would be carried out by the committed person; provided that the person who reasonably may be expected to be a victim does not need to be a member of the same family or household as the committed person; and~~

~~(6) Any other person the court may designate.~~

~~Said notice may be given by any means reasonably calculated to give prompt actual notice.~~

~~(b) The notice required by this subdivision shall also be given immediately upon the departure of such committed person from the actual custody of the commissioner or an appropriate institution, without proper authorization. Nothing in this subdivision shall be construed to impair any other right or duty regarding any notice or hearing contained in any other provision of law.~~

~~(c) Whenever a district attorney has received the notice described in this subdivision, and the defendant is in the custody of the commissioner pursuant to a final order of observation or an order of commitment, he may apply within three days of receipt of such notice to a superior court, for an order directing a hearing to be held to determine whether such committed person is a danger to himself or others. Such hearing shall be held within ten days following the issuance of such order. Such order may provide that there shall be no further change in the committed person's facility or status until the hearing. Upon a finding that the committed person is a danger to himself or others, the court shall issue an order to the commissioner authorizing retention of the committed person in the status existing at the time notice was given hereunder, for a specified period, not to exceed six months. The district attorney and the committed person's attorney shall be entitled to the committed person's clinical records in the commissioner's custody, upon the issuance of an order directing a hearing to be held.~~

~~(d) Nothing in this subdivision shall be construed to impair any other right or duty regarding any notice or hearing contained in any other provision of law.~~]

§ 9. Section 730.70 of the criminal procedure law, as amended by chapter 629 of the laws of 1974, is amended to read as follows:

§ 730.70 Fitness to proceed; procedure following termination of custody by commissioner.

When a defendant is in the custody of the commissioner on the expiration date of a final or temporary order of observation or an order of commitment, or on the expiration date of the last order of retention, or on the date an order dismissing an indictment is served upon the commissioner, the superintendent of the institution in which the defendant is confined may retain [~~him~~] **such defendant** for care and treatment for a period of **no more than** thirty days from such date. If [~~the~~] **during such**

time two psychiatric examiners engaged by the superintendent [~~determines~~] determine that the defendant is so mentally ill or mentally defective as to require continued care and treatment in an institution, [~~he~~] the superintendent may, before the expiration of such thirty day period, apply for an order of [~~certification~~] retention in the manner prescribed in section [~~31.33~~] 9.33 or 15.33 of the mental hygiene law.

§ 10. Subdivision (a) of section 9.33 of the mental hygiene law, as amended by chapter 789 of the laws of 1985, is amended to read as follows:

(a) If the director shall determine that a patient admitted upon an application supported by medical certification, for whom there is no court order authorizing retention for a specified period, is in need of retention and if such patient does not agree to remain in such hospital as a voluntary patient, the director shall apply to the supreme court or the county court in the county where the hospital is located for an order authorizing continued retention. A court order issued pursuant to article seven hundred thirty of the criminal procedure law shall be deemed an order of retention under this section. Such application shall be made no later than sixty days from the date of involuntary admission on application supported by medical certification or thirty days from the date of an order denying an application for patient's release pursuant to section 9.31, whichever is later; and the hospital is authorized to retain the patient for such further period during which the hospital is authorized to make such application or during which the application may be pending. The director shall cause written notice of such application to be given the patient and a copy thereof shall be given personally or by mail to the persons required by this article to be served with notice of such patient's initial admission and to the mental hygiene legal service. Such notice shall state that a hearing may be requested and that failure to make such a request within five days, excluding Sunday and holidays, from the date that the notice was given to the patient will permit the entry without a hearing of an order authorizing retention.

§ 11. Subdivision (a) of section 15.33 of the mental hygiene law, as amended by chapter 789 of the laws of 1985, is amended to read as follows:

(a) If the director shall determine that a resident admitted upon an application supported by medical certification, for whom there is no court order authorizing retention for a specified period, is in need of retention and if such resident does not agree to remain in such school as a voluntary resident, the director shall apply to the supreme court or the county court in the county where the school is located for an order authorizing continued retention. A court order issued pursuant to article seven hundred thirty of the criminal procedure law shall be deemed an order of retention under this section. Such application shall be made no later than sixty days from the date of involuntary admission on application supported by medical certification or thirty days from the date of an order denying an application for resident's release pursuant to section 15.31, whichever is later; and the school is authorized to retain the resident for such further period during which the school is authorized to make such application or during which the application may be pending. The director shall cause written notice of such application to be given the resident and a copy thereof shall be given personally or by mail to the persons required by this article to be served with notice of such resident's initial admission and to the mental hygiene legal service. Such notice shall state that a hearing may

be requested and that failure to make such a request within five days, excluding Sunday and holidays, from the date that the notice was given to the resident will permit the entry without a hearing of an order authorizing retention.

§ 12. Subdivision (c) of section 43.03 of the mental hygiene law, as amended by chapter 7 of the laws of 2007, is amended to read as follows:

(c) Patients receiving services while being held **in the custody of the commissioner** pursuant to order of a criminal court, other than patients committed to the department pursuant to section 330.20 of the criminal procedure law, or for examination pursuant to an order of the family court shall not be liable to the department for such services. Fees due the department for such services shall be paid by the county in which such court is located **unless such services are or could be eligible for payment pursuant to the federal medical care assistance program and** except that counties shall not be responsible for the cost of services rendered patients committed to the department pursuant to section 330.20 of the criminal procedure law**, section five hundred eight of the correction law** or patients committed to the department pursuant to article **nine,** ten **or fifteen** of this chapter.

§ 13. In the event that any county or any city with a population of one million or more in any one year reduces payments made to the state for restoration services pursuant to article 730 of the criminal procedure law by an amount which is less than the average of such expenditures for the previous three years, then such county or such city shall utilize such savings for needed services which are identified as needed in the local services plan, as defined in section 41.03 of the mental hygiene law, of such county or such city.

§ 14. This act shall take effect on the ninetieth day after it shall have become a law.

PART UU

Section 1. Subdivision 11 of section 835 of the executive law, as amended by chapter 69 of the laws of 2024, is amended to read as follows:

11. "Mass shooting" means an incident in which at least four people are murdered **or injured** with a firearm, rifle, or shotgun.

§ 2. Subparagraph (vi) of paragraph (b) of subdivision 2 of section 631-a of the executive law, as added by chapter 69 of the laws of 2024, is amended to read as follows:

(vi) services to victims of a mass shooting as defined in subdivision eleven of section eight hundred thirty-five of this chapter [~~**or of a shooting incident in which four or more people are injured**~~].

§ 3. This act shall take effect immediately.

PART VV

Section 1. The executive law is amended by adding a new section 837-y to read as follows:

§ 837-y. New York state office of gun violence prevention and the gun violence advisory council. 1. Definitions. For the purposes of this section:

(a) "Advisory council" means the gun violence advisory council established under subdivision three of this section.

(b) "Director" means the director of the New York state office of gun violence prevention.

(c) "Gun violence" includes but is not limited to any attempted crime, crime, attempted suicide, suicide, and unintentional injury or death involving a firearm.

(d) "Office" means the New York state office of gun violence prevention established under subdivision two of this section.

2. Office of gun violence prevention. (a) The office of gun violence prevention created under Executive Order 211 of 2021 is hereby reestablished within the division. The office shall:

(i) direct the coordination of state, local, and federal government stakeholders and the advisory council to align and advance efforts to prevent and address gun violence impacting state residents.

(ii) centralize and coordinate grantmaking opportunities and allocations to government and community stakeholders regarding gun violence and gun violence prevention.

(iii) direct and enhance the state's health systems capacity to prevent and respond to gun violence, including but not limited to state hospital violence prevention initiatives. State and local community violence intervention initiatives and programs.

(iv) direct and strengthen timely data collection and data infrastructure and research regarding firearm-related injuries, fatalities, and incidents by focusing on data informed surveillance, prevention, and intervention of gun violence statewide including but not limited to the coordination with the state gun violence research institute.

(v) increase public awareness of gun violence and gun violence prevention by conducting public education campaigns and utilizing other strategies to increase knowledge and adoption of best practices related to gun violence prevention, the various types of gun violence that impact New York state, and resources available to individuals at risk of or who have been impacted by gun violence. These campaigns and strategies shall be designed in collaboration with government and community stakeholders including but not limited to agencies and offices referenced in paragraph (c) of subdivision three of this section.

(vi) direct and provide technical assistance, resources, and training to professionals focused on violence intervention and prevention strategies and best practices.

(vii) communicate regularly with members of the New York state legislature and the governor to provide and receive recommendations regarding effective gun violence prevention policy and programs.

(b) The head of the office shall be the director who shall be appointed by the commissioner. The director shall oversee the development and execution of the objectives of the office as established under this section. The director shall hire staff to execute the office's functions, as sufficient government funding permits, including but not limited to three units:

(i) administration unit to manage budget, human resources, grant and contract management and coordination;

(ii) planning and special projects unit; and

(iii) research and evaluation unit.

(c) The office shall issue an annual report including, but not limited to, information on the state of gun violence in the state, recommendations for policy and programmatic initiatives to reduce gun violence in the state, and a description of the efforts of the office to carry out the duties and objectives of the office under this subdivision. Such report shall be delivered to the governor, the temporary president of the senate and the speaker of the assembly no later than one year after

the effective date of this section, and annually thereafter. Such report shall be published on the division's website.

3. Gun Violence Advisory Council. (a) Within one hundred eighty days of the effective date of this section, the commissioner shall convene the gun violence advisory council to share information and resources to provide support and guidance to the office of gun violence prevention and make recommendations regarding the development and execution of the office's responsibilities, strategies, and functions. Such advisory council shall be chaired by the director and shall include no fewer than twelve additional members selected by the director, including but not limited to state, community, and national policy and public health experts as well as a broad range of stakeholders including:

(i) a survivor of gun violence.

(ii) a senior-level representative from a community violence intervention service provider.

(iii) a local public health official.

(iv) a medical professional who provides trauma care.

(v) a mental health clinician.

(vi) a district attorney or a representative designee.

(vii) a public school teacher who works in a school district disproportionately impacted by gun violence.

(viii) a a young person age eighteen or under who has held a community or advocacy leadership role.

(ix) a veteran.

(x) representatives from relevant state and local government agencies involved and engaged in gun violence prevention initiatives or policy-making.

(xi) public safety/law enforcement professionals.

(xii) a senior-level representative of a victim service provider.

(b) The office shall convene and consult the advisory council on a quarterly basis for the purpose of discussing any of the council's recommendations regarding the development and execution of the office's responsibilities, strategies, and functions. At the discretion of the director, the office may convene and communicate with the advisory counsel as determined to be necessary.

(c) To comprehensively address gun violence in New York state, the following state executive agencies shall collaborate with the office to support prevention, intervention, and policy implementation strategies including but not limited to the department of health, department of education, department of labor, office of mental health, office of children and family services, office of victim services, office of temporary and disability assistance, office for the prevention of domestic violence, office of the New York state attorney general, division of homeland security, state police, and all other divisions and offices within the division of criminal justice services.

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

PART WW

Section 1. Short title. This act shall be known and may be cited as the "Renewable Capitol Act".

§ 2. The executive law is amended by adding a new section 204 to read as follows:

§ 204. Renewable capitol project. 1. For the purpose of this section, the following terms shall have the following meanings:

(a) The "advisory committee" shall mean the committee established pursuant to paragraph (a) of subdivision three of this section.

(b) The "CLCPA" shall mean the New York state climate leadership and community protection act enacted as chapter one hundred six of the laws of two thousand nineteen, as it shall from time to time be amended.

(c) "Co-pollutants" shall have the same meaning as set forth in subdivision three of section 75-0101 of the environmental conservation law.

(d) "Emergency generator" shall mean the set of diesel generators located on Sheridan Avenue in Albany, New York as of the effective date of this section, that are intended to power the empire state plaza complex during an emergency fault condition causing an interruption to normal electricity service from the grid.

(e) "Empire state plaza complex" or the "complex" shall mean the complex of state-owned buildings and the land thereon in Albany, New York that utilize the steam distribution network of the Sheridan Avenue steam plant, including what are popularly known as Empire State Plaza, the State Capitol Building, the State Museum, the Alfred E. Smith Building, the State Education Building, the Sheridan Avenue steam plant, and the former Albany New York Solid Waste Energy Recovery System incinerator building.

(f) "Greenhouse gas" shall have the same meaning as set forth in subdivision seven of section 75-0101 of the environmental conservation law.

(g) The "local community" shall mean the portion of Albany, New York designated as the local community under the plan, which shall include, at a minimum, the Albany Sheridan Hollow, Arbor Hill, Center Square, Mansion, Washington Park, West Hill and South End neighborhoods.

(h) "NYSERDA" shall mean the New York state energy research and development authority created under section eighteen hundred fifty-two of the public authorities law.

(i) The "office of general services" or the "office" shall mean the agency created under section two hundred of this article.

(j) The "empire state plaza decarbonization plan" or "plan" shall mean the plan set forth in subdivision three of this section, and mandated by this section and section ninety-one of the public buildings law.

(k) The "project" shall mean the work on the empire state plaza complex mandated by this section and section ninety-one of the public buildings law.

(l) A "power purchase agreement" shall mean an agreement between two parties, the seller and the buyer, to enter into a contractual obligation for the purchase of electricity.

(m) "Renewable energy systems" means systems that entirely generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity or thermal energy.

(n) "Sheridan Avenue steam plant" shall mean the steam plant facility owned by New York state located as of the time of the effective date of this section at 79 Sheridan Avenue in Albany, New York.

2. (a) Within three years after the effective date of this section, the office of general services, in consultation with the power authority

of the state of New York, shall ensure that all operations that power, heat or cool the empire state plaza complex shall entirely use renewable energy systems. In satisfying this requirement, the office may demonstrate that the amount of electrical energy credited to the complex annually from renewable sources through a power purchase agreement or similar instrument is not less than the amount of electrical energy consumed annually by the complex. Notwithstanding this mandate, the emergency generator shall be permitted to utilize non-renewable energy, but the office shall be empowered to retire or convert the emergency generator to wholly or entirely utilize renewables if possible.

(b) The project and the empire state plaza complex shall comply with the CLCPA, and any rules and regulations issued thereunder, and, in particular, section seven of such law; the statewide greenhouse gas emissions limits set forth in section 75-0107 of the environmental conservation law; and the targets established in subdivision two of section sixty-six-p of the public service law. Nothing in this paragraph shall preclude the office from mandating lower greenhouse gas emissions limits or compliance with greenhouse gas emissions limits in a shorter timeframe than set forth in section 75-0107 of the environmental conservation law, or in mandating a higher percentage of renewables or in a shorter timeframe than in subdivision two of section sixty-six-p of the public service law. Except in regard to the provision regarding to the emergency generator as set forth in paragraph (a) of this subdivision, any action taken in furtherance of the project that leads to any increase in the emissions of greenhouse gases shall be deemed inconsistent with and in interference with the attainment of the statewide greenhouse gas emissions limits established in article seventy-five of the environmental conservation law and therefore shall trigger the process set forth in subdivision two of section seven of the CLCPA.

3. (a) Within sixty days of the effective date of this section, the office shall establish an advisory committee to advise it on the preparation, design and content of the plan. Such plan shall be completed no later than January thirty-first, two thousand twenty-six. The advisory committee shall consist of the commissioner of the department of environmental conservation and the chief executive officer of NYSERDA, or their designees, and additional members which shall be appointed by such commissioner in consultation with such chief executive officer, as follows: three representatives of Albany community organizations, at least two of which are from organizations whose mission, in whole or in part, is to represent the interests of the Arbor Hill and/or Sheridan Hollow neighborhoods in Albany; two additional representatives of local environmental justice organizations; one individual not employed by New York state with recognized expertise in renewable energy; a representative of labor organizations; a scientist with expertise in energy and climate policy; an engineer with expertise in energy (including geothermal) and climate policy; and the mayor of Albany or their designee. The advisory committee shall meet at least three times annually, or additional times as the committee shall by majority vote determine. At such meetings, which shall be open to the public, the office, among other things, shall report on the progress made in completing the project and otherwise implementing this section. The advisory committee members shall receive no compensation for their services but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties. All agencies of the state or subdivisions thereof may, at the request of the advisory panel or the office, provide the advisory

panel with such facilities, assistance and data as will enable the advisory panel to carry out its powers and duties.

(b) Each member of the advisory committee shall be entitled to one vote. No action may be taken by the advisory committee unless there is a quorum, which shall at all times be a majority of the members of the committee.

(c) The office shall retain a third party to perform an engineering study to be completed within one hundred eighty days after the effective date of this section, which shall consider the matters set forth in paragraph (f) of this subdivision and any other matters consistent with this section that the office shall direct. For the purposes of this paragraph, the term "third party" shall mean a professional engineer, not employed by the state of New York, or an engineering firm, provided that none of the engineers employed by such firm shall also be employed by the state of New York.

(d) The office shall be transparent in its work to develop the plan and shall maintain a website where a draft plan and other documents relevant to its development shall be posted for public review at least fourteen days prior to the first of the public hearings mandated by this paragraph. The advisory committee shall hold at least two public hearings at least sixty days prior to the release of the final plan, of which one shall be held in the Arbor Hill or Sheridan Hollow neighborhoods and one shall be held during the evening or weekend hours. The advisory committee shall make provisions for online and telephonic attendance and participation. At such public hearings, the draft plan shall be made available in written form for those physically attending. Provisions shall also be made for written comments on the draft plan.

(e) The plan shall contain recommendations on regulatory measures and other state actions to ensure that the mandates in subdivisions two and three of this section and section ninety-one of the public buildings law are met. The measures and actions set forth in the plan shall include:

i. a timeline for planned steps toward the completion of the project, including, but not limited to construction of the project and obtaining the necessary permits to begin operation. The timeline should maximize the potential for achieving, and if feasible making greater emissions reductions than the statewide greenhouse gas emissions limits set forth in section 75-0107 of the environmental conservation law and meeting the other mandates of the CLCPA;

ii. measures to maximize the benefits to the local community, including prioritizing the reduction of greenhouse gases and co-pollutants and improving public health in the local community;

iii. measures to optimize thermal load sharing, energy efficiency, demand response, and energy conservation;

iv. comprehensive consideration of renewable heat exchange systems or a combination of such systems to meet the heating and cooling needs of the empire state plaza complex, including but not limited to: geothermal heat exchange with the earth, geothermal heat exchange with the Hudson River, open-loop and closed-loop geothermal heat exchange with the aquifer, heat exchange with potable water supplies, heat recovery from wastewater sources, air-source heat pump technology, and thermal storage, provided that such systems do not use combustion-based or fossil fuel energy;

v. prioritization of electricity procurement from renewable sources within New York Independent System Operator (NYISO) Zone F, especially sources most capable of providing electricity serving real-time load conditions of the empire state plaza complex. This shall include, but

not be limited to, consideration of projects that expand electricity generation from ecologically-responsible, run-of-the-river hydroelectric facilities within the region; and

vi. electricity service upgrades for the empire state plaza complex necessary to support measures identified in this section.

(f) In designing the plan, the office shall be guided by any recommendations contained in the engineering study mandated by paragraph (c) of this subdivision, and any comments or recommendations made by the advisory committee, including as to such engineering study. Such advisory committee shall also be entitled to reject or modify any recommendation upon a finding that such recommendation would be inconsistent with or will interfere with the attainment of the statewide greenhouse gas emissions limits established in article seventy-five of the environmental conservation law, the climate justice provisions of the CLCPA, any rules or regulations issued thereunder, or this section. If the advisory committee rejects or modifies any recommendation, the original version of the recommendations as set forth in the engineering study shall presumptively not be considered by the office, unless substantial evidence exists to support the study's initial recommendations.

(g) The plan shall designate the geographic boundaries of the local community. In designating such boundaries, which shall include the Albany Sheridan Hollow, Arbor Hill, Center Square, Mansion, Washington Park, West Hill, and South End neighborhoods, the office shall consider including in its designation any other communities that experience impacts on their water, air quality, noise and traffic from the empire state plaza complex.

(h)(i) Any project that may be funded as a result of the renewable capitol project completed pursuant to this section shall: (A) be deemed a public work project subject to article eight of the labor law; (B) require that the component parts of any renewable capitol project are produced or made in whole or substantial part in the United States, its territories or possessions, subject to a waiver provision similar to the one contained in subdivision two of section sixty-six-s of the public service law; (C) contain a requirement that any public owner or third party acting on behalf of a public owner enter into a project labor agreement as defined by section two hundred twenty-two of the labor law for all construction work; and (D) require the payment of prevailing wage standards consistent with article nine of the labor law for building services work.

(ii) Notwithstanding any provision of law to the contrary, all rights or benefits, including terms and conditions of employment, and protection of civil service and collective bargaining status of all existing public employees and the work jurisdiction, covered job titles, and work assignments, set forth in the civil service law and collective bargaining agreements with labor organizations representing public employees shall be preserved and protected. Any such project shall not result in the: (A) displacement of any currently employed worker or loss of position (including partial displacement as such a reduction in the hours of non-overtime work, wages, or employment benefits) or result in the impairment of existing collective bargaining agreements; (B) transfer of existing duties and functions related to maintenance and operations currently performed by existing employees of authorized entities to a contracting entity; or (C) transfer of future duties and functions ordinarily performed by employees of authorized entities to a contracting entity.

(i) In the case of any conflict as to the requirements of this section and section ninety-one of the public buildings law in regard to the project, this section shall prevail.

§ 3. The tenth undesignated paragraph of section 1005 of the public authorities law, as added by chapter 55 of the laws of 1992, is amended to read as follows:

The authority is further authorized, as deemed feasible and advisable by the trustees, to acquire, maintain, manage, operate, improve and reconstruct as a project or projects of the authority one or both of the steam generation facilities owned by the state known as the Sheridan [~~avenue~~] **Avenue** steam [~~generating~~] plant [~~on Sheridan avenue in the city of Albany and used to supply steam to state facilities~~], together with any properties, buildings and equipment at the sites thereof or ancillary thereto, for the generation and sale of thermal energy and the cogeneration and sale of electricity for use by facilities of the state within the county of Albany. All the authority's costs, including its acquisition, capital, operating and maintenance costs, shall be recovered fully from the customers receiving service from such project or projects. Thermal energy and electricity not required by the state may be sold by the authority to others. The authority is not authorized to use refuse or refuse-derived fuel in operating the project or projects. **As of the time period specified in paragraph (a) of subdivision two of section two hundred four of the executive law, all of the energy, including but not limited to heat, cooling and electricity, produced at the Sheridan Avenue steam plant shall utilize renewable energy systems.** Any agreement for such acquisition shall insure that the authority is not liable or otherwise responsible for circumstances arising from the prior operation of such facilities. The acquisition and purchase of such land, buildings and equipment by the authority, and any actions taken to effect such acquisition and purchase, are hereby exempt from the provisions of article eight of the environmental conservation law. The application of such exemption shall be strictly limited to the acquisition and purchase of such land, buildings and equipment by the authority and such agreements with the state. Nothing herein shall exempt the authority from otherwise applicable laws respecting the expansion, conversion, operation and maintenance of such land, buildings and equipment. **For the purposes of this subdivision, the terms "renewable energy systems" and "Sheridan Avenue steam plant" shall have the same meanings as in subdivision one of section two hundred four of the executive law.**

§ 4. Subdivisions 2 and 3 of section 90 of the public buildings law, as added by section 5 of part RR of chapter 56 of the laws of 2023, are amended to read as follows:

2. "Decarbonization" and "decarbonize" means eliminating all on-site combustion of fossil-fuels and associated co-pollutants with the exception of back-up emergency generators and redundant systems needed to address public health, safety and security, providing heating and cooling through thermal energy, and thermal energy networks, from non-combustion sources, and to the greatest extent feasible producing on-site electricity that is one hundred percent renewable. **Notwithstanding the provisions of this subdivision, for purposes of the empire state plaza complex, such term shall mean meeting the requirements of subdivisions two and three of section two hundred four of the executive law, and section ninety-one of this article, as such requirements are applicable to the empire state plaza complex.**

3. "Highest-emitting facilities" means state-owned facilities that are among the highest producers of greenhouse gas emissions and collectively

account for at least thirty percent of the greenhouse gas emissions as recorded by the authority's Build Smart NY program established pursuant to Executive Order 88 of 2012. **Notwithstanding the provisions of this subdivision, one of such facilities shall be the empire state plaza complex. For purposes of this article, the "empire state plaza complex" shall have the same meaning as defined in paragraph (e) of subdivision one of section two hundred four of the executive law.**

§ 5. The opening paragraph and paragraph (g) of subdivision 1 and subdivision 2 of section 91 of the public buildings law, as added by section 5 of part RR of chapter 56 of the laws of 2023, are amended and a new paragraph (l) is added to subdivision 1 to read as follows:

The authority is hereby authorized and directed to establish decarbonization action plans for fifteen of the highest-emitting facilities that will serve as a basis for decarbonizing the facilities to the maximum extent practicable, and subject to any needed redundant systems and back-up systems needed for public safety and security. [~~Decarbonization~~] **Except as provided in paragraph (h) of subdivision three of section two hundred four of the executive law, decarbonization** action plans shall address the following matters at a minimum:

(g) [~~Identification~~] **Except for the empire state plaza decarbonization plan, identification** of any parts of the facilities that cannot be decarbonized, with explanations.

(l) In the case of the empire state plaza complex decarbonization action plan, the items listed in paragraph (f) of subdivision three of section two hundred four of the executive law.

2. [~~The~~] **Except for the decarbonization plan for the empire state plaza complex, the** authority shall complete the decarbonization action plans no later than January thirty-first, two thousand twenty-six, provided that such date shall be extended for justifiable delay outside the control of the authority, including, but not limited to, previously planned or current major renovations or replacements to the facilities, delayed permitting or approval by building owners, local authorities, or other essential parties, external resource bottlenecks, pending or unresolved investigations into utility grid capacity or similar circumstances where crucial information is not yet available or determined. Such extension shall be limited to the time necessary to address the factors causing such delay. **The empire state decarbonization plan shall be completed by January thirty-first, two thousand twenty-six, and no exclusions for justifiable delays shall be permitted.**

§ 6. Subdivisions 5, 6 and 7 of section 91 of the public buildings law are renumbered subdivisions 6, 7 and 8, and a new subdivision 5 is added to read as follows:

5. The authority shall be authorized to use the funding provided in subdivision four of this section to prepare the decarbonization action plan for the empire state plaza complex, to update or modify any study or plan undertaken, with the goal, in whole or in part of reducing greenhouse gas emissions applicable to such complex, or to perform the engineering study mandated by paragraph (d) of subdivision three of section two hundred four of the executive law, provided that such plan or study in the view of the authority would provide information useful for achieving the purposes of such section.

§ 7. This act shall take effect immediately.

PART XX

Section 1. The executive law is amended by adding a new article 15-D to read as follows:

ARTICLE 15-D

OFFICE OF NATIVE AMERICAN AFFAIRS

Section 328-d. Office of Native American affairs.

328-e. General functions, powers and duties.

§ 328-d. Office of Native American affairs. 1. There is hereby created in the executive department an office of Native American affairs. The head of the office shall be the commissioner of Native American affairs who shall be appointed by the governor and who shall hold office at the pleasure of the governor.

2. The commissioner shall receive an annual salary to be fixed by the governor within the amount made available therefor by an appropriation and shall be allowed such commissioner's actual and necessary expenses in the performance of such commissioner's duties.

3. The commissioner shall direct the work of the office and shall be the chief executive officer of the office. The commissioner may appoint such officers and employees as such commissioner may deem necessary, prescribe their duties, fix their compensation, and provide for the reimbursement of their expenses, all within amounts made available therefor by appropriation.

§ 328-e. General functions, powers and duties. The office of Native American affairs by and through the commissioner or such commissioner's duly authorized officers and employees, shall:

1. Act as a centralized office for Native American nations to access information on state programs that are provided to Native Americans.

2. Develop and maintain cooperative relationships between New York state's Native nations, Native organizations, Native American citizens, and the state.

3. Establish, manage, coordinate, and facilitate Native American-related policies, positions, and programs.

4. Advise and assist state agencies in developing policies, plans, and programs for Native Americans.

5. Serve as a connector for New York state's Native nations to other state agencies and programs.

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

PART YY

Section 1. Section 101 of the state technology law is amended by adding two new subdivisions 7 and 8 to read as follows:

7. "Artificial intelligence" or "AI" shall mean: (a) a machine-based system that operates with varying levels of autonomy and that may exhibit adaptiveness after deployment and that, for explicit or implicit objectives, infers, from the input the system receives, how to generate outputs such as predictions, content, recommendations, or decisions that may influence physical or virtual environments. This includes, but is not limited to, systems, applications, software, or devices designed to:

(i) Sense, interpret, process, analyze, or otherwise comprehend data, text, speech, voice, images, video, sensor inputs, or other forms of information from physical and virtual environments.

(ii) Abstract concepts, detect patterns, extract features, develop explanatory and predictive data models, or otherwise derive higher-order insights through analysis of data and information.

(iii) Apply reasoning, decision logic, knowledge representation, prediction models, data model inferences, or other structured and unstructured techniques and capabilities to generate options, recommendations, forecasts, determinations, conclusions, actions, or other outputs that influence physical or virtual environments, systems, applications, devices, or decision-making.

(iv) Operate autonomously once deployed, regardless of whether designed to allow human monitoring, oversight, intervention, or override.

(b) This definition shall not include any software used primarily for basic computerized processes, such as calculators, spell check tools, autocorrect functions, spreadsheets, electronic communications, or any tool that relates only to internal management affairs such as ordering office supplies or processing payments, and that do not materially affect the rights, liberties, safety or welfare of any human.

8. "Automated decision-making system" shall mean any software that uses algorithms, computational models, or artificial intelligence, or a combination thereof, to automate, support, or replace human decision-making and shall include, without limitation, systems that process data, and apply predefined rules or machine learning algorithms to analyze such data, and generate conclusions, recommendations, outcomes, assumptions, projections, or predictions. "Automated decision-making system" shall not include any software used primarily for basic computerized processes, such as calculators, spell check tools, autocorrect functions, spreadsheets, electronic communications, or any tool that relates only to internal management affairs such as ordering office supplies or processing payments, and that do not materially affect the rights, liberties, safety or welfare of any human.

§ 2. The state technology law is amended by adding a new section 102-a to read as follows:

§ 102-a. Chief artificial intelligence officer; functions, powers and duties. 1. There is hereby established the office of artificial intelligence within the office. The head of such office shall be the chief artificial intelligence officer and shall be appointed by the governor with the advice and consent of the senate. The chief artificial intelligence officer shall be in sole charge of the administration of the office, and shall report to the executive department. The chief artificial intelligence officer shall be designated as management confidential in the noncompetitive class in accordance with the civil service law. The chief artificial intelligence officer shall have expertise in artificial intelligence, data privacy, and the technology industry.

2. The office of artificial intelligence shall have the following functions, powers and duties:

(a) Develop statewide artificial intelligence policies and governance, including but not limited to:

(i) Developing and updating state policy and guidelines on the use, procurement, development, and deployment of artificial intelligence and automated decision-making systems in a manner consistent with state laws;

(ii) Developing and updating a handbook regarding the use, study, development, evaluation, and procurement of systems that use artificial intelligence, in a manner consistent with state and federal laws, and national and international standards for use by the state's departments, boards, commissions, agencies and authorities;

(iii) Developing a risk management plan, including procedures for assessing and classifying risk levels, including, but not limited to,

pertaining to the operations of the state, data security and privacy, and the rights, liberties, safety and welfare of any human for use of artificial intelligence and automated decision-making systems by the state's departments, boards, commissions, agencies and authorities; and

(iv) Setting governance standards for human oversight of artificial intelligence and automated systems, and determining resource requirements for responsible adoption, including, but not limited to developing and deploying employee training programs for safe and responsible use of artificial intelligence; and

(v) Ensuring public access requirements are established for the publication of information related to each state agency use of automated decision-making systems and artificial intelligence;

(b) Coordinate the activities of any and all state departments, boards, commissions, agencies and authorities performing any functions using artificial intelligence tools;

(c) Coordinate and track state department, board, commission, agency and authority procurement and planning in state programs;

(d) Investigate and assess what resources, monetary or otherwise, if any, a department, board, commission, authority or agency requires to adapt to the changes that artificial intelligence will bring to the regulatory landscape and to adequately adopt and oversee the use of artificial intelligence across its operations;

(e) Provide guidance to governmental entities in developing, designing and deploying standards, mission, regulations, investments, practices, systems pertaining to the use of artificial intelligence tools and automated decision-making systems, in a manner that protects the rights and safety of individuals, including but not limited to employee training, protecting privacy and data security, safeguarding against discrimination based on race, gender, ethnicity, religion, disability, sexual orientation, or socioeconomic status, mitigating risks of misinformation and manipulation, and impact on the human workforce;

(f) Recommend the replacement, disconnection or deactivation of any application that utilizes artificial intelligence or any automated decision-making system and that demonstrates that deployment and use is inconsistent with provisions of law or is otherwise harmful to the operations of the state, data security and privacy, or the rights, liberties, safety, and welfare of any human;

(g) Study the implications of the usage of artificial intelligence for data collection to inform testing and evaluation, verification and validation of artificial intelligence to ensure that artificial intelligence will perform as intended, including when interacting with humans and other systems, develop common metrics to assess trustworthiness that artificial intelligence systems will perform as intended, and minimize performance problems and unanticipated outcomes, protect against risks to data security and privacy, and address the possibility of intentional misuse of an artificial intelligence system;

(h) Submit a report annually to the temporary president of the senate and the speaker of the assembly on progress, findings, studies and recommendations regarding the use of artificial intelligence and automated decision-making systems in the various government agencies. Such report shall also be made publicly available on the office of information technology website. Where the chief artificial intelligence officer makes a determination that such disclosure would result in a substantial negative impact on health or safety of the public, infringe upon the privacy rights of individuals, or significantly impair the state's ability to protect its information technology or operational assets, the

officer may redact such information, provided an explanatory statement by which such determination was made is published along with the redacted report. The provisions of this subdivision shall not be deemed to require or authorize the disclosure of confidential information or trade secrets; and

(i) Investigate and conduct periodic audits of any department's, board's, commission's, agency's or authority's use of artificial intelligence tools or automated decision-making systems to ensure:

(i) departments, boards, commissions, agencies and authorities develop, acquire and use such tools or systems that comply with the constitution, state and federal laws;

(ii) ensure that any benefit a department, board, commission, agency or authority receives by using such tools or systems outweighs any risk in using that automated system;

(iii) ensure that each such tool or system is secure, protected and resistant to circumstances in which that automated system faces any systematic vulnerability, manipulation or malicious exploitation; and

(iv) nothing in this section shall be construed as restricting the artificial intelligence officer's or any state department's, board's, commission's, authority's or agency's access to:

(1) conduct any internal investigation aimed at developing, improving or repairing any product, service or technology,

(2) prevent, detect, protect, respond, investigate, report to any person responsible for any security incident, identity theft, fraud, harassment, malicious or misleading activity or illegal activity, or

(3) preserve the integrity or security of any system.

3. To effectuate the purposes of this section, the chief artificial intelligence officer may request and receive from any department, division, board, bureau, commission or other agency of the state or any political subdivision thereof or any public authority, staff and other assistance, information, and resources as will enable the office of artificial intelligence to properly carry out its functions, powers and duties.

§ 3. The state technology law is amended by adding a new section 104-a to read as follows:

§ 104-a. Advisory committee for state artificial intelligence policy. 1. There is hereby created in the office an advisory committee for state artificial intelligence policy. The chief artificial intelligence officer shall serve as chair of the committee. The committee shall be composed of a minimum of seven representatives or their equivalent selected from state agencies and appointed by the governor, provided that no more than one member shall be appointed from a single agency, and provided further that the director shall serve as an ex-officio member of the committee. In addition, one member shall be appointed by the speaker of the assembly, one by the temporary president of the senate, and two members to be appointed by the governor at the recommendation of the two largest organizations in the state representing municipal leadership.

2. All members of the advisory committee shall serve at the pleasure of their appointing authority. The members of the committee shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties.

3. No member of the advisory committee shall be disqualified from holding any other public office, nor forfeit any such office by reason of appointment hereunder, notwithstanding the provisions of any general,

special or local law, ordinance or city charter, provided however that members appointed by the governor, speaker of the assembly, or temporary president of the senate shall be considered state officers and subject to the provisions of paragraph (a) of subdivision eight of section seventy-three of the public officers law.

4. The advisory committee shall, at minimum, meet twice in each calendar year, provided that additional meetings of the advisory committee may be called by the chairperson at any time.

5. The advisory committee shall:

(a) Advise the chief artificial intelligence officer on best practices for the use of artificial intelligence and automated decision-making systems in agencies;

(b) Advise the chief artificial intelligence officer on state policy for artificial intelligence and automated decision-making systems;

(c) Advise the chief artificial intelligence officer on the current state of the state in relation to competitiveness in artificial intelligence, including the scope and scale of New York's investments in artificial intelligence research and development;

(d) Advise the chief artificial intelligence officer on improving the workforce, including use in training, education and worker assistance in relation to the use of artificial intelligence;

(e) Advise the chief artificial intelligence officer on leveraging local resources to optimize and improve operations in various areas of government operations, including but not limited to medical services, cyber security, infrastructure, and recovery from natural disasters;

(f) Advise the chief artificial intelligence officer on opportunities for local, regional, interstate, federal, and international cooperation in artificial intelligence research activities, standards development and regulations;

(g) Advise the chief artificial intelligence officer on strategies to prevent and mitigate artificial intelligence-assisted misinformation campaigns and the potentially harmful effects of artificial intelligence;

(h) Advise the chief artificial intelligence officer on how the state can leverage the substantial and growing expertise of the emerging technologies, such as artificial intelligence, in the long-term development of public policies that affect the privacy, rights, and the use of artificial intelligence online;

(i) Advise the chief artificial intelligence officer on strategies for the development of inter-governmental cooperation among agencies of the federal, state, and local governments and cooperation; and

(j) Make periodic recommendations to the legislature on legislative or regulatory changes.

§ 4. Subdivisions 2 and 3 of section 102 of the state technology law, as added by chapter 430 of the laws of 1997 and such section as renumbered by chapter 437 of the laws of 2004, are amended to read as follows:

2. The head of the office shall be the director of the office, who shall serve as the chief technology officer for the state of New York and shall be designated as management confidential in the noncompetitive class in accordance with the civil service law. The director shall be the chief executive officer of and in sole charge of the administration of the office, with exception to the office established pursuant to section one hundred two-a of this article and the committee established pursuant to section one hundred four-a of this article. The director shall be entitled to receive reimbursement for expenses actually and

necessarily incurred by [~~him or her~~] such director in the performance of [~~his or her~~] such director's duties.

3. The director may, from time to time, create, abolish, transfer and consolidate bureaus and other units within the office not expressly established by law as [~~he or she~~] such director may determine necessary for the efficient operation of the office, subject to the approval of the director of the budget, with exception to the office established pursuant to section one hundred two-a of this article and the committee established pursuant to section one hundred four-a of this article.

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

PART ZZ

Section 1. Section 604-b of the retirement and social security law is amended by adding a new subdivision f to read as follows:

f. Death benefits. Notwithstanding any provision of law to the contrary, where a New York city transit authority member would have been entitled to a service retirement benefit at the time of their death but had not yet filed for such service retirement pursuant to subparagraph (iv) of paragraph one of subdivision c of this section, and where such death occurs on or after the effective date of this subdivision, the beneficiary or beneficiaries of such member may elect to receive, in a lump sum or on an annuitized basis, an amount payable which shall be equal to the pension reserve that would have been established had such member retired on the date of their death.

§ 2. Notwithstanding any other provision of law to the contrary, none of the provisions of this act shall be subject to section 25 of the retirement and social security law.

§ 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:	0.0
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 life-time 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.

PART AAA

Section 1. Section 506 of the retirement and social security law is amended by adding a new subdivision c-2 to read as follows:

c-2. Notwithstanding any inconsistent provision of subdivision a, b or c-1 of this section, the ordinary disability benefit for a New York city enhanced plan member in the New York city fire department shall not be conditioned upon eligibility for, or upon receipt of, primary social security disability benefits.

§ 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:	**0.0**
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.

PART BBB

Section 1. Subdivision 2 of section 13-252.1 of the administrative code of the city of New York, as amended by chapter 489 of the laws of 2013, is amended to read as follows:

2. (a) Notwithstanding the provisions of this chapter or of any general, special or local law, charter, administrative code or rule or regulation to the contrary, if a member who [~~participated~~] **filed a timely notice of participation** in World Trade Center rescue, recovery or clean-up operations as defined in section two of the retirement and social security law[~~, and~~] subsequently retired [~~on a service retirement, an ordinary disability retirement, an accidental disability retirement, a performance of duty disability retirement, or was separated from service with a vested right to deferred payability of a retirement allowance~~] and subsequent to such retirement or separation is determined by the [~~NYCPPF~~] **police pension fund** board of trustees to have a qualifying World Trade Center condition, as defined in section two of the retirement and social security law, upon such determination by the [~~NYCPPF~~] **police pension fund** board of trustees, it shall be presumed that such disability was incurred in the performance and discharge of duty as the natural and proximate result of an accident not caused by such member's own willful negligence, and that the member would have been physically or mentally incapacitated for the performance and discharge of duty of the position from which he or she retired or vested had the condition been known and fully developed at the time of the member's retirement or separation from service with vested rights, unless the contrary is proven by competent evidence.

(b) The [~~NYCPPF~~] **police pension fund** board of trustees shall consider a reclassification of the member's retirement or vesting as an accidental disability retirement effective as of the date of such reclassification.

(c) Such member's retirement option shall not be changed as a result of such reclassification.

(d) [~~The member's former employer at the time of the member's retirement shall have an opportunity to be heard on the member's application for reclassification by the NYCPPF board of trustees according to procedures developed by the NYCPPF board of trustees~~] **Notwithstanding the provisions of any general, special or local law, or administrative code to the contrary, but except for the purposes of determining eligibility for World Trade Center benefits, it shall be considered presumptive evidence that upon the timely filing of a fully sworn notice of participation, such member shall have a qualifying World Trade Center condi-**

tion, as defined by subdivision thirty-six of section two of the retirement and social security law, unless the contrary be proved by competent evidence and adopted by a quorum of the board of trustees.

(e) The [~~NYCPPF~~] police pension fund board of trustees is hereby authorized to promulgate rules and regulations to implement the provisions of this paragraph.

§ 2. This act shall take effect immediately.

PART CCC

Section 1. Section 14-114 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. (1) Notwithstanding any provision of law to the contrary, when a detective, sergeant, or lieutenant shall have accrued twenty-five years of uniformed service with the New York city police department, and retires in any such rank, they shall have five per centum of the highest grade of pay under the applicable collective bargaining agreement of such rank in which they retire, added to the applicable salary, used for the purposes of computing pension benefits under the plan in which they are enrolled with the New York city police pension fund. A member who receives an increase to their pension benefit under this paragraph shall not receive an additional increase under section 14-111 of this chapter; or

(2) Notwithstanding any provision of law to the contrary, when a detective, sergeant, or lieutenant shall have accrued thirty years of uniformed service with the New York city police department, and retires in any such rank, they shall have ten per centum of the highest grade of pay under the applicable collective bargaining agreement of such rank in which they retire, added to the applicable salary, used for the purposes of computing pension benefits under the plan in which they are enrolled with the New York city police pension fund. A member who receives an increase to their pension benefit under this paragraph shall not receive an additional increase under section 14-111 of this chapter; or

(3) Notwithstanding any provision of law to the contrary, when a detective, sergeant, or lieutenant shall have accrued thirty-five years of uniformed service with the New York city police department, and retires in any such rank, they shall have fifteen per centum of the highest grade of pay under the applicable collective bargaining agreement of such rank in which they retire, added to the applicable salary, used for the purposes of computing pension benefits under the plan in which they are enrolled with the New York city police pension fund. A member who receives an increase to their pension benefit under this paragraph shall not receive an additional increase under section 14-111 of this chapter.

§ 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.

PART DDD

Section 1. Subdivision 17 of section 501 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, is amended to read as follows:

17. "Normal retirement age" shall be age sixty-two, for general members, and the age at which a member completes or would have completed twenty-two years of service, for police/fire members, New York city uniformed correction/sanitation revised plan members and investigator revised plan members**, except that for police/fire members of the New York city police pension fund, normal retirement age shall be the age at which a member completes or would have completed twenty years of service**.

§ 2. Subdivision d of section 503 of the retirement and social security law, as amended by chapter 18 of the laws of 2012, is amended to read as follows:

d. The normal service retirement benefit specified in section five hundred five of this article shall be paid to police/fire members, New York city uniformed correction/sanitation revised plan members and investigator revised plan members without regard to age upon retirement after twenty-two years of service**, except that the normal service retirement benefit specified in section five hundred five of this article shall be paid to police/fire members of the New York city police pension fund, after twenty years of service**. Early service retirement shall be permitted upon retirement after twenty years of credited service or attainment of age sixty-two, provided, however, that New York city police/fire revised plan members, New York city uniformed correction/sanitation revised plan members and investigator revised plan

members shall not be eligible to retire for service prior to the attainment of twenty years of credited service.

§ 3. Section 505 of the retirement and social security law is amended by adding a new subdivision d to read as follows:

d. Notwithstanding anything to the contrary in any other law, police/fire members of the New York city police pension fund shall be eligible for a normal service retirement benefit in lieu of an early service retirement benefit upon completing twenty years of service pursuant to subdivision d of section five hundred three of this article.

§ 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:	(10.6)
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.

PART EEE

Section 1. The criminal procedure law is amended by adding two new sections 440.00 and 440.11 to read as follows:

§ 440.00 Definition.

As used in this article, the term "applicant" means a person previously convicted of a crime who is applying for relief under this article.

§ 440.11 Motion to vacate judgment; change in the law.

1. At any time after the entry of a judgment obtained at trial or by plea, the court in which it was entered may, upon motion of the applicant, vacate such conviction upon the ground that the applicant was convicted of any offense in the state of New York which has been subsequently decriminalized and is thus a legal nullity.

2. If the court grants a motion under this section, it shall vacate the conviction on the merits, dismiss the accusatory instrument, seal the conviction, and may take such additional action as is appropriate in the circumstances.

§ 2. Section 440.10 of the criminal procedure law, paragraph (g-1) of subdivision 1 as added by chapter 19 of the laws of 2012, paragraph (h) of subdivision 1, paragraph (a) of subdivision 3 and subdivision 4 as amended and subdivisions 7 and 8 as renumbered by chapter 332 of the laws of 2010, paragraph (i) of subdivision 1 and subdivision 6 as amended by chapter 629 of the laws of 2021, paragraph (j) of subdivision 1 as amended by chapter 131 of the laws of 2019, paragraph (k) of subdivision 1 as amended by chapter 92 of the laws of 2021, paragraphs (b) and (c) of subdivision 2 as amended by chapter 501 of the laws of 2021, and subdivision 9 as added by section 4 of part OO of chapter 55 of the laws of 2019, is amended to read as follows:

§ 440.10 Motion to vacate judgment.

1. At any time after the entry of a judgment **obtained at trial or by plea**, the court in which it was entered may, upon motion of the [~~**defendant**~~] **applicant**, vacate such judgment upon the ground that:

(a) The court did not have jurisdiction of the action or of the person of the [~~**defendant**~~] **applicant**; or

(b) The judgment was procured by duress, misrepresentation or fraud on the part of the court or a prosecutor or a person acting for or in behalf of a court or a prosecutor; or

(c) [~~**Material evidence adduced at a trial**~~] **Evidence that was likely relied upon by a fact finder** resulting in the judgment **at trial or that was likely relied upon by any party as a basis for a plea agreement** was

false [~~and was, prior to the entry of the judgment, known by the prosecutor or by the court to be false~~]; or

(d) [~~Material evidence adduced by the people at a trial~~] **Evidence that was likely relied upon by a fact finder** resulting in the judgment **at trial or that was likely relied upon by any party as a basis for a plea agreement** was procured in violation of the [~~defendant's~~] **applicant's** rights under the constitution of this state or of the United States; or

(e) During the proceedings resulting in the judgment, the [~~defendant~~] **applicant**, by reason of mental disease or defect, was incapable of understanding or participating in such proceedings; or

(f) Improper [~~and prejudicial~~] conduct not appearing in the record occurred during a trial resulting in the judgment which conduct, if it had appeared in the record, would have [~~required~~] **made possible** a reversal of the judgment upon an appeal therefrom; or

(g) New evidence has been discovered [~~since the entry of a judgment based upon a verdict of guilty after trial, which could not have been produced by the defendant at the trial even with due diligence on his part and which~~] **or become available that, when viewed alone or with other evidence,** is of such character as to create a **reasonable** probability that had such evidence been received at the trial **or discovered prior to trial or plea agreement that** the verdict **or plea** would have been more favorable to the [~~defendant; provided that a motion based upon such ground must be made with due diligence after the discovery of such alleged new evidence~~] **applicant. Types of new evidence shall include, but not be limited to newly available forensic evidence or evidence that has either been repudiated by the expert who originally provided the opinion at a hearing or trial or that has been undermined by later scientific research or technological advances**; or

(g-1) [~~Forensic DNA~~] **In cases involving the forensic** testing of evidence performed since the entry of a judgment, [~~(1) in the case of a defendant convicted after a guilty plea, the court has determined that the defendant has demonstrated a substantial probability that the defendant was actually innocent of the offense of which he or she was convicted, or (2) in the case of a defendant convicted after a trial,~~] the court has determined that there exists a reasonable probability that the verdict **or plea offer** would have been more favorable to the [~~defendant~~] **applicant, or the applicant would have rejected the plea offer**.

(h) The judgment was obtained in violation of a right of the [~~defendant~~] **applicant** under the constitution of this state or of the United States**, including, but not limited to, a judgment entered, whether upon trial or guilty plea, against an applicant who is actually innocent. An applicant is actually innocent where the applicant proves by a preponderance of the evidence that no reasonable jury of the applicant's peers would have found the applicant guilty beyond a reasonable doubt**; or

(i) The judgment is a conviction where the [~~defendant's~~] **applicant's** participation in the offense was a result of having been a victim of sex trafficking under section 230.34 of the penal law, sex trafficking of a child under section 230.34-a of the penal law, labor trafficking under section 135.35 of the penal law, aggravated labor trafficking under section 135.37 of the penal law, compelling prostitution under section 230.33 of the penal law, or trafficking in persons under the Trafficking Victims Protection Act (United States Code, title 22, chapter 78); provided that

(i) official documentation of the [~~defendant's~~] **applicant's** status as a victim of sex trafficking, labor trafficking, aggravated labor trafficking, compelling prostitution, or trafficking in persons at the time

of the offense from a federal, state or local government agency shall create a presumption that the [~~defendant's~~] applicant's participation in the offense was a result of having been a victim of sex trafficking, labor trafficking, aggravated labor trafficking, compelling prostitution or trafficking in persons, but shall not be required for granting a motion under this paragraph;

(ii) a motion under this paragraph, and all pertinent papers and documents, shall be confidential and may not be made available to any person or public or private [~~entity~~] agency except [~~where~~] when specifically authorized by the court; and

(iii) when a motion is filed under this paragraph, the court may, upon the consent of the petitioner and all of the involved state [~~and~~] or local prosecutorial agencies [~~that prosecuted each matter~~], consolidate into one proceeding a motion to vacate judgments imposed by distinct or multiple criminal courts; or

(j) The judgment is a conviction for [~~a class A or unclassified~~] any misdemeanor entered prior to the effective date of this paragraph and satisfies the ground prescribed in paragraph (h) of this subdivision. There shall be a rebuttable presumption that a conviction by plea to such an offense was not knowing, voluntary and intelligent, based on ongoing collateral consequences, including potential or actual immigration consequences, and there shall be a rebuttable presumption that a conviction by verdict constitutes cruel and unusual punishment under section five of article one of the state constitution based on such consequences; or

(k) The judgment occurred prior to the effective date of the laws of two thousand [~~twenty-one~~] twenty-three that amended this paragraph and is a conviction for an offense as defined in [~~subparagraphs~~] subparagraph (i), (ii), (iii) or (iv) of paragraph (k) of subdivision three of section 160.50 of this part, or a misdemeanor under the former article two hundred twenty-one of the penal law, in which case the court shall presume that a conviction by plea for the aforementioned offenses was not knowing, voluntary and intelligent if it has severe or ongoing consequences, including but not limited to potential or actual immigration consequences, and shall presume that a conviction by verdict for the aforementioned offenses constitutes cruel and unusual punishment under section five of article one of the state constitution, based on those consequences. The people may rebut these presumptions[~~.~~]; or

(l) Any offense in the state of New York that an intermediate appellate court, court of appeals, or United States federal court with jurisdiction over New York state law issues has deemed in violation of the constitution of this state or of the United States, or any other right under state or federal law.

2. Notwithstanding the provisions of subdivision one, the court [~~must~~] may deny a motion to vacate a judgment when:

(a) The ground or issue raised upon the motion was previously determined on the merits upon an appeal from the judgment, unless since the time of such appellate determination there has been a retroactively effective change in the law controlling such issue. However, if all of the evidence currently before the court was not duly considered previously by the court, the court shall grant the motion or order the hearing; or

(b) The judgment is, at the time of the motion, appealable or pending on appeal, and sufficient facts appear on the record with respect to the ground or issue raised upon the motion to permit adequate review thereof upon such an appeal unless the issue raised upon such motion is ineffec-

tive assistance of counsel. This paragraph shall not apply to a motion under paragraph (i)**, (j), (k) or (l)** of subdivision one of this section; or

(c) [~~Although sufficient facts appear on the record of the proceedings underlying the judgment to have permitted, upon appeal from such judgment, adequate review of the ground or issue raised upon the motion, no such appellate review or determination occurred owing to the defendant's unjustifiable failure to take or perfect an appeal during the prescribed period or to his or her unjustifiable failure to raise such ground or issue upon an appeal actually perfected by him or her unless the issue raised upon such motion is ineffective assistance of counsel; or~~

~~(d)~~] The ground or issue raised relates solely to the validity of the sentence and not to the validity of the conviction**. In such case, the court shall deem the motion to have been made pursuant to section 440.20 of this article**.

[~~3. Notwithstanding the provisions of subdivision one, the court may deny a motion to vacate a judgment when:~~

~~(a) Although facts in support of the ground or issue raised upon the motion could with due diligence by the defendant have readily been made to appear on the record in a manner providing adequate basis for review of such ground or issue upon an appeal from the judgment, the defendant unjustifiably failed to adduce such matter prior to sentence and the ground or issue in question was not subsequently determined upon appeal. This paragraph does not apply to a motion based upon deprivation of the right to counsel at the trial or upon failure of the trial court to advise the defendant of such right, or to a motion under paragraph (i) of subdivision one of this section; or~~

~~(b) The ground or issue raised upon the motion was previously determined on the merits upon a prior motion or proceeding in a court of this state, other than an appeal from the judgment, or upon a motion or proceeding in a federal court; unless since the time of such determination there has been a retroactively effective change in the law controlling such issue; or~~

~~(c) Upon a previous motion made pursuant to this section, the defendant was in a position adequately to raise the ground or issue underlying the present motion but did not do so.~~]

(d) Although the court may deny the motion under any of the circumstances specified in this subdivision, in the interest of justice and for good cause shown it may in its discretion grant the motion if it is otherwise meritorious and vacate the judgment.

[~~4.~~] **3.** If the court grants the motion, it must, except as provided in subdivision [~~five~~] **four** or [~~six~~] **five** of this section, vacate the judgment, and must **either:**

(a) dismiss **and seal** the accusatory instrument, or

(b) order a new trial, or

(c) take such other action as is appropriate in the circumstances.

[~~5.~~] **4.** Upon granting the motion upon the ground, as prescribed in paragraph (g) of subdivision one, that newly discovered evidence creates a probability that had such evidence been received at the trial the verdict would have been more favorable to the [~~defendant~~] **applicant** in that the conviction would have been for a lesser offense than the one contained in the verdict, the court may either:

(a) Vacate the judgment and order a new trial; or

(b) With the consent of the people, modify the judgment by reducing it to one of conviction for such lesser offense. In such case, the court must re-sentence the [~~defendant~~] **applicant** accordingly.

[~~6.~~] 5. If the court grants a motion under [~~paragraph (i) or~~] paragraph [~~(k)~~] (h), (i), (j), (k) or (l) of subdivision one of this section, it must vacate the judgment [~~and~~] on the merits, dismiss the accusatory instrument, seal the judgment, and may take such additional action as is appropriate in the circumstances. [~~In the case of a motion granted under paragraph (i) of subdivision one of this section, the court must vacate the judgment on the merits because the defendant's participation in the offense was a result of having been a victim of trafficking.~~

~~7.~~] 6. Upon a new trial resulting from an order vacating a judgment pursuant to this section, the indictment is deemed to contain all the counts and to charge all the offenses which it contained and charged at the time the previous trial was commenced, regardless of whether any count was dismissed by the court in the course of such trial, except (a) those upon or of which the [~~defendant~~] applicant was acquitted or deemed to have been acquitted, and (b) those dismissed by the order vacating the judgment, and (c) those previously dismissed by an appellate court upon an appeal from the judgment, or by any court upon a previous post-judgment motion.

[~~8.~~] 7. Upon an order which vacates a judgment based upon a plea of guilty to an accusatory instrument or a part thereof, but which does not dismiss the entire accusatory instrument, the criminal action is, in the absence of an express direction to the contrary, restored to its [~~prepleading~~] pre-pleading status and the accusatory instrument is deemed to contain all the counts and to charge all the offenses which it contained and charged at the time of the entry of the plea, except those subsequently dismissed under circumstances specified in paragraphs (b) and (c) of subdivision six. Where the plea of guilty was entered and accepted, pursuant to subdivision three of section 220.30, upon the condition that it constituted a complete disposition not only of the accusatory instrument underlying the judgment vacated but also of one or more other accusatory instruments against the [~~defendant~~] applicant then pending in the same court, the order of vacation completely restores such other accusatory instruments; and such is the case even though such order dismisses the main accusatory instrument underlying the judgment.

[~~9.~~] 8. Upon granting of a motion pursuant to paragraph (j) of subdivision one of this section, the court may either:

(a) With the consent of the people, vacate the judgment or modify the judgment by reducing it to one of conviction for a lesser offense; or

(b) Vacate the judgment and order a new trial wherein the [~~defendant~~] applicant enters a plea to the same offense in order to permit the court to resentence the [~~defendant~~] applicant in accordance with the amendatory provisions of subdivision one-a of section 70.15 of the penal law.

§ 3. Section 440.20 of the criminal procedure law, subdivision 1 as amended by chapter 1 of the laws of 1995, is amended to read as follows:

§ 440.20 Motion to set aside sentence; by [~~defendant~~] applicant.

1. At any time after the entry of a judgment, the court in which the judgment was entered may, upon motion of the [~~defendant~~] applicant, set aside the sentence upon the ground that it was unauthorized, illegally imposed, exceeded the maximum allowed by law, obtained or imposed in violation of the defendant's constitutional rights, or was otherwise invalid as a matter of law. Where the judgment includes a sentence of death, the court may also set aside the sentence upon any of the grounds set forth in paragraph (b), (c), (f), (g) or (h) of subdivision one of section 440.10 as applied to a separate sentencing proceeding under section 400.27, provided, however, that to the extent the ground or

grounds asserted include one or more of the aforesaid paragraphs of subdivision one of section 440.10, the court must also apply [~~subdivisions~~] subdivision two [~~and three~~] of section 440.10, other than paragraph [~~(d)~~] (c) of [~~subdivision two of~~] such [~~section~~] subdivision, in determining the motion. In the event the court enters an order granting a motion to set aside a sentence of death under this section, the court must either direct a new sentencing proceeding in accordance with section 400.27 or, to the extent that the defendant cannot be resentenced to death consistent with the laws of this state or the constitution of this state or of the United States, resentence the defendant to life imprisonment without parole or to a sentence of imprisonment for the class A-I felony of murder in the first degree other than a sentence of life imprisonment without parole. Upon granting the motion upon any of the grounds set forth in the aforesaid paragraphs of subdivision one of section 440.10 and setting aside the sentence, the court must afford the people a reasonable period of time, which shall not be less than ten days, to determine whether to take an appeal from the order setting aside the sentence of death. The taking of an appeal by the people stays the effectiveness of that portion of the court's order that directs a new sentencing proceeding.

2. Notwithstanding the provisions of subdivision one, the court [~~must~~] may deny such a motion when the ground or issue raised thereupon was previously determined on the merits upon an appeal from the judgment or sentence, unless since the time of such appellate determination there has been a retroactively effective change in the law controlling such issue. However, if all of the evidence currently before the court was not duly considered previously by the court, the court shall not deny the motion to vacate and instead shall order a hearing or grant the motion. Even if the court has already considered all of the evidence currently before the court, the court in the interest of justice and for good cause shown may grant the motion if it is otherwise meritorious.

3. [~~Notwithstanding the provisions of subdivision one, the court may deny such a motion when the ground or issue raised thereupon was previously determined on the merits upon a prior motion or proceeding in a court of this state, other than an appeal from the judgment, or upon a prior motion or proceeding in a federal court, unless since the time of such determination there has been a retroactively effective change in the law controlling such issue. Despite such determination, however, the court in the interest of justice and for good cause shown, may in its discretion grant the motion if it is otherwise meritorious.~~

~~4.~~] An order setting aside a sentence pursuant to this section does not affect the validity or status of the underlying conviction, and after entering such an order the court must resentence the [~~defendant~~] applicant in accordance with the law.

§ 4. Section 440.30 of the criminal procedure law, subdivisions 1 and 1-a as amended by chapter 19 of the laws of 2012 and the opening paragraph of paragraph (b) of subdivision 1 as amended by section 10 of part LLL of chapter 59 of the laws of 2019, is amended to read as follows:

§ 440.30 Motion to vacate judgment and to set aside sentence; procedure.

1. [~~(a) A~~] An application for assignment of counsel for a motion to vacate a judgment pursuant to section 440.10 or 440.11 of this article and a motion to set aside a sentence pursuant to section 440.20 of this article must be made in writing by a pro se applicant to the judge or justice who imposed the original sentence and upon reasonable notice to the people. [~~Upon the motion, a defendant~~]

(a) The court shall assign defense counsel in cases where there is a colorable claim of relief according to this article, in accordance with section seven hundred twenty-two of the county law. For the purpose of this section, a colorable claim is a claim that, taking the facts alleged in the application as true and viewed in a light most favorable to the applicant, would entitle the applicant to relief.

(b) If the judge decides not to assign counsel, they shall state the reasons for denying the request for assignment of counsel in writing.

(c) If, at the time of such applicant's request for assignment of counsel, the original sentencing judge or justice no longer works in the court in which the original sentence was imposed, then the request shall be randomly assigned to another judge or justice of the court in which the original sentence was imposed.

(d) Applicants already represented by counsel, either appointed pursuant to section seven hundred twenty-two of the county law or otherwise retained, are not required to file an application for assignment of counsel.

2. Upon the request of the applicant or their defense counsel, the court shall order:

(a) the people to make available a copy of its file of the case, including any physical evidence in the people's possession and grand jury minutes;

(b) the applicant's prior trial and appellate defense counsel to make available their complete files relating to the case;

(c) court clerks and probation departments to make available the court files or probation records relating to the case; and

(d) any law enforcement agency involved with the case to turn over its files of the case, including police reports, witness statements, evidence vouchers, or any other relevant records or evidence at its disposal.

The court shall further ensure that any disclosure of evidence or property ordered pursuant to this subdivision may be subject to a protective order as defined in section 245.70 of this part, where appropriate.

Nothing in this section shall preclude the court from conducting an in camera inspection of evidence and issuing a protective order pursuant to section 245.70 of this part at the request of the prosecution or defense.

3. (a) An applicant who is in a position adequately to raise more than one ground should raise every such ground upon which [~~he or she intends~~] they intend to challenge the judgment or sentence. If the motion is based upon the existence or occurrence of facts, the motion papers [~~must~~] may contain sworn allegations thereof, whether by the [~~defendant~~] applicant or by another person or persons. Such sworn allegations may be based upon personal knowledge of the affiant or upon information and belief, provided that in the latter event the affiant must state the sources of such information and the grounds of such belief. The [~~defendant~~] applicant may further submit documentary evidence or information supporting or tending to support the allegations of the moving papers.

(b) The people may file with the court, and in such case must serve a copy thereof upon the [~~defendant~~] applicant or [~~his or her~~] their counsel, if any, an answer denying or admitting any or all of the allegations of the motion papers, and may further submit documentary evidence or information refuting or tending to refute such allegations.

(c) After all papers of both parties have been filed, and after all documentary evidence or information, if any, has been submitted, the

court must consider the same for the purpose of ascertaining whether the motion is determinable without a hearing to resolve questions of fact.

[~~(b) In conjunction with the filing or consideration of a motion to vacate a judgment pursuant to section 440.10 of this article by a defendant convicted after a trial, in cases where the court has ordered an evidentiary hearing upon such motion, the court may order that the people produce or make available for inspection property in its possession, custody, or control that was secured in connection with the investigation or prosecution of the defendant upon credible allegations by the defendant and a finding by the court that such property, if obtained, would be probative to the determination of defendant's actual innocence, and that the request is reasonable. The court shall deny or limit such a request upon a finding that such a request, if granted, would threaten the integrity or chain of custody of property or the integrity of the processes or functions of a laboratory conducting DNA testing, pose a risk of harm, intimidation, embarrassment, reprisal, or other substantially negative consequences to any person, undermine the proper functions of law enforcement including the confidentiality of informants, or on the basis of any other factor identified by the court in the interests of justice or public safety. The court shall further ensure that any property produced pursuant to this paragraph is subject to a protective order, where appropriate. The court shall deny any request made pursuant to this paragraph where:~~

~~(i) (1) the defendant's motion pursuant to section 440.10 of this article does not seek to demonstrate his or her actual innocence of the offense or offenses of which he or she was convicted that are the subject of the motion, or (2) the defendant has not presented credible allegations and the court has not found that such property, if obtained, would be probative to the determination of the defendant's actual innocence and that the request is reasonable;~~

~~(ii) the defendant has made his or her motion after five years from the date of the judgment of conviction; provided, however, that this limitation period shall be tolled for five years if the defendant is in custody in connection with the conviction that is the subject of his or her motion, and provided further that, notwithstanding such limitation periods, the court may consider the motion if the defendant has shown: (A) that he or she has been pursuing his or her rights diligently and that some extraordinary circumstance prevented the timely filing of the motion; (B) that the facts upon which the motion is predicated were unknown to the defendant or his or her attorney and could not have been ascertained by the exercise of due diligence prior to the expiration of the statute of limitations; or (C) considering all circumstances of the case including but not limited to evidence of the defendant's guilt, the impact of granting or denying such motion upon public confidence in the criminal justice system, or upon the safety or welfare of the community, and the defendant's diligence in seeking to obtain the requested property or related relief, the interests of justice would be served by considering the motion;~~

~~(iii) the defendant is challenging a judgment convicting him or her of an offense that is not a felony defined in section 10.00 of the penal law; or~~

~~(iv) upon a finding by the court that the property requested in this motion would be available through other means through reasonable efforts by the defendant to obtain such property.~~

~~1-a.~~] 4. (a) [~~(1)~~] Where the [~~defendant's~~] applicant's motion requests the performance of a forensic DNA test on specified evidence, and upon

the court's determination that any evidence containing deoxyribonucleic acid ("DNA") was secured in connection with the trial **or the plea** resulting in the judgment, the court shall grant the application for forensic DNA testing of such evidence upon its determination that [~~if a~~] **had the** DNA test [~~had~~] **results** been [~~conducted on such evidence, and if the results had been admitted in the trial resulting in the judgment,~~] **available at the time of trial or plea,** there [~~exists~~] **is** a reasonable probability that the verdict would have been more favorable to the [~~defendant~~] **applicant**.

[~~(2) Where the defendant's motion for forensic DNA testing of specified evidence is made following a plea of guilty and entry of judgment thereon convicting him or her of: (A) a homicide offense defined in article one hundred twenty-five of the penal law, any felony sex offense defined in article one hundred thirty of the penal law, a violent felony offense as defined in paragraph (a) of subdivision one of section 70.02 of the penal law, or (B) any other felony offense to which he or she pled guilty after being charged in an indictment or information in superior court with one or more of the offenses listed in clause (A) of this subparagraph, then the court shall grant such a motion upon its determination that evidence containing DNA was secured in connection with the investigation or prosecution of the defendant, and if a DNA test had been conducted on such evidence and the results had been known to the parties prior to the entry of the defendant's plea and judgment thereon, there exists a substantial probability that the evidence would have established the defendant's actual innocence of the offense or offenses that are the subject of the defendant's motion; provided, however, that:~~

~~(i) the court shall consider whether the defendant had the opportunity to request such testing prior to entering a guilty plea, and, where it finds that the defendant had such opportunity and unjustifiably failed to do so, the court may deny such motion; and~~

~~(ii) a court shall deny the defendant's motion for forensic DNA testing where the defendant has made his or her motion more than five years after entry of the judgment of conviction; except that the limitation period may be tolled if the defendant has shown: (A) that he or she has been pursuing his or her rights diligently and that some extraordinary circumstance prevented the timely filing of the motion for forensic DNA testing; (B) that the facts upon which the motion is predicated were unknown to the defendant or his or her attorney and could not have been ascertained by the exercise of due diligence prior to the expiration of this statute of limitations; or (C) considering all circumstances of the case including but not limited to evidence of the defendant's guilt, the impact of granting or denying such motion upon public confidence in the criminal justice system, or upon the safety or welfare of the community, and the defendant's diligence in seeking to obtain the requested property or related relief, the interests of justice would be served by tolling such limitation period.~~]

(b) **Where the applicant's motion for relief requests the performance of any other testing of forensic evidence or any physical evidence secured in the case, the court shall grant the application for testing of such evidence, upon its determination that had the results of testing of forensic or other physical evidence been available at the time of trial or plea, there is a reasonable probability that the verdict would have been more favorable to the applicant.**

(c) (i) In conjunction with the filing of a motion under this subdivision, the court may direct the people to provide the [~~defendant~~] **applicant and their counsel** with information in the possession of the people

concerning the current physical location of the specified evidence and if the specified evidence no longer exists or the physical location of the specified evidence is unknown, a representation to that effect and information and documentary evidence in the possession of the people concerning the last known physical location of such specified evidence.

(ii) If there is a finding by the court that the specified evidence no longer exists or the physical location of such specified evidence is unknown, [~~such information in and of itself shall not be a factor from which any inference unfavorable to the people may be drawn by the court in deciding a motion under this section~~] the court may grant the applicant's motion and vacate the judgment upon a finding by the court that such evidence is unavailable due to malfeasance or neglect.

(iii) The court, on motion of the [~~defendant~~] applicant, may also issue a subpoena duces tecum directing a public or private hospital, laboratory or other entity to produce such specified evidence in its possession and/or information and documentary evidence in its possession concerning the location and status of such specified evidence.

[~~(c)~~] (d) In response to a motion under this paragraph, upon notice to the parties and to the entity required to perform the search the court may order an entity that has access to the combined DNA index system ("CODIS") or its successor system to compare a DNA profile obtained from probative biological material gathered in connection with the investigation or prosecution of the [~~defendant~~] applicant against DNA databanks by keyboard searches, or a similar method that does not involve uploading, upon a court's determination that (1) such profile complies with federal bureau of investigation or state requirements, whichever are applicable and as such requirements are applied to law enforcement agencies seeking such a comparison, and that the data meet state DNA index system and/or national DNA index system criteria as such criteria are applied to law enforcement agencies seeking such a comparison and (2) if such comparison had been conducted, [~~and if the results had been admitted in the trial resulting in the judgment,~~] a reasonable probability exists that the verdict would have been more favorable to the [~~defendant, or in a case involving a plea of guilty, if the results had been available to the defendant prior to the plea, a reasonable probability exists that the conviction would not have resulted~~] applicant. For purposes of this subdivision, a "keyboard search" shall mean a search of a DNA profile against the databank in which the profile that is searched is not uploaded to or maintained in the databank.

[~~2. If it appears by conceded or uncontradicted allegations of the moving papers or of the answer, or by unquestionable documentary proof, that there are circumstances which require denial thereof pursuant to subdivision two of section 440.10 or subdivision two of section 440.20, the court must summarily deny the motion. If it appears that there are circumstances authorizing, though not requiring, denial thereof pursuant to subdivision three of section 440.10 or subdivision three of section 440.20, the court may in its discretion either (a) summarily deny the motion, or (b) proceed to consider the merits thereof.~~]

[~~3.~~] 5. Upon considering the merits of the motion, the court must grant it without conducting a hearing and vacate the judgment or set aside the sentence, as the case may be, if:

(a) The moving papers allege a ground constituting legal basis for the motion; and

(b) Such ground, if based upon the existence or occurrence of facts, is supported by sworn allegations thereof; and

(c) The sworn allegations of fact essential to support the motion are either conceded by the people to be true or are conclusively substantiated by unquestionable documentary proof.

[~~4.~~] 6. Upon considering the merits of the motion, the court may deny it without conducting a hearing if:

(a) The moving papers do not allege any ground constituting legal basis for the motion; or

(b) [~~The motion is based upon the existence or occurrence of facts and the moving papers do not contain sworn allegations substantiating or tending to substantiate all the essential facts, as required by subdivision one; or~~

~~(c)~~] An allegation of fact essential to support the motion is conclusively refuted by unquestionable documentary proof; or

[~~(d)~~] (c) An allegation of fact essential to support the motion (i) is contradicted by a court record or other official document[~~, or is made solely by the defendant and is unsupported by any other affidavit or evidence,~~] and (ii) under these and all the other circumstances attending the case, there is no reasonable possibility that such allegation is true.

[~~5.~~] 7. If the court does not determine the motion pursuant to [~~subdivisions two, three or four~~] subdivision five or six of this section, it must conduct a hearing and make findings of fact essential to the determination thereof. The [~~defendant~~] applicant has a right to be present at such hearing but may waive such right in writing. If [~~he~~] the applicant does not so waive it and if [~~he is~~] they are confined in a prison or other institution of this state, the court must cause [~~him~~] them to be produced at such hearing.

[~~6.~~] 8. At such a hearing, the [~~defendant~~] applicant has the burden of proving by a preponderance of the evidence every fact essential to support the motion. At the hearing, either party shall receive a daily copy of the hearing minutes, upon request.

[~~7.~~] 9. Notwithstanding any other provision of this section, when the applicant raises a colorable claim of relief pursuant to this article, the court shall not summarily deny the motion on the ground that the applicant previously moved for relief under this article.

10. Regardless of whether a hearing was conducted, the court, upon determining the motion, must set forth on the record its findings of fact, its conclusions of law and the reasons for its determination.

§ 5. Subdivision 4 of section 450.10 of the criminal procedure law, as amended by chapter 671 of the laws of 1971 and as renumbered by chapter 516 of the laws of 1986, is amended to read as follows:

4. An order, entered pursuant to [~~section 440.40, setting aside a sentence other than one of death, upon motion of the People~~] article four hundred forty of this title, shall be authorized to an intermediate appellate court as a matter of right.

§ 6. Subdivision 5 of section 450.10 of the criminal procedure law is REPEALED.

§ 7. Section 216 of the judiciary law is amended by adding a new subdivision 7 to read as follows:

7. The chief administrator of the courts shall collect data and report every year in relation to applications and motions filed pursuant to article four hundred forty of the criminal procedure law, broken down by each section of such article to include motions filed pursuant to sections 440.10, 440.20, 440.40, 440.46, 440.46-a, and 440.47 of the criminal procedure law. Information to be collected and disclosed shall include the raw number of both applications and/or motions filed in each

county and on appeal in each judicial department. Information shall include the top conviction charge for each application or motion; when pro se applicants request assignment of counsel pursuant to subdivision two of section 440.30 of the criminal procedure law, whether or not counsel was assigned; the outcome of each motion filed, whether denied without hearing, denied with hearing, vacatur granted, or other; and the average length of time motion under article four hundred forty of the criminal procedure law remains pending for each county. Such report shall aggregate the data collected by county and judicial department. The data shall be aggregated in order to protect the identity of individual applicants. The report shall be released publicly and published on the websites of the office of court administration and the division of criminal justice services. The first report shall be published twelve months after this subdivision shall have become a law, and shall include data from the first six months following the effective date of this subdivision. Reports for subsequent periods shall be published annually thereafter.

§ 8. Severability. If any provision of this act, or any application of any provision of this act, is held to be invalid, that shall not affect the validity or effectiveness of any other provision of this act, or of any other application of any provision of this act, which can be given effect without that provision or application; and to that end, the provisions and applications of this act are severable.

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

PART FFF

Section 1. The retirement and social security law is amended by adding a new section 89-y to read as follows:

§ 89-y. Twenty-five year retirement plan for firefighters employed by the division of military and naval affairs. a. A member who serves as an airport firefighter apprentice, airport firefighter I, airport firefighter II, airport firefighter III, or training and safety officer and is employed by the division of military and naval affairs shall be eligible to retire pursuant to the provisions of this section. Such eligibility shall be an alternative to the eligibility provisions available under any other plan of this article to which such member is subject.

b. Such member shall be entitled to retire upon the completion of twenty-five years of total creditable service by filing an application therefor in the manner provided for in section seventy of this article.

c. Upon completion of twenty-five years of such service and upon retirement, each such member shall receive a pension which, together with an annuity which shall be the actuarial equivalent of their accumulated contributions at the time of their retirement and an additional pension which is the actuarial equivalent of the reserved-for-increased-take-home-pay to which they may then be entitled shall be sufficient to provide them with a retirement allowance equal to one-half of their final average salary.

d. As used in this section, "creditable service" shall include any and all services performed as a firefighter apprentice, airport firefighter I, airport firefighter II, airport firefighter III, or training and safety officer employed by the division of military and naval affairs.

e. Credit for service as a paid firefighter or officer of any organized fire department shall also be deemed to be creditable service and

shall be included in computing years of total service for retirement pursuant to this section.

f. A member contributing on the basis of this section at the time of retirement, may retire after the completion of twenty-five years of total creditable service. Application therefor may be filed in a manner similar to that provided in section seventy of this article. Upon completion of twenty-five years of such service and upon retirement, each such member shall receive a pension which, together with an annuity which shall be the actuarial equivalent of their accumulated contributions at the time of their retirement and an additional pension which is the actuarial equivalent of the reserved-for-increased-take-home-pay to which they may then be entitled shall be sufficient to provide them with a retirement allowance equal to one-half of their final average salary; for service beyond twenty-five years and for non-firefighter service the benefit is increased by one-sixtieth of final average salary for each year of additional service credit.

g. In computing the twenty-five years of total service of a member pursuant to this section full credit shall be given and full allowance shall be made for service of such member in time of war after World War I as defined in section two of this article, provided such member at the time of their entrance into the armed forces was in the service of the state.

h. Nothing in this section shall be construed to prevent a member, who does not retire pursuant to the provisions of this section, from utilizing service which is creditable service pursuant to the provisions of this section for service credit pursuant to the provisions of any other plan of this article to which such member is subject.

i. The provisions of this section shall be controlling notwithstanding any other provision in this article to the contrary.

j. Any member who, on or before the effective date of this section, is a firefighter apprentice, airport firefighter I, airport firefighter II, airport firefighter III, or training and safety officer employed by the division of military and naval affairs may, by filing an election within one year after the effective date of this section, elect to be subject to the provisions of this section. Such election shall be in writing, shall be duly executed and filed with the comptroller and shall be irrevocable.

§ 2. Subdivision a of section 445 of the retirement and social security law, as amended by chapter 714 of the laws of 2023, is amended to read as follows:

a. No member of a retirement system who is subject to the provisions of this article shall retire without regard to age, exclusive of retirement for disability, unless [~~he or she is~~] they are a police officer, an investigator member of the New York city employees' retirement system, firefighter, correction officer, a qualifying member as defined in section eighty-nine-t, as added by chapter six hundred fifty-seven of the laws of nineteen hundred ninety-eight, of this chapter, sanitation worker, a special officer (including persons employed by the city of New York in the title urban park ranger or associate urban park ranger), school safety agent, campus peace officer or a taxi and limousine commission inspector member of the New York city employees' retirement system or the New York city board of education retirement system, a dispatcher member of the New York city employees' retirement system, a police communications member of the New York city employees' retirement system, an EMT member of the New York city employees' retirement system, a deputy sheriff member of the New York city employees' retirement

system, a correction officer of the Westchester county correction department as defined in section eighty-nine-e of this chapter or employed in Suffolk county as a peace officer, as defined in section eighty-nine-s, as added by chapter five hundred eighty-eight of the laws of nineteen hundred ninety-seven, of this chapter, employed in Suffolk county as a correction officer, as defined in section eighty-nine-f of this chapter, or employed in Nassau county as a correction officer, uniformed correction division personnel, sheriff, undersheriff or deputy sheriff, as defined in section eighty-nine-g of this chapter, or employed in Nassau county as an ambulance medical technician, an ambulance medical technician/supervisor or a member who performs ambulance medical technician related services, or a police medic, police medic supervisor or a member who performs police medic related services, as defined in section eighty-nine-s, as amended by chapter five hundred seventy-eight of the laws of nineteen hundred ninety-eight, of this chapter, or employed in Nassau county as a peace officer, as defined in section eighty-nine-s, as added by chapter five hundred ninety-five of the laws of nineteen hundred ninety-seven, of this chapter, or employed in Albany county as a sheriff, undersheriff, deputy sheriff, correction officer or identification officer, as defined in section eighty-nine-h of this chapter or is employed in St. Lawrence county as a sheriff, undersheriff, deputy sheriff or correction officer, as defined in section eighty-nine-i of this chapter or is employed in Orleans county as a sheriff, undersheriff, deputy sheriff or correction officer, as defined in section eighty-nine-l of this chapter or is employed in Jefferson county as a sheriff, undersheriff, deputy sheriff or correction officer, as defined in section eighty-nine-j of this chapter or is employed in Onondaga county as a deputy sheriff-jail division competitively appointed or as a correction officer, as defined in section eighty-nine-k of this chapter or is employed in a county which makes an election under subdivision j of section eighty-nine-p of this chapter as a sheriff, undersheriff, deputy sheriff or correction officer as defined in such section eighty-nine-p or is employed in Broome County as a sheriff, undersheriff, deputy sheriff or correction officer, as defined in section eighty-nine-m of this chapter or is a Monroe county deputy sheriff-court security, or deputy sheriff-jailor as defined in section eighty-nine-n, as added by chapter five hundred ninety-seven of the laws of nineteen hundred ninety-one, of this chapter or is employed in Greene county as a sheriff, undersheriff, deputy sheriff or correction officer, as defined in section eighty-nine-o of this chapter or is a traffic officer with the town of Elmira as defined in section eighty-nine-q of this chapter or is employed by Suffolk county as a park police officer, as defined in section eighty-nine-r of this chapter or is a peace officer employed by a county probation department as defined in section eighty-nine-t, as added by chapter six hundred three of the laws of nineteen hundred ninety-eight, of this chapter or is employed in Rockland county as a deputy sheriff-civil as defined in section eighty-nine-v of this chapter as added by chapter four hundred forty-one of the laws of two thousand one, or is employed in Rockland county as a superior correction officer as defined in section eighty-nine-v of this chapter as added by chapter five hundred fifty-six of the laws of two thousand one or is a paramedic employed by the police department in the town of Tonawanda and retires under the provisions of section eighty-nine-v of this chapter, as added by chapter four hundred seventy-two of the laws of two thousand one, or is a county fire marshal, supervising fire marshal, fire marshal, assistant fire marshal, assistant chief fire

marshal, chief fire marshal, division supervising fire marshal or fire marshal trainee employed by the county of Nassau as defined in section eighty-nine-w of this chapter or is employed in Monroe county as a deputy sheriff-civil as defined in section eighty-nine-x of this chapter, employed as an emergency medical technician, critical care technician, advanced emergency medical technician, paramedic or supervisor of such titles in a participating Suffolk county fire district as defined in section eighty-nine-ss of this chapter, **or is a firefighter apprentice, airport firefighter I, airport firefighter II, airport firefighter III, or training and safety officer employed by the division of military and naval affairs as defined in section eighty-nine-y of this chapter** and is in a plan which permits immediate retirement upon completion of a specified period of service without regard to age. Except as provided in subdivision c of section four hundred forty-five-a of this article, subdivision c of section four hundred forty-five-b of this article, subdivision c of section four hundred forty-five-c of this article, subdivision c of section four hundred forty-five-d of this article, subdivision c of section four hundred forty-five-e of this article, subdivision c of section four hundred forty-five-f of this article and subdivision c of section four hundred forty-five-h of this article, a member in such a plan and such an occupation, other than a police officer or investigator member of the New York city employees' retirement system or a firefighter, shall not be permitted to retire prior to the completion of twenty-five years of credited service; provided, however, if such a member in such an occupation is in a plan which permits retirement upon completion of twenty years of service regardless of age, [~~he or she~~] **they** may retire upon completion of twenty years of credited service and prior to the completion of twenty-five years of service, but in such event the benefit provided from funds other than those based on such a member's own contributions shall not exceed two per centum of final average salary per each year of credited service.

§ 3. Section 603 of the retirement and social security law is amended by adding a new subdivision w to read as follows:

w. The service retirement benefit specified in section six hundred four of this article shall be payable to members with twenty-five years of creditable service, without regard to age, who are employed by the division of military and naval affairs as a firefighter apprentice, airport firefighter I, airport firefighter II, airport firefighter III, or training and safety officer as defined in section eighty-nine-y of this chapter if: (i) such members have met the minimum service requirements upon retirement; and (ii) in the case of a member subject to the provisions of article fourteen of this chapter, such member files an election therefor which provides that they will be subject to the provisions of this article and to none of the provisions of such article fourteen. Such election, which shall be irrevocable, shall be in writing, duly executed and shall be filed with the comptroller within one year of the effective date of this subdivision or within one year after entering the employment with the division of military and naval affairs upon which eligibility is based, whichever comes later. For the purposes of this subdivision, the term "creditable service" shall have the meaning as so defined in both sections eighty-nine-y and six hundred one of this chapter.

§ 4. Section 604 of the retirement and social security law is amended by adding a new subdivision w to read as follows:

w. The early service retirement benefit for a member who is employed 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.

PART GGG

Section 1. The retirement and social security law is amended by adding a new section 63-j to read as follows:

§ 63-j. Death benefits for state-paid judges and justices. a. As used in this section, the term "judge or justice" shall mean a state-paid judge or justice of the unified court system including a retired judge of the court of appeals or retired justice of the supreme court who is serving as a justice of the supreme court pursuant to certification by the administrative board of the courts in accordance with section one hundred fourteen or one hundred fifteen of the judiciary law, or a housing judge of the civil court of the city of New York.

b. Notwithstanding any provision of law to the contrary, where a judge or justice would have been entitled to a service retirement benefit at the time of such judge or justice's death and where such death occurs on or after the effective date of this section, the beneficiary or beneficiaries may elect to receive, in a lump sum, an amount payable which shall be equal to the pension reserve that would have been established had the member retired on the date of such judge or justice's death, or the value of the death benefit and the reserve-for-increased-take-home-pay, if any, whichever is greater.

§ 2. The retirement and social security law is amended by adding a new section 508-d to read as follows:

§ 508-d. Death benefits for state-paid judges and justices. a. As used in this section, the term "judge or justice" shall mean a state-paid judge or justice of the unified court system including a retired judge of the court of appeals or retired justice of the supreme court who is serving as a justice of the supreme court pursuant to certification by the administrative board of the courts in accordance with section one hundred fourteen or one hundred fifteen of the judiciary law, or a housing judge of the civil court of the city of New York.

b. Notwithstanding any provision of law to the contrary, where a judge or justice would have been entitled to a service retirement benefit at the time of such judge or justice's death and where such death occurs on or after the effective date of this section, the beneficiary or beneficiaries may elect to receive, in a lump sum, an amount payable which shall be equal to the pension reserve that would have been established had the member retired on the date of such judge or justice's death, or the value of the death benefit and the reserve-for-increased-take-home-pay, if any, whichever is greater.

§ 3. The retirement and social security law is amended by adding a new section 606-d to read as follows:

§ 606-d. Death benefits for state-paid judges and justices. a. As used in this section, the term "judge or justice" shall mean a state-paid judge or justice of the unified court system including a retired judge of the court of appeals or retired justice of the supreme court who is serving as a justice of the supreme court pursuant to certification by the administrative board of the courts in accordance with section one hundred fourteen or one hundred fifteen of the judiciary law, or a housing judge of the civil court of the city of New York.

b. Notwithstanding any provision of law to the contrary, where a judge or justice would have been entitled to a service retirement benefit at the time of such judge or justice's death and where such death occurs on or after the effective date of this section, the beneficiary or beneficiaries may elect to receive, in a lump sum, an amount payable which shall be equal to the pension reserve that would have been established had the member retired on the date of such judge or justice's death, or

the value of the death benefit and the reserve-for-increased-take-home-pay, if any, whichever is greater.

§ 4. All past service costs associated with implementing the provisions of this act shall be borne by the state of New York and may be amortized over a period of ten years.

§ 5. Notwithstanding any other provision of law to the contrary, none of the provisions of this act shall be subject to the appropriation requirement of section 25 of the retirement and social security law.

§ 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.

PART HHH

Section 1. Section 106 of the alcoholic beverage control law is amended by adding a new subdivision 2-b to read as follows:

2-b. Notwithstanding any provision of this chapter to the contrary, a retail licensee for on-premises consumption shall be authorized to purchase up to twelve bottles of wine and liquor per week from an off-premises retail licensee, and may resell any wine and liquor so purchased for consumption on the premises licensed therefor.

§ 2. Section 105 of the alcoholic beverage control law is amended by adding a new subdivision 2 to read as follows:

2. (a) Notwithstanding any provision of this chapter to the contrary, a retail licensee to sell liquor and/or wine for consumption off the premises shall be authorized to sell up to twelve bottles of wine and liquor per week to a retail licensee for on-premises consumption.

(b) A retail licensee for on-premises consumption shall retain evidence of each purchase of wine and liquor from a retailer licensed to sell liquor and/or wine for consumption off the premises in the form of a purchase receipt showing the name of the retailer, the date of purchase, a description of the alcohol beverages purchased, and the price paid for the alcohol beverages. The retail licensee for on-premises consumption shall retain the receipt and make it available for inspection by the state liquor authority and its duly authorized agents and employees.

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

PART III

Section 1. Subdivision 3 of section 99-ii of the state finance law is amended by adding a new paragraph (i) to read as follows:

(i) Necessary and reasonable costs incurred by the office of cannabis management to relieve licensed cultivators of the expenses of implementing a seed to sale track and trace system.

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

PART JJJ

Section 1. Subdivision c of section 3 of 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, is amended to read as follows:

c. Report to the legislature. The commission shall submit a written report of its findings and recommendations to the temporary president of the senate, the speaker of the assembly, the minority leaders of the senate and the assembly and the governor not later than [~~one year~~] **two years** after the date of the first meeting of the commission held pursuant to subdivision c of section four of this act.

§ 2. This act shall take effect immediately; provided however, that the amendments to chapter 729 of the laws of 2023 made by section one of this act shall not affect the expiration of such chapter and shall expire and be deemed repealed therewith.

PART KKK

Section 1. Section 212 of the retirement and social security law is amended by adding a new subdivision 2-a to read as follows:

2-a. Notwithstanding the provisions of subdivision two of this section, the earning limitations for retired persons in positions of public service shall be increased to sixty-five thousand dollars from the year two thousand twenty-five and thereafter.

§ 2. This act shall take effect immediately.

PART LLL

Section 1. The retirement and social security law is amended by adding two new sections 383-e and 383-f to read as follows:

§ 383-e. Retirement of officers of state law enforcement; twenty year retirement plan. a. Membership. Every non-seasonally appointed sworn member or officer of the division of law enforcement in the department of environmental conservation, a forest ranger in the service of the department of environmental conservation, which shall mean a person who serves on a full-time basis in the title of forest ranger I, forest ranger II, forest ranger III, assistant superintendent of forest fire control, superintendent of forest fire control or any successor titles or new titles in the forest ranger title series in the department of environmental conservation, a police officer in the department of environmental conservation, the regional state park police, and university police officers who enter or re-enter service in any such title whose date of membership is on or after January first, two thousand ten shall be covered by the provisions of this section, and every member described in this subdivision in such service on or before one year prior to the effective date of this section may elect to be covered by the provisions of this section by filing an election therefor with the comptroller. To be effective, such election must be duly executed and acknowledged on a form prepared by the comptroller for that purpose.

b. Retirement allowance. A member, covered by the provisions of this section at the time of retirement, shall be entitled to retire upon completion of twenty years of total creditable service in such titles, and shall retire upon the attainment of the mandatory retirement age prescribed by this section, by filing an application therefor in a manner similar to that provided in section three hundred seventy of this article.

1. Upon completion of twenty years of such service and upon retirement, each such member shall receive a pension which, together with an annuity for such years of service as provided in paragraph four of this subdivision, shall be sufficient to provide such member with a retirement allowance of one-half of such member's final average salary.

2. Upon completion of more than twenty years of such service and upon retirement, each such member shall receive, for each year of service in excess of twenty, an additional pension which, together with an annuity for each such year as provided in paragraph four of this subdivision, shall be equal to one-sixtieth of such member's final average salary, provided, however, that the pension payable pursuant to this section shall not exceed three-quarters of final average salary.

3. Upon attainment of the mandatory retirement age without completion of twenty years of such service, each such member shall receive a pension which, together with an annuity for such years of service as provided in paragraph four of this subdivision, shall be equal to one-fortieth of such member's final average salary for each year of creditable service in such titles. Every such member shall also be entitled to

an additional pension equal to the pension for any creditable service rendered while not an employee in such titles as provided under paragraphs three and four of subdivision a of section three hundred seventy-five of this article. This latter pension shall not increase the total allowance to more than one-half of such member's final average salary.

4. The annuity provided under paragraphs one, two and three of this subdivision shall be the actuarial equivalent, at the time of retirement, of the member's accumulated contributions based upon the rate of contribution fixed under section three hundred eighty-three of this title and upon the salaries earned while in such service. Such annuity shall be computed as it would be if it were not reduced by the actuarial equivalent of any outstanding loan nor by reason of the member's election to decrease such member's contributions toward retirement in order to apply the resulting amount toward payment of contributions for old age and survivor's insurance. Any accumulated contributions in excess of the amount required to provide the annuity computed pursuant to this paragraph shall be used to increase the member's retirement allowance.

c. Credit for previous service. In computing the years of total creditable service for each member described herein, full credit shall be given and full allowance shall be made for service rendered as a police officer or state university peace officer or member of a police force or department of a state park authority or commission or an organized police force or department of a county, city, town, village, police district, authority or other participating employer or member of the capital police force in the office of general services while a member of the New York state and local police and fire retirement system, of the New York state and local employees' retirement system or of the New York city police pension fund and for all service for which full credit has been given and full allowance made pursuant to the provisions of section three hundred seventy-five-h of this article provided, however, that full credit pursuant to the provisions of such section shall mean only such service as would be creditable service pursuant to the provisions of section three hundred eighty-three, three hundred eighty-three-a, three hundred eighty-three-b, as added by chapter six hundred seventy-four of the laws of nineteen hundred eighty-six, three hundred eighty-three-b, as added by chapter six hundred seventy-seven of the laws of nineteen hundred eighty-six, three hundred eighty-three-c or three hundred eighty-three-d of this title or pursuant to the provisions of title thirteen of the administrative code of the city of New York for any member contributing pursuant to this section who transferred to the jurisdiction of the department of environmental conservation including but not limited to environmental conservation officers and forest rangers, regional state park police or state university of New York peace officers.

d. Retirement for cause. Upon receipt of a certificate from the head of the entity where such member is employed or such member's designee, a member as described in subdivision a of this section, who has accrued twenty-five or more years of service credit under this section shall be retired on the first day of the second month next succeeding the date such certificate was filed with the comptroller.

e. Credit for military service. In computing the years of total creditable service full credit shall be given and full allowance shall be made for service of such member in war after world war I as defined in section three hundred two of this article, provided such member at the

time of such member's entrance into the armed forces was in police service as defined in subdivision eleven of section three hundred two of this article.

f. Transfer of membership to employees' retirement system. Any member currently enrolled pursuant to this section and who previously transferred service credit from the New York state and local employees' retirement system to the New York state and local police and fire retirement system, may elect to transfer such previously transferred service credit back to the New York state and local employees' retirement system, and such member shall have the option to retroactively transfer such member's membership into such employees' retirement system.

g. The provisions of this section shall be controlling, notwithstanding any provision of this article to the contrary.

§ 383-f. Retirement of officers of state law enforcement; alternative twenty-five year retirement plan. a. Membership. Every non-seasonally appointed sworn member or officer of the division of law enforcement in the department of environmental conservation, a forest ranger in the service of the department of environmental conservation, which shall mean a person who serves on a full-time basis in the title of forest ranger I, forest ranger II, forest ranger III, assistant superintendent of forest fire control, or any successor titles or new titles in the forest ranger title series in the department of environmental conservation, a police officer in the department of environmental conservation, the regional state park police, and university police officers whose date of membership is prior to January first, two thousand ten shall be covered by the provisions of this section, and every member described in this subdivision in such service within one year of the effective date of this section or within one year of employment in an eligible title, whichever is later, may elect to be covered by the provisions of this section by filing an election therefor with the comptroller. Upon completion of twenty-five years of such service and upon retirement, each such member shall receive a pension which, together with an annuity, if any, which shall be the actuarial equivalent of such member's accumulated contributions at the time of their retirement and an additional pension which is the actuarial equivalent of the reserve-for-increased-take-home-pay to which such member may then be entitled, if any, shall be sufficient to provide such member with a retirement allowance equal to fifty-eight percent of their final average salary. To be effective, such election must be duly executed and acknowledged on a form prepared by the comptroller for such purpose.

b. Retirement allowance. 1. A member, covered by the provisions of this section at the time of retirement, shall be entitled to retire upon completion of twenty-five years of total creditable service in such titles by filing an application therefor in a manner similar to that provided in section three hundred seventy of this article.

2. Upon completion of more than twenty-five years of such service and upon retirement, each such member shall receive, for each year of service in excess of twenty-five, an additional pension which, together with an annuity for each such year as provided in paragraph three of this subdivision, shall be equal to one-sixtieth of their final average salary, provided, however, that the pension payable pursuant to this section shall not exceed three-quarters of such member's final average salary.

3. The annuity provided under paragraph two of this subdivision shall be the actuarial equivalent, at the time of retirement, of the member's

accumulated contributions based upon the rate of contributions fixed under section three hundred eighty-three of this title and upon the salaries earned while in such service. Such annuity shall be computed as it would be if it were not reduced by the actuarial equivalent of any outstanding loan nor by reason of the member's election to decrease such member's contributions for old age and survivor's insurance. Any accumulated contributions in excess of the amount required to provide the annuity computed pursuant to this paragraph shall be used to increase the member's retirement allowance.

c. Credit for previous service. In computing the years of total creditable service for each member described herein, full credit shall be given and full allowance shall be made for service rendered as a police officer or state university peace officer or member of a police force or department of a state park authority or commission or an organized police force or department of a county, city, town, village, police district, authority or other participating employer or member of the capital police force in the office of general services while a member of the New York state and local police and fire retirement system, of the New York state and local employees' retirement system or of the New York city police pension fund and for all service for which full credit has been given and full allowance made pursuant to the provisions of section three hundred seventy-five-h of this article provided, however, that full credit pursuant to the provisions of such section shall mean only such service as would be creditable service pursuant to the provisions of section three hundred eighty-three, three hundred eighty-three-a, three hundred eighty-three-b, as added by chapter six hundred seventy-four of the laws of nineteen hundred eighty-six, three hundred eighty-three-b, as added by chapter six hundred seventy-seven of the laws of nineteen hundred eighty-six, three hundred eighty-three-c or three hundred eighty-three-d of this title or pursuant to the provisions of title thirteen of the administrative code of the city of New York for any member contributing pursuant to this section who transferred to the jurisdiction of the department of environmental conservation including but not limited to environmental conservation officers and forest rangers, regional state park police or state university of New York peace officers.

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

PART MMM

Section 1. Subdivision 1, paragraphs (c), (d) and (e) of subdivision 6 and subdivisions 10 and 13 of section 5-900 of the election law, as amended by chapter 37 of the laws of 2021, are amended to read as follows:

1. In addition to any other method of voter registration provided for by this chapter, state and local agencies designated in subdivisions thirteen and fourteen of this section shall provide to the state board of elections voter registration qualification information associated with each person who submits an application for services or assistance at such agency, including a renewal, recertification, or reexamination transaction at such agency, and each person who submits a change of address or name form. [~~For the purposes of the department of motor vehicles, "application for services or assistance at such agency" refers only to an application for a motor vehicle driver's license, a driver's license renewal or an identification card if such card is issued by the~~

~~department of motor vehicles in its normal course of business.~~] For purposes of the New York city housing authority "application for services or assistance at such agency" refers only to applications that reach an eligibility interview and reexamination transactions. Such designated agencies shall ensure agency applications substantially include all of the elements required by section 5-210 of this article, including the appropriate attestation, so that persons completing such applications shall be able to also submit an application to register to vote through the electronic voter registration transmittal system. For purposes of this section, "agency" shall mean any state or local agency, department, division, office, institution or other entity designated in subdivision thirteen of this section or designated by the governor pursuant to subdivision fourteen of this section. For purposes of this section, registration shall also include pre-registration pursuant to section 5-507 of this article.

(c) include a box for the applicant to check to indicate whether the applicant would like to decline to register to vote along with the following statement**, or its substantial equivalent,** in prominent type, "IF YOU DO NOT CHECK THIS BOX, AND YOU PROVIDE YOUR SIGNATURE ON THE SPACE BELOW, YOU WILL HAVE APPLIED TO REGISTER OR PRE-REGISTER TO VOTE, AND YOU WILL HAVE ATTESTED TO YOUR ELIGIBILITY TO REGISTER OR PRE-REGISTER TO VOTE."

(d) include the following warning statement**, or its substantial equivalent,** in prominent type, "IF YOU ARE NOT A CITIZEN OF THE UNITED STATES, YOU MUST CHECK THE BOX BELOW. NON-CITIZENS WHO REGISTER OR PRE-REGISTER TO VOTE MAY BE SUBJECT TO CRIMINAL PENALTIES AND SUCH VOTER REGISTRATION OR PRE-REGISTRATION MAY RESULT IN DEPORTATION OR REMOVAL, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF NATURALIZATION.";

(e) include a space for the applicant to indicate the applicant's choice of party enrollment, with a clear alternative provided for the applicant to decline to affiliate with any party and the following statement**, or its substantial equivalent,** in prominent type "ONLY ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMARIES".

10. A voter shall be able to decline to register to vote using an integrated application by selecting a single check box, or equivalent, which shall include the following statement**, or its substantial equivalent**: "I DECLINE USE OF THIS FORM FOR VOTER REGISTRATION AND PRE-REGISTRATION PURPOSES. DO NOT FORWARD MY INFORMATION TO THE BOARD OF ELECTIONS."

13. [~~Beginning January first, two thousand twenty-three, designated agencies for purposes of this section shall include the department of motor vehicles.~~] Beginning January first, two thousand twenty-four, designated agencies for the purposes of this section shall [~~also~~] include the department of health, the office of temporary and disability assistance, the department of labor, the office of adult career and continuing education services - vocational rehabilitation, county and city departments of social services, and the New York city housing authority, as well as any other agency designated by the governor. **Provided that, any transactions with the department of health or county and city departments of social services involving Medicaid enrollment shall be processed pursuant to section 5-901-a of this title, in place of this section.** Beginning January first, two thousand twenty-five, designated agencies for the purposes of this section shall also include the state university of New York. Each designated agency shall enter

into an agreement with the state board of elections finalizing the format and content of electronic transmissions required by this section. The state board of elections shall prepare and distribute to designated agencies written instructions as to the implementation of the program and shall be responsible for establishing training programs for employees of designated agencies listed in this section. Such instructions and such training shall ensure usability of the integrated application for low English proficiency voters. Any such designated agency shall take all actions that are necessary and proper for the implementation of this section, including facilitating technological capabilities to allow transmission of data through an interface with the electronic voter registration transmittal system in a secure manner.

§ 2. The election law is amended by adding a new section 5-901 to read as follows:

§ 5-901. Procedures specific to the department of motor vehicles. 1. Beginning January first, two thousand twenty-eight, the department of motor vehicles shall utilize the automatic voter registration procedures established by this section for each person who conducts any of the following REAL ID or Enhanced license transactions: an application for a motor vehicle driver's license or an identification card, or any renewal, recertification, or reexamination transaction for such documents, or any change of address or name form for such documents. Prior to January first, two thousand twenty-eight, the department of motor vehicles shall utilize the procedures required under section 5-900 of this title for such transactions. Beginning January first, two thousand twenty-nine, the department of motor vehicles shall utilize the automatic voter registration procedures established by this section for each person who conducts any of the following standard license transactions: an application for a motor vehicle driver's license or an identification card, or any renewal, recertification, or reexamination transaction for such documents, or any change of address or name form for such documents. Prior to January first, two thousand twenty-nine, the department of motor vehicles shall utilize the procedures required under section 5-900 of this title for such standard license transactions.

2. (a) Except as provided in paragraph (c) of this subdivision, where a person conducts a department of motor vehicles transaction pursuant to subdivision one of this section and such person has provided documentation to the department of motor vehicles conclusively demonstrating United States citizenship and is of sufficient age to register or preregister to vote, the department of motor vehicles shall promptly transmit electronically to the state board of elections the following information regarding such person:

(i) such person's name;

(ii) such person's date of birth;

(iii) such person's driver's license or state ID number;

(iv) such person's residence address, and mailing address if different from such residence address;

(v) such person's county of residence;

(vi) such person's citizenship status;

(vii) an electronic copy of such person's manual signature that is in the custody of the department of motor vehicles;

(viii) the date of such person's transaction with the department of motor vehicles;

(ix) such person's gender, if available;

(x) such person's telephone number, if available; and

(xi) such person's e-mail address, if available.

(b) The department of motor vehicles and the state board of elections shall jointly determine which documents acceptable for transactions pursuant to subdivision one of this section conclusively demonstrate United States citizenship.

(c) The department of motor vehicles shall not transmit information pursuant to paragraph (a) of this subdivision for any person who is a program participant in the address confidentiality program pursuant to section one hundred eight of the executive law.

(d) Upon receiving information pursuant to paragraph (a) of this subdivision for a person who is not registered to vote in New York state and who is of sufficient age to register or pre-register to vote, unless the state board of elections has evidence that such person is a program participant in the address confidentiality program pursuant to section one hundred eight of the executive law, the state board of elections shall electronically forward such information to the board of elections of the county or the city of the person's residence address for registration or pre-registration consistent with this chapter.

(e) (i) Upon receiving information pursuant to paragraph (d) of this subdivision, a county or city board of elections shall register or pre-register the person to vote pursuant to section 5-210 of this article effective as of the date of such person's transaction with the department of motor vehicles. The county or city board of elections shall promptly send to such person's mailing address, by non-forwardable mail, a notice that such person has been registered to vote, or pre-registered to vote, if applicable, that contains a postage paid preaddressed return form by which such person may decline to be registered or pre-registered. Such notice shall be combined with the notice required pursuant to subdivision one of section 5-308 of this article and shall also offer such person the opportunity to enroll with a party. Such notice shall also include a statement that, if such person declines to register or pre-register to vote, the fact that such person has declined registration or pre-registration will remain confidential and will be used only for election administration purposes, and a statement that, if such person does not decline registration or pre-registration, the office at which such person was registered or pre-registered will remain confidential and will be used only for election administration purposes. Such notice shall also provide information and procedures for anyone wishing to prevent disclosure of their residence address, including information regarding the address confidentiality program for victims of domestic violence under section 5-508 of this article. The notice required by this subparagraph may be combined with the notice provided to newly registered voters pursuant to subdivision nine of section 5-210 of this article.

(ii) Notwithstanding any other provision of this article, a person of sufficient age to register to vote whose information is transmitted to a county or city board pursuant to subparagraph (i) of this paragraph shall be registered to vote for an election if the date of such person's transaction with the department of motor vehicles pursuant to subdivision one of this section occurs by the twelfth day before such election and such person's information is transmitted to the county or city board by the tenth day before such election. A person whose transaction with the department of motor vehicles occurs within thirty days of an election shall be required to affirm before voting that such person has resided in such person's county, city, or village for at least thirty days before such election. Such affirmation shall be available at the time of voting and at the time of requesting an early mail or absentee

ballot. A voter who signs an affirmation pursuant to this subparagraph shall not be challenged or required to vote an affidavit ballot on the grounds that such voter signed such affirmation.

(f) (i) If a person returns the notice provided under subparagraph (i) of paragraph (e) of this subdivision and declines to be registered or pre-registered to vote, such person's registration or pre-registration shall be canceled, and such person shall be deemed to have not registered or pre-registered. However, if such person has voted in an election after the transmission of such person's information but before the notice is returned, the returned form shall be of no effect and such person shall remain registered as of the date of such person's transaction with the department of motor vehicles. Information relating to the return of a notice form declining to be registered or pre-registered shall not be used for any purpose other than election administration.

(ii) Notwithstanding subdivision two of section 5-304 of this article, if a person returns the notice provided under subparagraph (i) of paragraph (e) of this subdivision and elects to enroll in a party, such enrollment shall take effect immediately. However, any pre-registrant's registration shall remain classified as "pending" until the voter reaches the age of eligibility.

(iii) If a person returns the notice provided under subparagraph (i) of paragraph (e) of this subdivision but does not select any options, the returned notice shall be of no force and effect, and such person shall remain registered to vote, or pre-registered to vote, if applicable.

3. (a) The department of motor vehicles shall not provide an opportunity to register or pre-register to vote or transmit any information to the board of elections for purposes of voter registration for any person who, when conducting a department of motor vehicles transaction pursuant to subdivision one of this section, provides documentation conclusively demonstrating that such person is not a United States citizen. The department of motor vehicles and the state board of elections shall jointly determine which documents acceptable for transactions pursuant to subdivision one of this section conclusively demonstrate that a person is not a United States citizen.

(b) For any person who conducts a department of motor vehicles transaction pursuant to subdivision one of this section whose information is not already subject to transmission to the state board of elections pursuant to paragraph (a) of subdivision two of this section and who does not provide documentation at the time of such person's transaction conclusively demonstrating that such person is not a United States citizen, the department of motor vehicles transaction shall provide an integrated voter registration opportunity as part of such transaction. For purposes of this paragraph, registration shall also include pre-registration pursuant to section 5-507 of this article.

(c) The department shall ensure agency applications pursuant to paragraph (b) of this subdivision include all of the elements required by section 5-210 of this article, including the appropriate attestation, so that persons completing such applications shall be able to also submit an application to register to vote through the electronic voter registration transmittal system.

(d) The integrated voter registration opportunity shall:

(i) include a statement of the eligibility requirements for voter registration and shall require an applicant to attest that such applicant meets such requirements under penalty of perjury;

(ii) inform an applicant, in print identical to that used in the attestation section, of the following:

(A) voter eligibility requirements;

(B) penalties for submission of a false registration application;

(C) that the office where such applicant applies for registration shall remain confidential and the voter registration information shall be used only for voter registration purposes;

(D) that if such applicant applies to register to vote electronically, such applicant thereby consents to the use of an electronic copy of such applicant's manual signature that is in the custody of the department of motor vehicles, as such applicant's voter registration exemplar signature;

(E) if such applicant signs the application and affirmatively selects the voter registration option, such applicant thereby consents to the use of any information required to complete the voter registration application; and

(F) if such applicant declines to register, such applicant's declination shall remain confidential and be used only for voter registration purposes;

(iii) require an applicant who attests to the eligibility requirements for voter registration to either affirmatively select or affirmatively decline voter registration as a necessary condition to complete the application pursuant to subdivision one of this section;

(iv) include the following warning statement, or its substantial equivalent, in prominent type, "IF YOU ARE NOT A CITIZEN OF THE UNITED STATES, DO NOT SELECT THE OPTION TO REGISTER TO VOTE. NON-CITIZENS WHO REGISTER OR PRE-REGISTER TO VOTE MAY BE SUBJECT TO CRIMINAL PENALTIES AND SUCH VOTER REGISTRATION OR PRE-REGISTRATION MAY RESULT IN DEPORTATION OR REMOVAL, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF NATURALIZATION.";

(v) include a space for an applicant to indicate such applicant's choice of party enrollment, with a clear alternative provided for such applicant to decline to affiliate with any party and the following statement, or its substantial equivalent, in prominent type "ONLY ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMARIES."; and

(vi) include a statement that if an applicant is a victim of domestic violence or stalking, such applicant may contact the state board of elections before or after registering or pre-registering to vote in order to receive information regarding the address confidentiality program for victims of domestic violence under section 5-508 of this article.

(e) For each person who completes an application to register to vote pursuant to paragraph (d) of this subdivision, who attests to the eligibility requirements for voter registration, and affirmatively selects voter registration pursuant to subparagraph (iii) of paragraph (d) of this subdivision, the department of motor vehicles shall electronically transmit to the state board of elections through an interface with the electronic voter registration transmittal system established and maintained by the state board of elections such portion of the application that includes voter registration information. If such person is not already registered to vote in New York state, the state board of elections shall electronically forward such application to the applicable board of elections of each county or the city of New York for registration consistent with this chapter. The department shall not transmit to the state board of elections an application for registration for a

person who indicates on the integrated personal voter registration application that such person does not meet the eligibility requirements for registration.

(f) An integrated voter registration application submitted to the department of motor vehicles in an electronic format shall be transmitted to the state board of elections through the electronic voter registration transmittal system and shall include all of the voter registration data elements, including electronic signature, as applicable, and record of attestation of the accuracy of the voter registration information and any relevant document images.

(g) An integrated voter registration form submitted to the department of motor vehicles in paper format shall be transmitted to the state board of elections through the electronic voter registration transmittal system by converting the paper form to an image file or a portable document format file which shall thereafter be deemed the original form for voter registration and enrollment purposes. The department shall retain the complete original paper application for no less than two years. The transmittal of the converted paper application may include or be accompanied by data elements and transmittal information as required by the rules and regulations of the state board of elections.

(h) The department shall redact or remove from the completed integrated application to be transmitted to the state board of elections any information solely applicable to the agency application.

(i) Information from an applicant relevant to both voter registration and the department application shall be entered by the applicant only once upon an electronic application.

(j) Information concerning the citizenship status of individuals, when collected and transmitted pursuant to this subdivision, shall not be retained, used, or shared for any other purpose except as may be required by law.

(k) For each person who attests to the eligibility requirements for voter registration, but who does not affirmatively select voter registration pursuant to subparagraph (iii) of paragraph (d) of this subdivision, the department of motor vehicles shall electronically transmit to the state board of elections through an interface with the electronic voter registration transmittal system established and maintained by the state board of elections such portion of the application that includes voter registration information with a clear designation that such information shall be used only for the purpose of updating existing registration records.

4. (a) If information is received by the state board of elections from the department of motor vehicles pursuant to paragraph (a) of subdivision two or paragraph (e) or (k) of subdivision three of this section for a person who is already registered or pre-registered to vote in New York state, the state board of elections shall determine whether the information provided to the department of motor vehicles indicates a different name, residence address, or mailing address from that on such person's registration record.

(b) If information provided to the department of motor vehicles pursuant to paragraph (a) of subdivision two or paragraph (e) or (k) of subdivision three of this section indicates a different name, residence address, or mailing address for a registered or pre-registered voter from that on such person's registration record, the state board of elections shall electronically transmit the updated name or address for such person to the appropriate board of elections for such person's residence. If such person has changed residence from one county to

another, the state board of elections shall electronically transmit such information to both the board of the previous county or city of residence and the new county or city of residence. The board of elections in such person's county or city of residence shall use the information transmitted by the board to update such person's existing voter registration record, transfer the person's registration, if inactive, to active status, and send to such person's address of record the notice required under subdivision five of section 5-208 of this article. The board of elections in any previous county or city of residence shall update such person's voter registration record to reflect that such person has moved to a different county.

(c) If a person returns the notice required under paragraph (b) of this subdivision and indicates that the change to such person's registration record was in error, the appropriate boards of elections, including the board of the previous county or city of residence, shall promptly correct such person's previously updated information in the statewide voter registration list.

(d) Any application pursuant to subdivision one of this section shall inform the applicant that if such applicant is already registered or pre-registered to vote in New York state, the name, residence address, and mailing address provided on the application shall be used to update such person's registration record and that such person shall receive notice of any update by mail, along with information on how to correct such update, if needed.

5. The state board of elections shall prepare and distribute to the department of motor vehicles written instructions as to the implementation of this section and shall be responsible for establishing training programs for employees of the department of motor vehicles. Such instructions and such training shall ensure usability of the integrated application in subdivision three of this section for low-English proficiency voters. The department of motor vehicles shall take all actions that are necessary and proper for the implementation of this section, including facilitating technological capabilities to allow transmission of data through an interface with the electronic voter registration transmittal system in a secure manner.

6. The state board of elections may promulgate rules and regulations for the administration of this section.

7. Nothing in this section shall be construed to require documentary proof of citizenship for voter registration. Nothing in this section shall be construed to authorize or require the department of motor vehicles to request documentation establishing an applicant's citizenship solely for the purposes of voter registration.

8. The state board of elections shall publicly release data reports, as described in this subdivision, on a monthly basis. Such data reports shall not include any personally identifying information, shall be subcategorized by gender and age of the individuals included, and shall include all of the following information:

(a) The number of individuals registered to vote or pre-registered to vote under the procedures in subdivision two of this section.

(b) The number of individuals registered to vote or pre-registered to vote under the procedures in subdivision three of this section.

(c) The number of individuals who declined voter registration or pre-registration under the procedures in subdivision two of this section.

(d) The number of individuals who declined voter registration or pre-registration under the procedures in subdivision three of this section.

(e) The number of individuals whose voter registration or pre-registration was updated pursuant to the procedures in subdivision four of this section.

§ 3. The election law is amended by adding a new section 5-901-a to read as follows:

§ 5-901-a. Procedures specific to Medicaid enrollment. 1. Subject to any modifications necessary to comply with applicable federal laws and regulations including such modifications under subdivision two of this section, beginning January first, two thousand twenty-eight, the department of health and county and city departments of social services shall automatically and electronically transmit the following information to the state board of elections for purposes of voter registration and pre-registration for each person who applies for or re-enrolls in Medicaid, who is of sufficient age to register or pre-register to vote, and who is externally verified as a United States citizen as part of an application for Medicaid:

(a) such person's name;

(b) such person's date of birth;

(c) the last four digits of such person's social security number;

(d) such person's residence address, and mailing address if different from the residence address;

(e) such person's county of residence;

(f) such person's citizenship status;

(g) an electronic copy of such person's manual signature, if available;

(h) the date of such person's application or re-enrollment transaction;

(i) such person's gender, if available;

(j) such person's telephone number, if available; and

(k) such person's e-mail address, if available.

2. If necessary to comply with federal law, before transmitting a person's information to the state board of elections for purposes of voter registration pursuant to subdivision one of this section, the department of health and county and city departments of social services or their designees shall, within fifteen days of such person's application or re-enrollment transaction, notify by mail such person whose data is subject to transmission pursuant to subdivision one of this section and provide such person an opportunity to decline transmission. Such notice shall be sent to such person's mailing address by non-forwardable mail, notify such person that such person's information will be shared with election officials for purposes of keeping voter registration records complete and accurate, and contain a postage paid preaddressed return form by which such person may decline transmission of such person's data to the state board of elections. If such person returns such notice within seventeen days of mailing and declines transmission of such person's information, such person's information shall not be transmitted to the state board of elections for purposes of voter registration. If such person does not return the notice provided under this subdivision and declines transmission of such person's information within seventeen days of mailing, such person's information shall be transmitted to the state board of elections within three days for purposes of voter registration.

3. In processing information received the department of health and county and city departments of social services pursuant to subdivision one of this section, the state board of elections and boards of elections for each county or the city of New York shall comply with the

requirements established in subdivisions two and four of section 5-901 of this title. Provided that, a person of sufficient age to register to vote whose information is transmitted to a county or city board pursuant to this section shall be registered to vote for an election if the information is transmitted to the county or city board by the tenth day before such election.

4. Prior to January first, two thousand twenty-eight, the department of health and county and city departments of social services shall utilize the procedures required under section 5-900 of this title for Medicaid enrollment transactions.

§ 4. Section 5-902 of the election law, as amended by chapter 37 of the laws of 2021, is amended to read as follows:

§ 5-902. Failure to receive exemplar signature not to prevent registration. If a voter registration exemplar signature is not received from an applicant who submits a voter registration or pre-registration application or is otherwise registered or pre-registered to vote pursuant to this title and such signature exemplar is not otherwise available from the statewide voter registration database or a state or local agency, the local board of elections shall, absent another reason to reject the application, proceed to register or pre-register and, as applicable, enroll the applicant. Within ten days of such action, the board of elections shall send a standard form promulgated by the state board of elections to the voter whose record lacks an exemplar signature, requiring such voter to submit a signature for identification purposes. The voter shall submit to the board of elections a voter registration exemplar signature by any one of the following methods: in person, by mail with return postage paid provided by the board of elections, by electronic mail, or by electronic upload to the board of elections through the electronic voter registration transmittal system. If such voter does not provide the required exemplar signature, when the voter appears to vote the voter shall be entitled to vote by affidavit ballot.

§ 5. The opening paragraphs of subdivisions 1 and 2 of section 5-904 of the election law, as amended by chapter 37 of the laws of 2021, are amended to read as follows:

Notwithstanding subdivision six of section 5-210 of this article or any other law to the contrary, a person who is ineligible to vote who fails to decline to register or pre-register to vote in accordance with the provisions of this [~~section~~] title or who is otherwise registered or pre-registered to vote in accordance with the provisions of this title, and who did not willfully and knowingly seek to register or pre-register to vote knowing that the person is not eligible to do so:

Notwithstanding subdivision six of section 5-210 of this article or any other law to the contrary, a person who is ineligible to vote who fails to decline to register or pre-register to vote in accordance with the provisions of this [~~section~~] title or who is otherwise registered or pre-registered to vote in accordance with the provisions of this title, and who then either votes or attempts to vote in an election held after the effective date of that person's registration, and who did not willfully and knowingly seek to register or pre-register to vote knowing that the person is not eligible to do so, and did not subsequently vote or attempt to vote knowing that the person is not eligible to do so:

§ 6. Subdivisions 1 and 2 of section 5-308 of the election law, as amended by chapter 37 of the laws of 2021, are amended to read as follows:

1. The board of elections shall, promptly and not later than twenty-one days after receipt of a voter registration or pre-registration

application submitted pursuant to title nine of this article by a voter registering or pre-registering for the first time, send any such voter who did not enroll in a party a notice and a form to indicate party enrollment. Such notice shall offer the voter the opportunity to enroll with a party or to decline to enroll with a party and contain the following statement in prominent type "ONLY ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMARIES." Such form shall provide a clear alternative for the applicant to decline to affiliate with any party. **If the board of elections has not received a response to the party enrollment notice and form sent pursuant to this subdivision, or to a notice sent pursuant to subparagraph (i) of paragraph (e) of subdivision two of section 5-901 of this article within forty-five days of a person's registration, the board shall mail a second party enrollment notice and form to such person.**

2. Notwithstanding subdivision two of section 5-304 of this title, if a voter who registered to vote for the first time (or pre-registered) pursuant to title nine of this article responds to **either of** the [~~notice~~] **notices** required by subdivision one of this section and elects to enroll in a party, such enrollment shall take effect immediately. However, any pre-registrant's registration shall remain classified as "pending" until the voter reaches the age of eligibility.

§ 7. This act shall take effect January 1, 2028.

PART NNN

Section 1. Section 43 of the retirement and social security law is amended by adding a new subdivision m to read as follows:

m. 1. Notwithstanding any other law, rule or regulation to the contrary, any member in the title of deputy sheriff who provided police protection or correction officer service transferring from the New York state and local employees' retirement system to the New York state and local police and fire retirement system after the effective date of this subdivision and any member previously in the title of deputy sheriff who provided police protection or correction office service having made such transfer shall be entitled to a determination of the amount of service credit that is eligible on a twenty year or twenty-five year retirement plan if, within one year of the date on which such deputy sheriff first became a member of the New York state and local police and fire retirement system or within one year of the effective date of this subdivision, such member elects to do so. If the member subsequently transfers back to the New York state and local employees' retirement system, the full amount of service credit earned while in the title of deputy sheriff who provided police protection or correction officer service shall be transferred back to the New York state and local employees' retirement system.

2. The calculation of the amount of such service credit for a member will be determined by multiplying the eligible service credited while in the title of deputy sheriff who provided police protection or correction officer service in the New York state and local employees' retirement system plan by a salary multiplier, reflecting the rate of salary in the New York state and local employees' retirement system plan relative to the rate of salary in the New York state and local police and fire retirement system plan, and a billing rate multiplier, reflecting the actuarial long-term average billing rate in the New York state and local employees' retirement system plan relative to the actuarial long-term average billing rate in the New York state and local police and fire

retirement system plan. The determination of the salary multiplier and billing rate multiplier will be determined by the actuary of the New York state and local employees' retirement system and the New York state and local police and fire retirement system. The amount of such service credited to the member in the New York state and local police and fire retirement system plan shall not exceed the amount of service credited to the member while in the title of deputy sheriff who provided police protection or correction officer service in the New York state and local employees' retirement system plan.

§ 2. Section 343 of the retirement and social security law is amended by adding a new subdivision j to read as follows:

j. 1. Notwithstanding any other law, rule or regulation to the contrary, any member in the title of deputy sheriff who provided police protection or correction officer service transferring from the New York state and local employees' retirement system to the New York state and local police and fire retirement system after the effective date of this subdivision and any member previously in the title of deputy sheriff who provided police protection or correction officer service having made such transfer shall be entitled to a determination of the amount of service credit that is eligible on a twenty year or twenty-five year retirement plan if, within one year of the date on which such deputy sheriff first became a member of the New York state and local police and fire retirement system or within one year of the effective date of this subdivision, such member elects to do so. If the member subsequently transfers back to the New York state and local employees' retirement system, the full amount of service credit earned while in the title of deputy sheriff who provided police protection or correction officer service shall be transferred back to the New York state and local employees' retirement system.

2. The calculation of the amount of such service credit for a member will be determined by multiplying the eligible service credited while in the title of deputy sheriff who provided police protection or correction officer service in the New York state and local employees' retirement system plan by a salary multiplier, reflecting the rate of salary in the New York state and local employees' retirement system plan relative to the rate of salary in the New York state and local police and fire retirement system plan, and a billing rate multiplier, reflecting the actuarial long-term average billing rate in the New York state and local employees' retirement system plan relative to the actuarial long-term average billing rate in the New York state and local police and fire retirement system plan. The determination of the salary multiplier and billing rate multiplier will be determined by the actuary of the New York state and local employees' retirement system and the New York state and local police and fire retirement system. The amount of such service credited to the member in the New York state and local police and fire retirement system plan shall not exceed the amount of service credited to the member while in the title of deputy sheriff who provided police protection or correction officer service in the New York state and local employees' retirement system plan.

3. If such member subsequently retires on an age based retirement plan in the New York state and local police and fire retirement system instead of a twenty year or twenty-five year plan, the full amount of service credit earned while in the title of deputy sheriff shall be granted.

4. No member who receives service credit pursuant to this subdivision shall be eligible to receive additional service credit pursuant to

subdivision b of section three hundred eighty-four-e of this article if such deputy sheriff's employer has elected to provide such service credit.

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

PART OOO

Section 1. Section 3 of part HH of chapter 56 of the laws of 2022 amending the retirement and social security law relating to waiving approval and income limitations on retirees employed in school districts and board of cooperative educational services, as amended by section 1 of part GG of chapter 55 of the laws of 2024, is amended to read as follows:

§ 3. This act shall take effect immediately and shall expire and be deemed repealed June 30, [~~2025~~] **2027**.

§ 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.

PART PPP

Section 1. 1. New York state aid and incentives for municipalities redesign task force. There is hereby created the aid and incentives for municipalities redesign task force whose membership shall consist of 7 members: the director of the division of the budget or such director's designee as chair; the comptroller or such comptroller's designee; the executive director of the New York State Conference of Mayors or such director's designee; the executive director of the New York State Association of Counties or such director's designee; the executive director of the New York State Association of Towns or such director's designee; one member appointed by the temporary president of the senate; and one member appointed by the speaker of the assembly. The task force shall report to the governor, the speaker of the assembly and the temporary president of the senate no later than one year after the effective date of this act. Such report shall include, but not be limited to:

(a) A review and analysis of the current aid and incentives for municipalities formula and allocations;

(b) An analysis of available alternatives to the current aid and incentives for municipalities formula and allocations, including models from other states; provided however, that such alternatives shall include the allocation of funds to any municipality which is not currently receiving aid and incentives for municipalities funding;

(c) Recommendations concerning such alternatives to the formula used to determine future aid and incentives to municipalities funding allocations; provided however, that such recommendations shall include the allocation of funds to any municipality which is not currently receiving aid and incentives for municipalities funding; and

(d) Any other information the task force deems necessary or relevant.

2. All appointments to the task force shall be made no later than sixty days after the effective date of this act. Any vacancy shall be filled by the appointing authority. The task force shall meet as frequently as it deems necessary prior to issuing its findings and recommendations. The members of the task force shall serve without compensation, except that members shall be allowed their necessary and actual expenses incurred in the performance of their duties under this section. The department of taxation and finance and the division of the budget shall provide the task force with such data as the task force may request to carry out its powers and duties. To the extent practicable, such data shall be provided in a format in accordance with the standards outlined in the New York State Open Data Handbook pursuant to executive order 95 of the laws of 2013. The task force may consult with any public or private entity it deems necessary in order to assist the task force with information gathering, analysis, and formulating its conclusions and recommendations.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed December 31, 2026.

PART QQQ

Section 1. Subparagraph (ii) of paragraph p of subdivision 10 of section 54 of the state finance law, as amended by section 1 of part CC of chapter 55 of the laws of 2018, is amended to read as follows:

(ii) Within the annual amounts appropriated therefor, surviving municipalities following a consolidation or dissolution occurring on or after the state fiscal year commencing April first, two thousand seven, and any new coterminous town-village established after July first, two thousand twelve that operates principally as a town or as a village but

not as both a town and a village, shall be awarded additional annual aid, starting in the state fiscal year following the state fiscal year in which such reorganization took effect, equal to [~~fifteen~~] **thirty** percent of the combined amount of real property taxes levied by all of the municipalities participating in the reorganization in the local fiscal year prior to the local fiscal year in which such reorganization took effect. In instances of the dissolution of a village located in more than one town, such additional aid shall equal the sum of [~~fifteen~~] **thirty** percent of the real property taxes levied by such village in the village fiscal year prior to the village fiscal year in which such dissolution took effect plus [~~fifteen~~] **thirty** percent of the average amount of real property taxes levied by the towns in which the village was located in the town fiscal year prior to the town fiscal year in which such dissolution took effect, and shall be divided among such towns based on the percentage of such village's population that resided in each such town as of the most recent federal decennial census. In no case shall the additional annual aid pursuant to this paragraph exceed [~~one~~] **three** million dollars. For villages in which a majority of the electors voting at a referendum on a proposed dissolution pursuant to section seven hundred eighty of the general municipal law vote in favor of dissolution after December thirty-first, two thousand seventeen, in no case shall the additional annual aid pursuant to this paragraph exceed the lesser of [~~one~~] **three** million dollars or the amount of real property taxes levied by such village in the village fiscal year prior to the village fiscal year in which such dissolution took effect. Such additional annual aid shall be apportioned and paid to the chief fiscal officer of each eligible municipality on or before September twenty-fifth of each such state fiscal year on audit and warrant of the state comptroller out of moneys appropriated by the legislature for such purpose to the credit of the local assistance fund.

§ 2. This act shall take effect immediately, and shall apply to tax years beginning on or after January 1, 2025.

PART RRR

Section 1. Section 854 of the general municipal law is amended by adding a new subdivision 22 to read as follows:

(22) "Labor organization"--shall mean any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection and which is not a company union.

§ 2. Subdivision 2 of section 856 of the general municipal law, as amended by chapter 356 of the laws of 1993, is amended to read as follows:

2. **(a)** An agency shall be a corporate governmental agency, constituting a public benefit corporation. Except as otherwise provided by special act of the legislature, an agency shall consist of not less than three nor more than seven members who shall be appointed by the governing body of each municipality and who shall serve at the pleasure of the appointing authority. **If the initial addition of the mandatory members required pursuant to paragraph (b) of this subdivision would increase the agency size to above the maximum seven-member limit, the agency may temporarily increase its size to allow for the addition of such mandatory members. Provided, however, that such agency size shall decrease to**

seven or fewer members as the seats of non-mandatory members are vacated.

(b) Such members may include representatives of local government [~~school~~] and business, and shall at least include a representative of a local labor organization and either a school district superintendent or a representative of a school board. A member shall continue to hold office until [~~his~~] their successor is appointed and has qualified. The governing body of each municipality shall designate the first [~~chairman~~] chairperson and file with the secretary of state a certificate of appointment or reappointment of any member. Such members shall receive no compensation for their services but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of their duties.

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

PART SSS

Section 1. This act shall be known and may be cited as the "Oak Orchard wastewater project act".

§ 2. Definitions. For the purposes of this act, the following terms shall have the following meanings:

1. "Oak Orchard wastewater project" or "project" shall mean, in conformity with the requirements of this act, any and all phases of planning, development, financing, design, construction, expansion, improvements, repairs which are undertaken in whole or in part by the county for the wastewater treatment plant known as the "Oak Orchard wastewater treatment plant" located at 4300 Oak Orchard Road in the Town of Clay, Onondaga county, SBL No. 031.-01-03.0, including any other necessary improvements or expansions to the county wastewater treatment and collection system within five miles of the perimeter of the plant.

2. "Oak Orchard wastewater treatment plant" shall mean the parcel more particularly described as follows:

Beginning at a point on the division line between said lands conveyed to Joseph V. Jankowski by the first above mentioned deed on the west and lands conveyed by Scott Sitterly and Lena E. Sitterly to Green Island Contracting Corporation in Parcel No. 1 of feed dated April 24, 1970 and recorded in Onondaga County Clerk's Office on April 24, 1970 in Book of Deeds 2426 at Page 210, on the east, said point also being 400 distant southerly, measured along the division line from its intersection with the division line between lands conveyed to Joseph V. Jankowski in the first above mentioned deed, on the south, and said lands conveyed to Green Island Contracting Corporation in Parcel No. 2 of the aforementioned deed, on the north; running thence S 3°03'04" E along said division line and its southerly prolongation, a distance of 2587.66 feet to a point on the easterly prolongation of the southerly boundary of lands conveyed by Effie J. Bush to Scott Sitterly and Lena E. Sitterly by deed dated March 1, 1994 and recorded in Onondaga County Clerk's Office on March 2, 1944, in Book of Deeds 1089 at Page 35; thence S 86°.4'06" W, a distance of 1141.86 feet to the southeast corner of said lands conveyed to Scott Sitterly and Lena E. Sitterly in the last mentioned deed; thence N 4°04'05" W along the easterly boundary of said lands conveyed to Scott Sitterly and Lena E. Sitterly, a distance of 663.82 feet to the northeast corner thereof; thence S86°28'55" W along the northerly boundary of said lands conveyed by Effie J. Bush to Scott Sitterly and Lena E. Sitterly, a distance of about 119 feet to the centerline of "Mud

Creek"; thence northerly along the centerline of Mud Creek", as it winds and turns, a distance of about 1965 feet to its intersection with the southwest prolongation of the southeasterly boundary of lands conveyed by Owen P. Honors to Charles F. Honors and Marion F. Honors by deed dated April 8, 1972 and recorded in Onondaga County Clerk's Office on June 30, 1972 in Book of Deeds 2478 at Page 719; thence N 41°08'58" E along said prolongation and along the southeasterly boundary of said lands conveyed to Charles F. Honors and Marion F. Honors, a distance of about 595 feet to a point, said point being S 41°08'58" W, a distance of 238.94 feet as measured along the southeasterly boundary from an iron pipe monument marking the most easterly corner of said lands conveyed to Charles F. Honors and Marion F. Honors; thence N 86°28'55" E, parallel to the southerly boundary of Farm Lot No. 16, a distance of 1328.39 feet to a point of beginning. Containing 74.41 acres of land more or less.

Subject to a Flowage Easement granted by William Lepinski and Dora Lepinske to the State of New York dated January 2, 1917 and recorded in Onondaga County Clerk's Office on January 27, 1917 in Book of Deed 455 at Page 176.

3. "County" shall mean the county of Onondaga.

4. "Best value" shall mean the basis for awarding contracts for services to the proposer that optimize quality, cost and efficiency, price and performance criteria, which may include, but is not limited to:

(a) The quality of the contractor's performance on previous projects;

(b) The timeliness of the contractor's performance on previous projects;

(c) The level of customer satisfaction with the contractor's performance on previous projects;

(d) The contractor's record of performing previous projects on budget and ability to minimize cost overruns;

(e) The contractor's ability to limit change orders;

(f) The contractor's ability to prepare appropriate project plans;

(g) The contractor's technical capacities;

(h) The individual qualifications of the contractor's key personnel;

(i) The contractor's ability to assess and manage risk and minimize risk impact; and

(j) The contractor's past record of encouraging women and minority owned business enterprise participation and compliance with article 15-A of the executive law.

Such basis shall reflect, wherever possible, objective and quantifiable analysis.

5. "Design-build contract" shall mean, in conformity with the requirements of this act a contract for the design and construction of the Oak Orchard wastewater project with a single entity, which may be a team comprised of separate entities.

6. "Procurement record" shall mean documentation of the decisions made and the approach taken in the procurement process.

7. "Project labor agreement" shall mean a pre-hire collective bargaining agreement between a contractor and a bona fide building and construction trade labor organization establishing the labor organization as the collective bargaining representative for all persons who will perform work on a project, and which provides that only contractors and subcontractors who sign a pre-negotiated agreement with the labor organization can perform project work.

§ 3. Notwithstanding section 103 of the general municipal law or the provisions of any other law to the contrary, in conformity with the

requirements of this act, and only when a project labor agreement is performed, the county may utilize the alternative delivery method referred to as a design-build contract for a project. The county shall ensure that its procurement record reflects the design-build contract process authorized by this act.

§ 4. An entity selected by the county to enter into a design-build contract for a project shall be selected on the basis of which proposal provides the best value to the county, as follows:

1. The county shall issue a request for proposals for a project. The request for proposals for a project shall set forth the project's scope of work, qualifications and experience required, minimum business terms, technical requirements as well as other requirements, as determined by the county. The request for proposals shall specify the criteria to be used to evaluate the responses and the relative weight of each such criteria. Such criteria shall include the proposal's cost, the quality of the proposal's solution, the qualifications and experience of the design-build entity, adherence to minimum business terms, technical approach and other factors deemed pertinent by the county, which may include, but shall not be limited to, the proposal's project implementation, ability to complete the work in a timely and satisfactory manner, operation and maintenance costs of the completed project, maintenance of traffic approach, and community impact. Any contract awarded pursuant to this act shall be awarded to a responsive and responsible entity that submits the proposal, which, in consideration of these and other specified criteria deemed pertinent to the project, offers the best value to the county, as determined by the county. Nothing in this act shall be construed to prohibit the county from negotiating final contract terms and conditions including cost. As used herein, qualifications and experience shall include the qualifications and experience of the design and construction team, organization, demonstrated responsibility, ability of the team or of a member or members of the team to comply with applicable requirements, including the provisions of articles 145, 147 and 148 of the education law, past record of compliance with the labor law including prevailing wage requirements under state and federal law; the past record of compliance with existing labor standards and maintaining harmonious labor relations; the record of protecting the health and safety of workers on public works projects and job sites as demonstrated by the experience modification rate for each of the last three years; the prospective proposer's ability to undertake the particular type and complexity of work; the financial capability, responsibility and reliability of the prospective proposer for such type and complexity of work; the prospective proposer's compliance with equal employment opportunity requirements and anti-discrimination laws, and demonstrated commitment to working with minority and women-owned businesses through joint ventures or subcontractor relationships; whether or not the prospective proposer or a person or entity with an interest of at least ten per centum in the prospective proposer, is debarred for having disregarded obligations to employees under the Davis-Bacon Act pursuant to 40 U.S.C. 3144 and 29 C.F.R. 5.12 and such other qualifications the county deems appropriate which may include but are not limited to project understanding, financial capability and record of past performance. To the extent consistent with applicable federal law, the county shall consider, when awarding any contract pursuant to this section, the participation of: (a) firms certified pursuant to article 15-A of the executive law as minority or women-owned businesses and the ability of other businesses under consideration to work with minority and women-

owned businesses so as to promote and assist participation by such businesses; and (b) small business concerns identified pursuant to subdivision (b) of section 139-g of the state finance law.

2. Notwithstanding the foregoing provisions of this section, when any person or entity is debarred for having disregarded obligations to employees under the Davis-Bacon Act pursuant to 40 U.S.C. 3144 and 29 C.F.R. 5.12, such person or entity, and any firm, corporation, partnership or association in which the person or entity owns or controls at least ten per centum, shall be ineligible to submit a bid on or be awarded any contract authorized by this act while the name of the person or entity is published in the list of debarred contractors pursuant to 40 U.S.C. 3144. The department of labor will notify the person or entity immediately of such ineligibility and such person or entity must be afforded the opportunity to appeal to the department of labor.

§ 5. Any contract entered into pursuant to this act shall include a clause requiring that any professional services regulated by articles 145, 147 and 148 of the education law shall be performed and stamped and sealed, where appropriate, by a professional licensed in accordance with such articles.

§ 6. The construction, demolition, reconstruction, excavation, rehabilitation, repair, renovation of a project undertaken by the county pursuant to this act shall be deemed a "public work" to be performed in accordance with the provisions of article 8 of the labor law, as well as subject to sections 200, 240, 241 and 242 of the labor law and enforcement of prevailing wage requirements by the New York state department of labor.

§ 7. A project labor agreement shall be included in the request for proposals for a project, provided that, based upon a study done by or for the county, the county determines that its interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, and other considerations such as the impact of delay, the possibility of cost savings advantages, and any local history of labor unrest, are best met by requiring a project labor agreement. The county shall conduct such a study and the project labor agreement shall be performed consistent with the provisions of section 222 of the labor law. If a project labor agreement is not performed on the project: (1) the county shall not utilize a design-build contract for the project; and (2) sections 101 and 103 of the general municipal law shall apply to the project.

§ 8. Each contract entered into by the county pursuant to this act shall comply, whenever practical, with the objectives and goals of minority and women-owned business enterprises pursuant to article 15-A of the executive law or, if a project receives federal aid, shall comply with applicable federal requirements for disadvantaged business enterprises.

§ 9. A project undertaken by the county pursuant to this act shall be subject to the requirements of article 8 of the environmental conservation law, and, where applicable, the requirements of the national environmental policy act.

§ 10. If otherwise applicable, a project undertaken by the county pursuant to this act shall be governed by the general municipal law.

§ 11. The submission of a proposal or responses or the execution of a design-build contract pursuant to this act shall not be construed to be a violation of section 6512 of the education law.

§ 12. Nothing contained in this act shall limit the right or obligation of the county to comply with the provisions of any existing

contract, including any existing contract with or for the benefit of the holders of the obligations of the county, or to award contracts as otherwise provided by law.

§ 13. This act shall take effect immediately and shall expire and be deemed repealed ten years after such date, provided that if Onondaga county has issued requests for proposals for a project prior to such repeal, such project shall be permitted to continue under this act notwithstanding such repeal.

PART TTT

Section 1. Section 532 of the real property tax law is amended by adding two new subdivisions (m) and (n) to read as follows:

(m) All state lands located within the boundaries of the Sojourner Truth state park in the county of Ulster, exclusive of the improvements thereon.

(n) All state lands located within the boundaries of the Franny Reese state park in the county of Ulster, exclusive of the improvements thereon.

§ 2. This act shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on and after the date on which this act shall have become a law.

PART UUU

Section 1. Section 4 of part KK of 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, is amended to read as follows:

§ 4. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to health care claims submitted on or after such date[~~; provided, however, that this act shall expire and be deemed repealed four years after it shall have become a law~~].

§ 2. This act shall take effect immediately.

PART VVV

Section 1. Section 862 of the general municipal law is amended by adding a new subdivision 3 to read as follows:

(3) No funds, financial incentives or subsidies of the agency shall be used in respect of any project where facilities or property are used primarily for electronic commerce (e-commerce) storage and transfers, or the facilitation thereof.

§ 2. The second undesignated paragraph of section 1953 of the public authorities law, as amended by chapter 579 of the laws of 2021, is amended to read as follows:

Notwithstanding the provisions of this section to the contrary, such financial assistance may, however, be provided to a project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain such goods or services constitute more than one-third of the total project cost, where: (i) the predominant purpose of the project would be to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the city of Troy because of a lack of reasonably accessible retail trade facilities offering such goods or services; or (ii) the project is located in a

highly distressed area. With respect to projects authorized pursuant to this paragraph no project shall be approved unless the authority shall find after the public hearing required by section twenty-three hundred seven of this chapter that undertaking the project will serve the public purposes of this article by preserving permanent, private sector jobs or increasing the overall number of permanent, private sector jobs in the state. Where the authority makes such a finding, prior to providing financial assistance to the project by the authority, the chief executive officer of the city of Troy shall confirm the proposed action of the authority. **No funds, financial incentives or subsidies of the authority shall be used in respect of any project where facilities or property are used primarily for electronic commerce (e-commerce) storage and transfers, or the facilitation thereof.** To carry out said purposes, the authority shall have power:

§ 3. The second undesignated paragraph of section 2306 of the public authorities law, as amended by chapter 304 of the laws of 2013, is amended to read as follows:

Notwithstanding the provisions of this section to the contrary, such financial assistance may, however, be provided to a project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain such goods or services constitute more than one-third of the total project cost, where: (i) the predominant purpose of the project would be to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the city of Auburn because of a lack of reasonably accessible retail trade facilities offering such goods or services; or (ii) the project is located in a highly distressed area. With respect to projects authorized pursuant to this paragraph no project shall be approved unless the authority shall find after the public hearing required by section twenty-three hundred seven of this title that undertaking the project will serve the public purposes of this article by preserving permanent, private sector jobs or increasing the overall number of permanent, private sector jobs in the state. Where the authority makes such a finding, prior to providing financial assistance to the project by the authority, the chief executive officer of the city of Auburn shall confirm the proposed action of the authority. **No funds, financial incentives or subsidies of the authority shall be used in respect of any project where facilities or property are used primarily for electronic commerce (e-commerce) storage and transfers, or the facilitation thereof.** To carry out said purpose, the authority shall have power:

§ 4. This act shall take effect immediately.

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

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