STATE OF NEW YORK

S. 9005--C A. 10005--C

SENATE - ASSEMBLY

January 21, 2026

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

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

AN ACT to amend chapter 268 of the laws of 1996 amending the education law and the state finance law relating to providing a recruitment incentive and retention program for certain active members of the New York army national guard, New York air national guard, and New York naval militia, in relation to extending the effectiveness of such provisions (Part A); to amend the tax law, in relation to extending the suspension of the subsidy to state emergency services revolving loan fund from the public safety communications surcharge (Part B); to amend the penal law, in relation to convertible pistols and three-dimensional printed guns (Subpart A); and to amend the executive law and the general business law, in relation to firearm prevention technology requirements for three-dimensional printers (Subpart B)(Part C); to amend the penal law and the executive law, in relation to establishing a comprehensive drone plan (Part D); intentionally omitted (Part E); to amend the penal law, in relation to insurance fraud (Part F); intentionally omitted (Part G); to amend the criminal procedure law, in relation to extending orders of protection (Part H); intentionally omitted (Part I); intentionally omitted (Part J); intentionally omitted (Part K); intentionally omitted (Part L); intentionally omitted (Part M); to amend chapter 396 of the laws of 2010 amending the alco-

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

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holic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part N); to amend the alcoholic beverage control law, in relation to authorizing the liquor authority to change the duration of certain licenses (Subpart A); to amend part CC of chapter 55 of the laws of 2024 amending the alcoholic beverage control law, relating to alcohol in certain motion picture theatres, in relation to extending provisions of law relating to motion picture theater licenses (Subpart B); and to amend the alcoholic beverage control law, in relation to banning wholesalers from assessing certain fees on retailers (Subpart C) (Part O); intentionally omitted (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); intentionally omitted (Part T); to amend the executive law and the legislative law, in relation to education and training in ethics and lobbying (Part U); intentionally omitted (Part V); to amend the workers' compensation law, in relation to establishing dedicated workers' compensation fraud units within New York state district attorneys' offices (Part W); to amend the workers' compensation law, in relation to specifying which providers are authorized to render certain medical care; and to repeal certain provisions of such law related thereto (Part X); to amend the state finance law, the economic development law and the education law, in relation to purchasing and advertising thresholds (Part Y); to amend the legislative law, in relation to lobbyist and client registration fees (Part Z); to amend the executive law, in relation to requiring the superintendent of state police to develop, maintain, and disseminate to all members of the division of state police a critical incident paid leave policy (Part AA); to amend chapter 1 of the laws of 2005 amending the state finance law relating to restricting contacts in the procurement process and the recording of contacts relating thereto, in relation to extending the effectiveness thereof (Part BB); to amend chapter 83 of the laws of 1995 amending the state finance law and other laws relating to bonds, notes and revenues, in relation to the effectiveness of certain provisions thereof (Part CC); intentionally omitted (Part DD); intentionally omitted (Part EE); intentionally omitted (Part FF); to repeal subdivision 3 of section 230.21 of the criminal procedure law, relating to proceedings reverting to the original court of record when a defendant fails to comply with or complete the mental health court program (Part GG); to amend chapter 729 of the laws of 2023, constituting the New York State community commission on reparations remedies, in relation to extending the time the New York State community commission on reparations remedies has to submit a written report of its findings and recommendations to the legislature and the governor, and in relation to the status of members of the commission (Part HH); to amend the insurance law, in relation to flexible rating for nonbusiness automobile insurance policies; and to repeal certain provisions of such law relating thereto (Part II); to amend the insurance law, in relation to prohibiting the use of employment, education, homeownership, and zip code for determining private passenger motor vehicle insurance rates (Part JJ); to amend chapter 141 of the laws of 1994, amending the legislative law and the state finance law relating to the operation and administration of the legislature, in relation to extending such provisions (Part KK); to amend the executive law, in relation to enacting the "Local Cops, Local Crimes Act" (Subpart A); to amend the civil rights law, in relation to enacting the "New York state Bivens act" (Subpart B); to amend the executive law, the general municipal law and the municipal home rule law, in relation to restricting action state and municipal employees can take regarding civil immigration enforcement; and to repeal section 8 of the executive law relating to registration of noncitizens (Subpart C); to amend the education law, in relation to prohibiting children from being denied access to a free public education due to citizenship or immigration status and other prohibited practices (Subpart D); to amend the civil rights law, in relation to enacting the "sensitive location protection act" (Subpart E); to amend the civil rights law, in relation to prohibiting law enforcement officers from wearing any mask or personal disguise while interacting with the public in the performance of their duties (Subpart F); to amend the executive law, in relation to creating a new immigrant trust office within the department of law (Subpart G); and to amend the social services law, in relation to procedures for child care programs (Subpart H) (Part LL); to amend the general municipal law and the executive law, in relation to extending the term and authority of the independent monitor for the Orange county industrial development agency, and modifying the applicability of certain tax exemptions based on population; to amend part III of chapter 58 of the laws of 2023, amending the general municipal law and the executive law relating to directing the state inspector general to appoint an independent monitor for the Orange county industrial development agency, in relation to the effectiveness thereof; and providing for the repeal of certain provisions upon the expiration thereof (Part MM); to amend the local finance law, in relation to capitalizing police emergency response vehicles (Part NN); and to amend the municipal home rule law, in relation to appointments to a city charter commission by a mayor (Part OO)

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 2026-2027 state fiscal year. Each component is wholly contained within a Part identified as Parts A through OO. 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 5 of chapter 268 of the laws of 1996 amending the education law and the state finance law relating to providing a recruitment incentive and retention program for certain active members of the New York army national guard, New York air national guard, and New York naval militia, as amended by section 1 of part P of chapter 55 of the laws of 2021, is amended to read as follows:

§ 5. This act shall take effect January 1, 1997 and shall expire and be deemed repealed September 1, [~~2026~~] **2031**; provided that any person who has begun to receive the benefits of this act prior to its expiration and repeal shall be entitled to continue to receive the benefits of this act after its expiration and repeal until completion of a baccalaureate degree or cessation of status as an active member, whichever occurs first.

§ 2. This act shall take effect immediately.

PART B

Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax law, as amended by section 1 of part E of chapter 55 of the laws of 2024, is amended to read as follows:

(b) The sum of one million five hundred thousand dollars must be deposited into the New York state emergency services revolving loan fund annually; provided, however, that such sums shall not be deposited for **any** state fiscal [~~years~~] **year between** two thousand eleven--two thousand twelve, [~~two thousand twelve--two thousand thirteen, two thousand fourteen--two thousand fifteen, two thousand fifteen--two thousand sixteen, two thousand sixteen--two thousand seventeen, two thousand seventeen--two thousand eighteen, two thousand eighteen--two thousand nineteen, two thousand nineteen--two thousand twenty, two thousand twenty--two thousand twenty-one, two thousand twenty-one--two thousand twenty-two, two thousand twenty-two--two thousand twenty-three, two thousand twenty-three--two thousand twenty-four, two thousand twenty-four--two thousand twenty-five,~~] and [~~two thousand twenty-five--two thousand twenty-six~~] **two thousand twenty-seven--two thousand twenty-eight**;

§ 2. This act shall take effect April 1, 2026; provided, however, if this act shall become a law after such date it shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2026.

PART C

Section 1. This Part enacts into law components of legislation relating to three-dimensional printed guns and pistol converters. Each component is wholly contained within a Subpart identified as Subparts A through B. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes 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 Subpart in which it is found. Section three of this Part sets forth the general effective date of this Part.

SUBPART A

Section 1. Subdivisions 1 and 36 of section 265.00 of the penal law, subdivision 36 as added by chapter 429 of the laws of 2024, are amended and four new subdivisions 37, 38, 39 and 40 are added to read as follows:

1. "Machine-gun" means a weapon of any description, irrespective of size, by whatever name known, loaded or unloaded, from which a number of shots or bullets may be rapidly or automatically discharged from a magazine with one continuous pull of the trigger and includes a sub-machine gun**, and also includes any convertible pistol that is equipped with a pistol converter**.

36. "Pistol converter" means any device or instrument that**,** when installed in or attached to the **rear of the** slide of a semi-automatic pistol**, replaces the backplate and** interferes with the trigger mechanism and thereby enables the pistol to discharge a number of shots or bullets rapidly or automatically with one continuous pull of the trigger.

37. "Convertible pistol" means any semi-automatic pistol with a cruciform trigger bar that can be readily altered by hand or with common household tools so that it can be converted into a machine-gun by the installation or attachment of a pistol converter. As used in this subdivision, "common household tools" means screwdrivers, pipe wrenches, pliers, hacksaws, crowbars, electric drills or rotary tools, hammers, chisels, files, and crescent wrenches. "Convertible pistol" does not include hammer-fired semi-automatic pistols or any striker-fired semi-automatic pistol lacking a cruciform trigger bar. A notch, tab, or other piece of material on a pistol frame is not sufficient to prevent ready alteration so that the pistol can be converted into a machine-gun by the installation or attachment of a pistol converter, and will not prevent such pistol from qualifying as a convertible pistol under this subdivision, if such notch, tab, or other piece of material can be readily removed with common household tools.

38. "Three-dimensional printer" means:

(a) any machine capable of rendering a three-dimensional object from a digital design file using additive manufacturing; or

(b) any machine capable of making three-dimensional modifications to an object from a digital design file using subtractive manufacturing.

39. "Digital firearm manufacturing code" means any digital instructions in the form of computer-aided design files or other code or instructions stored and displayed in electronic format as a digital model that may be used to program a three-dimensional printer or a computer numerical control (CNC) milling machine to manufacture or produce any firearm, rifle, shotgun, ghost gun, unfinished frame or receiver, firearm silencer, rapid-fire modification device or major component of a firearm.

40. "Cruciform trigger bar" means a component in a semi-automatic pistol that serves as a linkage between the trigger and the firing pin and has its sear incorporated in a cross-shaped surface.

§ 2. Subdivisions 1 and 2 of section 265.10 of the penal law, as amended by chapter 481 of the laws of 2024, are amended and three new subdivisions 10, 11 and 12 are added to read as follows:

1. Any person who manufactures or causes to be manufactured any machine-gun**, ghost gun, unfinished frame or receiver, firearm silencer, major component of a firearm**, assault weapon, large capacity ammunition feeding device or disguised gun is guilty of a class D felony. Any person who manufactures or causes to be manufactured any rapid-fire modification device is guilty of a class E felony. Any person who manufactures or causes to be manufactured any switchblade knife, pilum ballistic knife, metal knuckle knife, undetectable knife, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, throwing star, chuka stick, sandbag, sandclub or slungshot is guilty of a class A misdemeanor.

2. Any person who transports or ships any machine-gun**, ghost gun**, firearm silencer, assault weapon or large capacity ammunition feeding device or disguised gun, or who transports or ships as merchandise five or more firearms, is guilty of a class D felony. Any person who transports or ships any rapid-fire modification device is guilty of a class E felony. Any person who transports or ships as merchandise any firearm,

other than an assault weapon, switchblade knife, pilum ballistic knife, undetectable knife, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, throwing star, chuka stick, sandbag or slungshot is guilty of a class A misdemeanor.

10. Any dealer in firearms or gunsmith who, on or after May thirty-first, two thousand twenty-seven, sells, transfers, disposes of, or transports or ships as merchandise a convertible pistol shall be guilty of a class D felony.

11. Any person who knowingly sells, offers to sell, transfers, distributes, sell access to, provides, or otherwise disposes of digital firearm manufacturing code to any person who does not hold both: (a) a valid gunsmith license as provided in section 400.00 of this chapter; and (b) a valid federal firearms license, is guilty of a class A misdemeanor. It is not a violation of this subdivision if: (a) the person sells, offers to sell, transfers, sells access to, provides, or otherwise disposes of the digital firearm manufacturing code with the reasonable belief that the recipient will not use the digital firearm manufacturing code to violate this subdivision or subdivision twelve of this section; (b) neither (i) the person who sells, offers to sell, transfers, sells access to, or otherwise disposes of the digital firearm manufacturing code, nor (ii) the recipient of the digital firearm manufacturing code are in New York state; or (c) the recipient of the digital firearm manufacturing code holds both (i) a gunsmith license as provided in section 400.00 of this chapter and (ii) a valid federal firearms license.

12. Any person who possesses digital firearm manufacturing code with the intent to: (a) illegally manufacture any item described in subdivision one, two, three, or three-a of section 265.00 of this article; (b) distribute to a person in the state of New York for whom the sender knows or reasonably should know would be prohibited from possessing the manufactured or produced product under section 265.02 of this article or subsection (G) of section 922 of title 18 of the United States Code; or (c) distribute to a person in the state of New York who does not hold both (i) a valid gunsmith license as provided in section 400.00 of this chapter and (ii) a valid federal firearms license, is guilty of a class A misdemeanor.

§ 3. Paragraph 10 of subdivision a of section 265.20 of the penal law, as amended by chapter 1041 of the laws of 1974, is amended and a new subdivision f is added to read as follows:

10. Engaging in the business of gunsmith or dealer in firearms by a person to whom a valid license therefor has been issued pursuant to section 400.00 of this chapter, provided, however, that this paragraph shall not apply to conduct prohibited by subdivision ten of section 265.10 of this article.

f. Subdivision ten of section 265.10 of this article shall not apply to the following:

1. the disposition of a convertible pistol or the transport or shipping as merchandise of a convertible pistol for disposition to persons in the military service of the state of New York or the United States when duly authorized by law or regulation to possess the same;

2. the disposition of a convertible pistol or the transport or shipping as merchandise of a convertible pistol for disposition to police officers as defined in subdivision thirty-four of section 1.20 of the criminal procedure law;

3. the disposition of a convertible pistol or the transport or shipping as merchandise of a convertible pistol for disposition to peace

officers as defined by section 2.10 of the criminal procedure law when they are authorized to possess the same;

4. the disposition of a convertible pistol or the transport or shipping as merchandise of a convertible pistol for disposition to persons engaging in the business of gunsmith or dealer in firearms to whom a valid license therefor has been issued pursuant to section 400.00 of this chapter;

5. a private party to private party transaction conducted through a duly licensed dealer in firearms;

6. the sale, transfer, disposal, transportation, or shipment of a convertible pistol to a duly licensed dealer in firearms or licensed gunsmith by private party who lawfully owned such convertible pistol prior to May thirty-first, two thousand twenty-seven;

7. the sale, transfer, disposal, transportation, or shipment of a convertible pistol by a duly licensed dealer in firearms or licensed gunsmith to a private person or another federal firearms licensee or licensed gunsmith, where such convertible pistol's immediately preceding owner and possessor, prior to the licensed dealer or licensed gunsmith, was a private party who lawfully owned and possessed such convertible pistol prior to May thirty-first, two thousand twenty-seven; or

8. the sale, transfer, disposal, transportation, or shipment of a convertible pistol between members of an immediate family, as such term is defined in section eight hundred ninety-eight of the general business law, provided that such convertible pistol was lawfully owned and possessed by such seller, transferor, or a member of the immediate family of such seller or transferor prior to May thirty-first, two thousand twenty-seven.

§ 4. The superintendent of the division of state police is authorized to promulgate rules, regulations, and policies necessary to effectuate the provisions of this act. Such superintendent shall, prior to the effective date of this act and annually thereafter, publish a list of pistols that the superintendent has determined to be convertible pistols, as defined in section 265.00 of the penal law.

§ 5. 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.

SUBPART B

Section 1. The executive law is amended by adding a new section 837-aa to read as follows:

§ 837-aa. Firearm prevention technology requirements for three-dimensional printers. 1. As used in this section, the following terms shall have the following meanings:

(a) "Three-dimensional printer" means:

(i) any machine capable of rendering a three-dimensional object from a digital design file using additive manufacturing; or

(ii) any machine capable of making three-dimensional modifications to an object from a digital design file using subtractive manufacturing.

(b) "Blocking technology" means hardware, software, firmware, or other integrated technological measures capable of ensuring a three-dimensional printer will not proceed to print any print job unless the underlying three-dimensional printing file has been evaluated by a firearms blueprint detection algorithm and determined not to be a printing file that would produce a firearm or illegal firearm parts.

(c) "Firearms blueprint detection algorithm" means a software service that evaluates three-dimensional printing files, whether in the form of stereolithography (STL) files or other computer aided design files or geometric code, to determine if they can be used to program a three-dimensional printer to produce a firearm or illegal firearm parts, and flag any such files to prevent their use to manufacture said firearm or illegal firearm parts.

(d) "Illegal firearm parts" means an unfinished frame or receiver, a major component of a firearm, or any part designed and intended for use in converting a semi-automatic weapon into a machine gun, including, but not limited to, a pistol converter.

(e) All other terms shall have the same meaning given to such terms in section 265.00 of the penal law.

2. Within ninety days of the effective date of this section, the division, the department of state, and the state university of New York shall convene a working group which shall include experts in additive manufacturing technology, artificial intelligence and digital security, firearms regulation, public safety, consumer product safety, and any other relevant disciplines determined by the division to be necessary to perform the functions prescribed herein. No later than one year after the working group convenes, the working group shall make recommendations regarding the minimum safety standards a three-dimensional printer's blocking technology must meet in order to comply with the requirements of section three hundred ninety-six-eeee of the general business law. Such recommendations shall address, at a minimum, available and appropriate types of blocking technology, including minimum performance standards for those technologies and for firearms blueprint detection algorithms, necessary safeguards to reduce the risk of circumvention of blocking technology, and alignment with existing state and federal law. Provided, however, that if the working group determines that it is not technologically feasible to require three-dimensional printers sold in the state of New York to include blocking technology, the working group shall so report, and no regulations shall be required to be promulgated pursuant to this section, until such time as the working group determines that it is technologically feasible.

3. The division shall:

(a) within nine months of receiving the recommendations from the working group pursuant to subdivision two of this section, unless the working group reports that it is not technologically feasible to require three-dimensional printers sold in New York to include blocking technology, in consultation with the department of state, promulgate and publish rules or regulations establishing performance standards for blocking technology and any other rules and regulations as may be necessary to carry out the provisions of this section, section three hundred ninety-six-eeee of the general business law, and article thirty-nine-DDDD of the general business law; and

(b) be authorized to create and maintain a library of firearms blueprint files and illegal firearm parts blueprint files, and maintain and update the library, including by adding new files that enable the three-dimensional printing of firearms or illegal firearm parts and including scans of seized firearms. In furtherance of this authorization, the division may designate another government agency or an academic or research institution in this state to assist with the creation and maintenance of the file library. The library shall be made available to three-dimensional printer manufacturers, vendors with demonstrated expertise in software development, or experts in computational design or public safety, for the development or improvement of blocking technology and firearm blueprint detection algorithms. The division shall establish safeguards to prevent unauthorized access to and misuse of the library and shall prohibit all persons who are granted access to the library from misusing, selling, disseminating, or otherwise publishing its contents.

§ 2. The general business law is amended by adding a new section 396-eeee to read as follows:

§ 396-eeee. Three-dimensional printers. 1. No person, firm, partnership, association, or corporation shall sell or deliver any three-dimensional printer in the state of New York unless such printer is equipped with blocking technology. As used in this section, the terms "three-dimensional printer" and "blocking technology" shall have the same meaning as such terms are defined in subdivision one of section eight hundred thirty-seven-aa of the executive law.

2. Whenever the attorney general shall believe from evidence satisfactory to them that any person, firm, partnership, corporation or association or agent or employee thereof has engaged in or is about to engage in conduct prohibited by this section they may bring an action in the name and on behalf of the people of the state of New York to enjoin such unlawful acts or practices and to obtain restitution of any moneys or property obtained directly or indirectly by any such unlawful acts or practices. In such action preliminary relief may be granted under article sixty-three of the civil practice law and rules.

3. Any gun industry member, as such term is defined in section eight hundred ninety-eight-a of this chapter, determined by a court to have violated this section shall be liable to the people of the state of New York for a civil penalty of five thousand dollars for each qualified product that is unlawfully sold, transferred, imported, distributed, manufactured, marketed, or offered for wholesale or retail sale in New York state.

4. Any person, firm, partnership, corporation or association that has been damaged as a result of any person, firm, partnership, association, or corporation whose acts or omissions that violate the provisions of this section shall be entitled to bring an action for recovery of damages or to enforce this section.

5. The provisions of subdivision one of this section shall not apply to the sale or delivery of a three-dimensional printer to any person, firm, partnership, association, or corporation in this state that has both: (a) a valid gunsmith license issued pursuant to section 400.00 of the penal law; and (b) a valid federal firearms license, issued pursuant to section 922 of title 18 of the United States Code; provided, however, that prior to purchasing or accepting delivery of a three-dimensional printer that is not equipped with blocking technology, such person, firm, partnership, association, or corporation shall make a written request to the attorney general to authorize such purchase. Upon receipt of such a written request, the attorney general shall verify the validity of the state and federal firearms licenses issued to the person, firm, partnership, association, or corporation to whom the three-dimensional printer would be sold and delivered. Upon verifying the validity of the licenses required by this subdivision, the attorney general shall issue a written notice authorizing the sale and delivery of a three-dimensional printer that is not equipped with blocking technology to the person, firm, partnership, association, or corporation to whom the

licenses were issued. The attorney general may promulgate rules and regulations, as necessary, to ensure compliance with this subdivision, including, but not limited to, developing and publishing rules and guidance for the submission of requests for authorization and the form of written authorization of sales and delivery of three-dimensional printers that are not equipped with blocking technology.

§ 3. Subdivisions 1, 2, 4, and 6 of section 898-a of the general business law, as added by chapter 237 of the laws of 2021, subdivision 2 as amended by chapter 429 of the laws of 2024, and subdivision 6 as amended by chapter 123 of the laws of 2024, are amended and a new subdivision 7 is added to read as follows:

1. [~~"Deceptive~~] **"Unfair, deceptive, or abusive** acts or practices" shall have the same meaning as defined in article twenty-two-A of this chapter.

2. "Reasonable controls and procedures" shall mean policies that include, but are not limited to: (a) instituting screening, security, inventory and other business practices to prevent thefts of qualified products as well as sales **or distribution** of qualified products to straw purchasers, traffickers, persons prohibited from possessing firearms under state or federal law, or persons at risk of injuring themselves or others; (b) preventing **unfair,** deceptive**, or abusive** acts and practices and false advertising and otherwise ensuring compliance with all provisions of article twenty-two-A of this chapter; and (c) taking reasonable steps to prevent the installation and use of a pistol converter, as defined in section 265.00 of the penal law, on qualified products.

4. "Gun industry member" shall mean a person, firm, corporation, company, partnership, society, joint stock company or any other entity or association engaged in the sale, manufacturing, distribution, importing or marketing of firearms, ammunition, ammunition magazines, [~~and~~] firearms accessories**, firearm component parts, or digital firearm manufacturing code**.

6. "Qualified product" shall mean a firearm, as defined in subparagraph (A) or (B) of 18 U.S.C. section 921(a)(3), including any antique firearm, as defined in 18 U.S.C. section 921(a)(16), or ammunition, as defined in 18 U.S.C. section 921(a)(17)(A), [~~or~~] a component part of a firearm or ammunition**, or digital firearm manufacturing code**.

7. "Digital firearm manufacturing code" shall have the same meaning as defined in subdivision thirty-nine of section 265.00 of the penal law.

§ 4. Section 898-b of the general business law, as added by chapter 237 of the laws of 2021, is amended to read as follows:

§ 898-b. Prohibited activities. 1. No gun industry member, by conduct either unlawful in itself or unreasonable under all the circumstances**,** shall knowingly or recklessly create, maintain or contribute to a condition in New York state that endangers the safety or health of the public through the sale, manufacturing, importing**, distribution,** or marketing of a qualified product.

2. All gun industry members who manufacture, market, import**, distribute,** or offer for wholesale or retail sale any qualified product in New York state shall establish and utilize reasonable controls and procedures to prevent its qualified products from being possessed, used, marketed or sold unlawfully in New York state.

§ 5. Section 898-d of the general business law, as added by chapter 237 of the laws of 2021, is amended to read as follows:

§ 898-d. Enforcement. Whenever there shall be a violation of this article, the attorney general, in the name of the people of the state of

New York, or a city corporation counsel on behalf of the locality, may bring an action in the supreme court or federal district court to enjoin and restrain such violations and to obtain restitution and damages. In addition, any gun industry member determined by a court to have violated this article shall be liable to the people of the state of New York for a civil penalty of five thousand dollars for each qualified product that is unlawfully sold, transferred, imported, distributed, manufactured, marketed, or offered for wholesale or retail sale in New York state.

§ 6. This act shall take effect immediately; provided, however, that section two of this act shall take effect one year after the promulgation of rules as provided for in subdivision 3 of section 837-aa of the executive law, as added by section one of this act; provided further, that the commissioner of the division of criminal justice services shall notify the legislative bill drafting commission upon the promulgation of such rules in order that the commission may maintain an accurate and timely effective database of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

§ 2. Severability. If any clause, sentence, paragraph, section or subpart 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 subpart of this act directly involved in the controversy in which the judgment shall have been rendered.

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

PART D

Section 1. The penal law is amended by adding a new article 280 to read as follows:

ARTICLE 280

OFFENSES RELATING TO UNLAWFUL USE OF A DRONE

Section 280.00 Definitions.
280.05 Unlawful use of a drone.
280.10 Applicability and restrictions.

§ 280.00 Definitions.

As used in this article, the following terms shall have the following meanings:

1. "Drone" shall mean an unmanned aircraft and its associated operating system, including the hardware and software that manages flight control, navigation, and sensors for autonomous or remote flight without the possibility of direct human intervention from within or on the aircraft.

2. "Nefarious manner" shall mean engaging in conduct that:

(a) constitutes or facilitates the commission of a crime as defined by subdivision six of section 10.00 of the penal law;

(b) recklessly creates a substantial risk of physical injury to another person;

(c) recklessly creates a substantial risk of damage to property;

(d) knowingly or intentionally interferes with, obstructs, or impedes an emergency response, law enforcement operation, search and rescue operation, disaster response, medical evacuation, or other public safety-related operation;

(e) is knowingly or intentionally used to harass, intimidate, stalk, surveil, or physically menace another person in a manner that would otherwise violate state or local law;

(f) is knowingly or intentionally used to deliver, attempt to deliver, or facilitate the delivery of contraband to a correctional facility, detention facility, secure treatment facility, or other secure governmental facility;

(g) constitutes operating a drone knowing such drone is equipped, modified, or operated to discharge, drop, spray, project, or release any projectile, substance, or object in a manner that creates a substantial risk of physical injury to a person, substantial risk of property damage, or disruption of public safety operations; or

(h) is used for the unauthorized surveillance of a state or federal military installation.

3. (a) "Recreational drone" shall mean a drone:

(i) operated exclusively in compliance with 49 U.S.C. 44809 and weighs 0.55 pounds or less on takeoff, including everything that is on board or otherwise attached to the drone;

(ii) operated solely for personal recreational purposes; and

(iii) is not operated in connection with any business commercial, governmental, or surveillance activity.

(b) An unmanned aircraft does not qualify as a recreational drone at any time during which it is carrying a payload other than equipment integral to its flight or its onboard sensor system.

4. (a) "Toy drone" shall mean a drone:

(i) operated exclusively in compliance with 49 U.S.C. 44809 and weighs 0.55 pounds or less on takeoff;

(ii) operated within the visual line of sight of the operator without the use of any other devices or other additional equipment;

(iii) is not equipped with any camera, video transmission system, or other sensor capable of recording or transmitting, imagery, audio, or geospatial data;

(iv) is operated solely for personal recreational purposes; and

(v) is not operated in connection with any business commercial, governmental, or surveillance activity.

(b) An unmanned aircraft does not qualify as a toy drone at any time during which it is carrying a payload other than equipment integral to its flight or its onboard sensor system.

5. "Prohibited space" shall mean any area within five hundred feet horizontally of the outer perimeter or boundary of the following locations, and the airspace (a) up to four hundred feet vertically above the surface of the ground within those boundaries, and (b) when not authorized by the federal aviation administration, at any distance vertically above those boundaries, of: an airport; state or federal military installation; state, local, or federal correctional facility; police station; fire department station; emergency services dispatch station; large public gathering, which shall mean an event where there are five hundred or more persons, and shall include but not be limited to festivals, concerts, or sporting events; any critical infrastructure, as defined in subdivision five of section eighty-six of the public officers law; and any school as defined in subdivision ten of section eleven hundred twenty-five of the education law.

§ 280.05 Unlawful use of a drone.

A person commits unlawful use of a drone when such person:

1. operates a drone in a nefarious manner; or

2. operates a drone over prohibited space without express prior approval from someone the person reasonably believes has the authority to grant such approval.

Unlawful use of a drone is a class A misdemeanor.

§ 280.10 Applicability and restrictions.

The provisions of this article shall not apply to the following persons or entities:

1. A toy drone operated solely for recreation, unless such toy drone is operated in a manner that would recklessly create a substantial risk of physical injury to another person or substantial risk of damage to property.

2. A recreational drone operated solely for hobby or recreational purposes and operates in compliance with all applicable federal laws, rules, regulations, authorizations, waivers, or exemptions and all other applicable state and local laws, rules, and regulations, unless such recreational drone is operated in a manner that recklessly creates a substantial risk of physical injury to another person or substantial risk of damage to property.

3. A drone operated for commercial, educational, agricultural, journalistic, infrastructure, or other lawful purposes in compliance with all applicable federal laws, rules, regulations, authorizations, waivers, or exemptions and all other applicable state and local laws, rules and regulations, unless such drone is operated in a manner that recklessly creates a substantial risk of physical injury to another person or substantial risk of damage to property.

4. A governmental employee, or a person acting on behalf of a state or local government entity, provided that such person or employee is acting in a manner consistent with such person's governmental duties.

§ 2. The executive law is amended by adding a new section 236 to read as follows:

§ 236. Drones. 1. The terms used in this section shall have the same meaning as given in section 280.00 of the penal law.

2. A police officer as defined by subdivision thirty-four of section 1.20 of the criminal procedure law, or a peace officer as defined by section 2.10 of the criminal procedure law, acting within such peace officer's geographical jurisdiction, may take reasonable and necessary mitigation measures against a credible threat that a drone poses to the safety or security of people and/or prohibited spaces. Such measures may include but not be limited to any of the following:

(a) The use of detection, tracking, and identification methods of a drone and/or drone operating system.

(b) The interception or disabling of a drone and/or drone operating system through legal and safe methods, including but not limited to both kinetic and non-kinetic mitigation measures.

(c) A law enforcement officer or agency may only use kinetic measures when non-kinetic measures have or would reasonably be expected to fail, provided that such kinetic measures are deployed using federally approved technologies.

3. The superintendent shall, within six months of the effective date of this section, promulgate rules and regulations for drone mitigation by police officers and peace officers. Such rules and regulations shall prioritize the use of the least destructive measures necessary to mitigate the threat posed by the drone.

4. (a) A qualifying police officer or peace officer shall act pursuant to subdivision two of this section only if: (i) the officer has completed the training required by the superintendent or the superinten-

dent's designee, in addition to any other training and certification required by federal law; (ii) the officer has reasonable suspicion that the drone is operating in a nefarious manner or within a prohibited space before using non-kinetic measures; and (iii) the officer has probable cause a drone is operating in a nefarious manner or within prohibited space before using kinetic measures. Any drone mitigation measure employed must occur in accordance with the regulations prescribed pursuant to subdivision three of this section and in accordance with applicable federal law.

(b) Within forty-eight hours of utilizing any mitigation measures authorized by this section, the agency employing the officer who utilized such measures shall report such utilization to the superintendent or the superintendent's designee, in the form and manner prescribed by the superintendent, in addition to any reporting required by federal law.

5. The superintendent may designate one or more areas of the state as a space to test kinetic and non-kinetic mitigation measures.

6. The superintendent shall establish a registry known as "the New York state blue list". Such registry shall include vetted and approved vendors that comply with applicable federal requirements. Upon publication of the registry, the state, its agencies, and any political subdivisions of the state may only buy or lease drones and drone mitigation technology from vendors listed on such registry.

§ 3. Severability. If any clause, sentence, paragraph, 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, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

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

PART E

Intentionally Omitted

PART F

Section 1. Section 176.05 of the penal law, as amended by chapter 211 of the laws of 2011 and the closing paragraph as further amended by section 104 of part A of chapter 62 of the laws of 2011, is amended to read as follows:

§ 176.05 Insurance fraud; defined.

1. A fraudulent insurance act is committed by any person who, knowingly and with intent to defraud presents, causes to be presented, or prepares with knowledge or belief that it will be presented to or by an insurer, self insurer, or purported insurer, or purported self insurer, or any agent thereof:

[~~1.~~] (a) any written statement as part of, or in support of, an application for the issuance of, or the rating of a commercial insurance policy, or certificate or evidence of self insurance for commercial insurance or commercial self insurance, or a claim for payment or other benefit pursuant to an insurance policy or self insurance program for commercial or personal insurance that [~~he or she~~] such person knows to:

[~~(a)~~] <u>(i)</u> contain materially false information concerning any fact material thereto; or

[~~(b)~~] <u>(ii)</u> conceal, for the purpose of misleading, information concerning any fact material thereto; or

[~~2.~~] <u>(b)</u> any written statement or other physical evidence as part of, or in support of, an application for the issuance of a health insurance policy, or a policy or contract or other authorization that provides or allows coverage for, membership or enrollment in, or other services of a public or private health plan, or a claim for payment, services or other benefit pursuant to such policy, contract or plan that [~~he or she~~] <u>such person</u> knows to:

[~~(a)~~] <u>(i)</u> contain materially false information concerning any material fact thereto; or

[~~(b)~~] <u>(ii)</u> conceal, for the purpose of misleading, information concerning any fact material thereto.

Such policy or contract or plan or authorization shall include, but not be limited to, those issued or operating pursuant to any public or governmentally-sponsored or supported plan for health care coverage or services or those otherwise issued or operated by entities authorized pursuant to the public health law. For purposes of this subdivision an "application for the issuance of a health insurance policy" shall not include (i) any application for a health insurance policy or contract approved by the superintendent of financial services pursuant to the provisions of sections three thousand two hundred sixteen, four thousand three hundred four, four thousand three hundred twenty-one or four thousand three hundred twenty-two of the insurance law or any other application for a health insurance policy or contract approved by the superintendent of financial services in the individual or direct payment market; or (ii) any application for a certificate evidencing coverage under a self-insured plan or under a group contract approved by the superintendent of financial services.

<u>2. A person who hires, requests, encourages, orchestrates, or invites another individual to stage a motor vehicle accident, as that term is defined in section 176.75 of this article, commits a fraudulent insurance act, and the person who hired, requested, encouraged, orchestrated, or invited the other to stage a motor vehicle accident shall be deemed to have wrongfully taken, obtained, or withheld the full amount of loss to the victim or victims of the fraudulent insurance act.</u>

§ 2. This act shall take effect immediately.

PART G

Intentionally Omitted

PART H

Section 1. Subdivision 4 of section 530.12 of the criminal procedure law, as amended by chapter 589 of the laws of 1997, is amended to read as follows:

4. The court may issue or extend a temporary order of protection ex parte or on notice simultaneously with the issuance of a warrant for the arrest of defendant. Such temporary order of protection [~~may~~] <u>shall</u> continue in effect until the day the defendant subsequently appears in court pursuant to such warrant or voluntarily or otherwise<u>, unless there is a dismissal of the matter. The court shall inform the defendant when</u>

issuing the order of protection that it will remain in effect if the defendant fails to appear in court on a subsequent court date. Provided, however, that the court may vacate such order if a defendant fails to appear at a subsequent court date if, after providing the parties an opportunity to be heard, the court determines vacating the order of protection is in the interest of justice, in which case the vacatur shall be effective at such a time that the attorney for the defendant files with the court a confirmation that the defendant has acknowledged the conditional vacatur.

§ 2. Subdivision 3 of section 530.13 of the criminal procedure law, as amended by chapter 589 of the laws of 1997, is amended to read as follows:

3. The court may issue or extend a temporary order of protection under this section ex parte simultaneously with the issuance of a warrant for the arrest of the defendant. Such temporary order of protection [~~may~~] **shall** continue in effect until the day the defendant subsequently appears in court pursuant to such warrant or voluntarily or otherwise**, unless there is a dismissal of the matter. The court shall inform the defendant when issuing the order of protection that it will remain in effect if the defendant fails to appear in court on a subsequent court date. Provided, however, that the court may vacate such order if a defendant fails to appear at a subsequent court date if, after providing the parties an opportunity to be heard, the court determines vacating the order of protection is in the interest of justice, in which case the vacatur shall be effective at such a time that the attorney for the defendant files with the court a confirmation that the defendant has acknowledged the conditional vacatur**.

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

PART I

Intentionally Omitted

PART J

Intentionally Omitted

PART K

Intentionally Omitted

PART L

Intentionally Omitted

PART M

Intentionally Omitted

PART N

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 Q of chapter 55 of the laws of 2025, 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, [~~2026~~] **2027**.

§ 2. This act shall take effect immediately.

PART O

Section 1. This act enacts into law components of legislation relating to alcoholic beverage control licenses. Each component is wholly contained within a Subpart identified as Subparts A through C. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, 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 Subpart in which it is found. Section three of this Part sets forth the general effective date of this Part.

SUBPART A

Section 1. Section 57-a of the alcoholic beverage control law, as amended by chapter 523 of the laws of 2023, is amended to read as follows:

§ 57-a. Change in duration of licenses. The liquor authority is authorized to change the periods during which the licenses authorized by sections fifty-one, fifty-one-a, **fifty-three,** fifty-three-a, fifty-four, **fifty-four-a,** fifty-five and fifty-five-a **of this article** shall be effective and to establish the commencement dates, duration and expiration dates thereof, provided that no such license shall be effective for a period in excess of three years. When any change or changes are made in the duration of any such license, the license fee shall be equal to the annual license fee specified in this article multiplied by the number of years for which such license is issued. The liquor authority may make such rules as shall be appropriate to carry out the purpose of this section.

§ 2. This act shall take effect immediately.

SUBPART B

Section 1. Section 5 of part CC of chapter 55 of the laws of 2024 amending the alcoholic beverage control law, relating to alcohol in certain motion picture theatres, is amended to read as follows:

§ 5. This act shall take effect immediately and shall expire and be deemed repealed [~~3~~] **6** years after such date.

§ 2. This act shall take effect immediately.

SUBPART C

Section 1. Section 104 of the alcoholic beverage control law is amended by adding a new subdivision 12 to read as follows:

12. (a) Notwithstanding any provision of law to the contrary, no wholesaler shall assess any fee for attorney fees and costs, and breakage fees upon any New York state licensed retailer.

(b) No wholesaler shall assess any split-case fees or any other fees upon any New York state licensed retailer if such fee does not comply with the rules and regulations promulgated by the authority.

(c) The state liquor authority shall have the authority to promulgate rules and regulations on the assessment of split case fees and any other fees not otherwise prohibited by law, and may impose such limitations, conditions, and record keeping requirements it deems appropriate on such split case fees or any other fees.

§ 2. Other than the fees specified in paragraph (a) of subdivision 12 of section 104 of the alcoholic beverage control law, a wholesaler may continue to charge any fee that such wholesaler was charging prior to the day that this subpart became a law until such time as the state liquor authority implements rules or regulations pertaining to such fee. The state liquor authority shall ensure that any rule or regulation implemented as a result of this subpart shall not go into effect until at least 90 days after its final adoption by the authority.

§ 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.

§ 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 Subparts A through C of this Part shall be as specifically set forth in the last section of such Subparts.

PART P

Intentionally Omitted

PART Q

Intentionally Omitted

PART R

Intentionally Omitted

PART S

Intentionally Omitted

PART T

Intentionally Omitted

PART U

Section 1. Paragraph (d) of subdivision 8 of section 94 of the executive law, as added by section 2 of part QQ of chapter 56 of the laws of 2022, is amended and a new paragraph (d-1) is added to read as follows:

(d) The commission shall develop and administer training courses for lobbyists and clients of lobbyists **and adopt regulations and procedures related to such training courses including, but not limited to, establishing deadlines for training course completion**.

(d-1) The commission may impose a fee upon lobbyists and clients of lobbyists for late completion of the training course required by this subdivision, as set forth in section one-d of the legislative law.

§ 2. Subdivision (h) of section 1-d of the legislative law, as added by section 7 of part A of chapter 399 of the laws of 2011, is amended and a new subdivision (i) is added to read as follows:

(h) provide an online ethics training course for [~~individuals registered as~~] lobbyists **and clients listed on a statement of registration submitted** pursuant to section one-e of this article. The curriculum for the course shall include, but not be limited to, explanations and discussions of the statutes and regulations of New York concerning ethics in the public officers law, the election law, the legislative law, summaries of advisory opinions, underlying purposes and principles of the relevant laws, and examples of practical application of these laws and principles. The commission shall prepare those methods and materials necessary to implement the curriculum. [~~Each individual registered as a~~] **Through calendar year two thousand twenty-six, each** lobbyist [~~pursuant to section one-e of this article~~] **and client** shall complete such training course at least once in any three-year period during which [~~he or she is registered as a~~] **the** lobbyist **or client is listed on a statement of registration submitted pursuant to section one-e of this article in accordance with procedures adopted by the commission. Commencing with the two thousand twenty-seven--two thousand twenty-eight biennial period and thereafter, each lobbyist and client shall complete such training course at least once in each biennial period and at least once every two years during which the lobbyist or client is listed on a statement of registration submitted pursuant to section one-e of this article, in accordance with procedures adopted by the commission**.

(i) impose a fee for failure to complete the online ethics training course in a timely manner as required by this section, not to exceed twenty-five dollars for each day that the lobbyist or client is late, in accordance with procedures adopted by the commission.

§ 3. This act shall take effect immediately.

PART V

Intentionally Omitted

PART W

Section 1. Subdivision 1 of section 151 of the workers' compensation law, as added by section 22 of part GG of chapter 57 of the laws of 2013, is amended to read as follows:

1. The annual expenses necessary for the board to administer the provisions of this chapter, the volunteer ambulance workers' benefit law, the volunteer firefighters' benefit law, the disability benefits law, and the workmen's compensation act for civil defense volunteers shall be borne by affected employers securing compensation for their employees pursuant to section fifty of this chapter. The board shall collect such annual expenses from affected employers through assessments as provided by the provisions of this section, including for purposes of this subdivision: (a) the aggregate assessment amount described in subparagraph four of paragraph (h) of subdivision eight of section fifteen of this chapter for the special disability fund in accordance with each financing agreement described in such subparagraph, (b) the aggregate assessment amount described in section fifty-c of this chapter for the self-insurer offset fund in accordance with each financing agreement described in such section, (c) the assessment amount described in subdivision three of section twenty-five-a of this chapter for the fund for reopened cases [~~and~~]**,** (d) the assessment amount described in section two hundred fourteen of this chapter for the special fund for disability benefits **and (e) a sum sufficient as determined by the chair but no greater than 0.4% of the total estimated statewide premium to cover the establishment and maintenance of dedicated workers' compensation fraud units within New York state district attorneys' offices**; provided, that the foregoing and any other provision of this chapter to the contrary notwithstanding, assessment receipts shall be applied first to fully fund the amount described in subparagraph four of paragraph (h) of subdivision eight of section fifteen of this chapter and then to fully fund the amount described in section fifty-c of this chapter in accordance with each then applicable financing agreement pursuant to such provisions prior to application to any other purpose other than to pay any actual costs of collecting such assessment that are not otherwise funded. For purposes of this section, affected employer means all employers required to obtain workers' compensation coverage pursuant to this chapter.

§ 2. Section 151 of the workers' compensation law is amended by adding a new subdivision 15 to read as follows:

15. Beginning in two thousand twenty-eight, the board shall include in its annual report made pursuant to section one hundred fifty-three of this article a summary of the funds distributed for the purpose of establishment and maintenance of dedicated workers' compensation fraud units within New York state district attorneys' offices pursuant to paragraph (e) of subdivision one of this section, which shall include for each district attorneys' office:

(a) the amount of funds distributed;

(b) a description of each resulting conviction, including:

(i) the full name of the defendant;

(ii) the date of conviction;

(iii) a description of the offense;

(iv) the amount of money alleged to have been defrauded; and

(v) a description of any offenses other than workers' compensation fraud for which the defendant was simultaneously convicted;

(c) the total number of and pertinent details contained in any charging instruments, which shall include only the amount of money alleged to have been defrauded and the workers' compensation fraud charges alleged, and shall not include any personally identifying information of the charged individual or any other information that is not publicly available; and

(d) the number of new positions created and persons hired for positions within dedicated workers' compensation fraud units.

§ 3. This act shall take effect immediately.

PART X

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

§ 13-a. Selection of authorized [~~physician~~] **provider** by employee. (1) An injured employee may, when care is required, select to treat [~~him or her~~] **with** any [~~physician~~] **provider** authorized by the chair to render medical care **or treatment**, as hereafter provided. If for any reason during the period when medical **care or** treatment [~~and care~~] is required, the employee wishes to transfer [~~his or her~~] **their medical care or** treatment [~~and care~~] to another authorized [~~physician~~] **provider**, [~~he or she~~] **they** may do so, in accordance with rules prescribed by the chair. In such instance the remuneration of the [~~physician~~] **provider** whose services are being dispensed with shall be limited to the value of treatment rendered at fees as established in the schedule for [~~his or her~~] **their** location, unless payment in higher amounts has been approved as authorized in [~~section thirteen, paragraph~~] **subdivision** a **of section thirteen of this article**. If a claimant shall receive treatment in any hospital or other institution operated in whole or in part by the state of New York, the employer shall be liable for food, clothing and maintenance furnished by the hospital or other institution to such employee. If the employee is unable due to the nature of the injury to select such authorized [~~physician~~] **provider** and the emergency nature of the injury requires immediate medical treatment and care, or if [~~he or she does~~] **they do** not desire to select a [~~physician~~] **provider**, and in writing so advises the employer, the employer shall promptly provide [~~him or her~~] **the employee** with the necessary medical care **or treatment**, provided however, that nothing herein contained shall operate to prevent such employee, when subsequently able to do so, from selecting for continuance of any medical [~~treatment or~~] care **or treatment** required, any [~~physician~~] **provider** authorized by the chair to render medical care **or treatment** as hereinafter provided.

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

(3) The employer shall have the right to transfer the care of an injured employee from the attending physician, whether chosen originally by the employee or by the employer, to another authorized physician (1) if the interest of the injured employee necessitates the transfer or (2) if the physician has not been authorized to treat injured employees

under this act or (3) if [~~he~~] **the physician** has not been authorized under this act to treat the particular injury or condition as provided by section thirteen-b (2). An authorized physician from whom the case has been transferred shall have the right of appeal to an arbitration committee as provided in subdivision two of section thirteen-g **of this article** and if said arbitration committee finds that the transfer was not authorized by this section, said employer shall pay to the physician a sum equal to the total fee earned by the physician to whom the care of the injured employee has been transferred, or such proportion of said fee as the arbitration committee shall deem adequate.

(4) (a) No claim for medical or surgical treatment shall be valid and enforceable, as against such employer, or employee, unless within forty-eight hours following the first treatment the [~~physician~~] **provider** giving such treatment furnishes to the employer and directly to the chair a preliminary notice of such injury and treatment, within fifteen days thereafter a more complete report and subsequent thereto progress reports if requested in writing by the chair, board, employer or insurance carrier at intervals of not less than three weeks apart or at less frequent intervals if requested on forms prescribed by the chair. The board may excuse failure to give such notices within the designated periods when it finds it to be in the interest of justice to do so. **A provider's reports or records shall be considered as evidence in support of a claim notwithstanding the provider's compliance with the foregoing time frames.**

(b) Upon receipt of the notice provided for by paragraph (a) of this subdivision, the employer, the carrier, and the claimant each shall be entitled to have the claimant examined by a [~~physician~~] **provider** authorized by the chair **to perform independent medical examinations** in accordance with sections thirteen-b and one hundred thirty-seven of this chapter, at a medical facility convenient to the claimant and in the presence of the claimant's [~~physician~~] **provider**, and refusal by the claimant to submit to such independent medical examination at such time or times as may reasonably be necessary in the opinion of the board, shall bar the claimant from recovering compensation for any period during which [~~he or she has~~] **they have** refused to submit to such examination. No hospital shall be required to produce the records of any claimant without receiving its customary fees or charges for reproduction of such records.

(c) Where it would place an unreasonable burden upon the employer or carrier to arrange for, or for the claimant to attend, an independent medical examination by an authorized [~~physician~~] **provider**, the employer or carrier shall arrange for such examination to be performed by a qualified [~~physician~~] **provider** in a medical facility convenient to the claimant.

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

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

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

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

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

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

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

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

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

(6) (a) Any interference by any person with the selection by an injured employee of an authorized [~~physician~~] provider to treat [~~him~~] such employee, except when the selection is made pursuant to article ten-A of this chapter, and the improper influencing or attempt by any person improperly to influence the medical opinion of any [~~physician~~] provider who has treated or examined an injured employee, shall be a misdemeanor; provided, however, that it shall not constitute interference or improper influence if, in the presence of such injured employee's [~~physician~~] provider, an employer, [~~his~~] carrier or agent should recommend or provide information concerning rehabilitation services or the availability thereof to an injured employee or [~~his~~] the employee's family. It shall not be presumed that a claimant's attorney or representative's communication with the injured employee's treating provider was an attempt to improperly influence the treating provider. The mere fact that a claimant's attorney or representative and their treating provider have communicated shall not support a finding of improper influence. The board may diminish or preclude the opinion of a treating provider based on improper influence only upon a determination that, due to the interference, the opinion will not help the board understand the evidence or determine a fact in issue.

(b) Except as otherwise permitted by law, an employer, carrier, or third-party administrator shall not interfere or attempt to interfere with the selection by an injured employee of, or treatment by, an authorized [~~medical~~] provider, including by directing or attempting to direct that the injured employee seek treatment from a specific provider or type of provider selected by the employer, carrier, or third-party administrator. It shall not constitute improper interference under this paragraph if the direction or attempt to direct the injured employee to receive treatment from a specific provider or type of provider originates from the **employee's** authorized [~~medical~~] provider while in the course of providing treatment to the injured employee.

(i) Notwithstanding any other provision in this chapter, the chair shall by regulation establish a performance standard concerning the subject of any penalty imposed under this paragraph against an employer, carrier or third-party administrator. The performance standard established by the chair shall be used to measure compliance with this paragraph by employers, carriers and third-party administrators. The chair shall apply the performance standard based on multiple factors, including but not limited to, findings of improper interference submitted as complaints to the board's monitoring unit, unreasonable objections to medical care **or treatment**, unwarranted objections to variances, medical billing disputes, case delays brought about by employers, carriers and third-party administrators, and the unreasonable denial of medical care **or treatment**.

(ii) Upon validating an allegation that the employer, carrier or third-party administrator has failed to meet the promulgated performance standard, a penalty shall be assessed by the board upon notice to the employer, carrier or third-party administrator. The board shall impose such penalty against the carrier, employer or third-party administrator in the amount of fifty dollars per violation identified in subparagraph (i) of this paragraph. The penalties for violations identified in subparagraph (i) of this paragraph, may be aggregated into a single penalty upon a finding that an employer, carrier or third-party administrator has interfered with an injured employee's necessary medical **care or** treatment [~~and care~~]. Such aggregate penalty or assessment shall be based upon the number of violations as multiplied against the applicable penalty or assessment, but may be negotiated by the chair's designee in full satisfaction of the penalty or assessment. Any aggregate penalty or assessment issued under this paragraph shall be issued administratively, and the chair shall, by regulation, specify the method of review or redetermination, and the presentment of evidence and objections shall occur solely upon the documentation. Any final determination shall be subject to review under section twenty-three of this article but penalties may not be subject to a stay. A final determination that an employer, carrier or third-party administrator has engaged in a pattern of interference with an injured worker's access to medically necessary medical care **or treatment** shall result in the imposition of an aggregate penalty and publication of notice of such finding on the board's web page.

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

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

(c) At the time a request for authorization for special diagnostic tests, x-ray examinations, magnetic resonance imaging or other radiological examinations or tests costing more than one thousand five hundred dollars as required by subdivision five of this section is approved, the insurance carrier, self-insurer or state insurance fund, or if so delegated the network with which the insurance carrier, self-insurer or state insurance fund has contracted, shall notify the [~~physician~~] provider requesting authorization of the requirement that the claimant obtain or undergo the special diagnostic test, x-ray examination, magnetic resonance imaging or other radiological examination or test with a provider or at a facility affiliated with the network or networks with which it has contracted, the contact information for the network and a list of the providers and facilities within the claimant's geographic location, as defined by regulation of the board. The claimant, in consultation with the provider who requested the special diagnostic test, x-ray examination, magnetic resonance imaging or other radiological test or exam, will determine the provider or facility from within the network which will perform such diagnostic test, x-ray examination, magnetic resonance imaging or other radiological examination or test.

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

§ 2. Section 13-b of the workers' compensation law, as amended by section 1 of part CC of chapter 55 of the laws of 2019, paragraphs (p) and (q) of subdivision 1 and paragraph (b-1) of subdivision 2 as added by chapter 335 of the laws of 2024, and paragraph (b-2) of subdivision 2 as added by section 1 of part AA of chapter 55 of the laws of 2025, is amended to read as follows:

§ 13-b. Authorization of providers, medical bureaus and laboratories by the chair. 1. [~~No person shall render medical care or conduct independent medical examinations under this chapter without such authorization by the chair.~~] Any provider as defined in paragraph (m) of this subdivision shall be authorized to render medical care or treatment under this chapter. Independent medical examinations may only be performed by a physician, podiatrist, chiropractor, or psychologist authorized to perform such examinations by the chair, or as specified in regulations. No provider may conduct independent medical examinations unless performed in accordance with paragraph (b) of subdivision four of section thirteen-a and section one hundred thirty-seven of this chapter. As used in this [~~title~~] chapter, the following definitions shall have the following meanings unless their context requires otherwise:

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

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

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

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

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

(f) "Independent medical examination" shall mean an examination performed by a physician, podiatrist, chiropractor or psychologist, authorized under this section to perform such examination, for the purpose of examining or evaluating injury or illness [~~pursuant to~~] **in accordance with** paragraph (b) of subdivision four of section thirteen-a and section one hundred thirty-seven of this chapter and as more fully set forth in regulation.

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

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

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

(j) "Physician" shall mean licensed with a degree of doctor of medicine, M.D., or doctor of osteopathic medicine, D.O., or an equivalent degree in accordance with the education law and the licensing requirements of the state board of medicine and the regulations of the commissioner of education.

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

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

(m) [~~"Provider"~~] **"Authorized provider" or "provider"** shall mean a duly licensed acupuncturist, chiropractor, nurse practitioner, occupational therapist, physical therapist, physician, physician assistant, podiatrist, psychologist, or social worker [~~authorized by the chair~~] **as** defined in this section who is not currently on the exclusion list pursuant to section thirteen-d of this article.

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

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

(p) "Physical therapist assistant" shall mean licensed in accordance with the education law and the licensing requirements of the commissioner of education.

(q) "Occupational therapy assistant" shall mean licensed in accordance with the education law and the licensing requirements of the commissioner of education.

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

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

(a) Such [~~licensed~~] provider as identified in this subdivision who is on staff at any hospital or urgent care center providing emergency treatment may continue such medical care or treatment under this chapter while an injured employee remains a patient in such hospital or urgent care setting[~~; and~~].

(b) Under the direct supervision of an authorized provider, medical care may be rendered by a registered nurse or other person trained in laboratory or diagnostic techniques within the scope of such person's specialized training and qualifications. This supervision shall be evidenced by signed records of instructions for treatment and signed records of the patient's condition and progress. Reports of such treatment and supervision shall be made by such provider to the chair in the format prescribed by the chair at such times as the chair may require.

(b-1) Under the direction and supervision of an authorized occupational therapist, occupational therapy services may be rendered by an occupational therapy assistant. Under the direction and supervision of an authorized physical therapist, physical therapy services may be rendered by a physical therapist assistant. Where any such care or treatment is rendered, records of the patient's condition and progress, together with records of instruction for treatment, if any, shall be maintained by the physical therapist or occupational therapist and by the referring physician, physician assistant, podiatrist, or nurse practitioner. Said records shall be submitted to the chair on forms and at such times as the chair may require.

(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 **or treatment** 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.

(c) Where it would place an unreasonable burden upon the employer or carrier to arrange for, or for the claimant to attend, an independent medical examination by [~~an authorized~~] **a** provider[~~,~~] **authorized to perform independent medical examinations in accordance with paragraph (b) of subdivision four of section thirteen-a of this article and section one hundred thirty-seven of this chapter,** the employer or carrier shall arrange for such examination to be performed by a qualified provider in a medical facility convenient to the claimant.

(d) Upon the prescription or referral of [~~an authorized~~] **a** physician, physician assistant, podiatrist, or nurse practitioner **who is not currently on the exclusion list pursuant to section thirteen-d of this article** acting within the scope of [~~his or her~~] **their** practice, **medical** care or treatment may be rendered to an injured employee by [~~an authorized~~] **a** physical therapist, occupational therapist or acupuncturist **who is not currently on the exclusion list pursuant to section thirteen-d of this article** provided the conditions and the treatment performed are among the conditions that the physical therapist, occupational therapist or acupuncturist is authorized to treat pursuant to the education law or the regulations of the commissioner of education. Where any such **medical** care or treatment is rendered, records of the patient's condition and progress, together with records of instruction for treatment, if any, shall be maintained by the physical therapist, occupational therapist or acupuncturist rendering treatment and by the referring physician, physician assistant, podiatrist, or nurse practitioner. Said records shall be submitted to the chair on forms and at such times as the chair may require.

(e) A record, report or opinion of a physical therapist, occupational therapist, acupuncturist or physician assistant shall not be considered as evidence of the causal relationship of any condition to a work related accident or occupational disease under this chapter. Nor may a record, report or opinion of a physical therapist, occupational therapist or acupuncturist be considered evidence of disability. Nor may a record, report or opinion of a physician assistant be considered evidence of the presence of a permanent or initial disability or the degree thereof.

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

3. [~~A provider~~] **In order to perform independent medical examinations in accordance with paragraph (b) of subdivision four of section thirteen-a and section one hundred thirty-seven of this chapter, a physician, podiatrist, chiropractor, or psychologist** properly licensed or certified pursuant to the regulations of the commissioner of education and the requirements of the education law [~~desirous of being authorized to render medical care under this chapter and/or to conduct independent medical examinations in accordance with paragraph (b) of subdivision four of section thirteen-a and section one hundred thirty-seven of this~~

~~chapter~~] shall file an application for authorization under this chapter with the chair or chair's designee __in the format prescribed by the chair__. [~~Prior to receiving authorization, a physician must, together with submission of an application to the chair, submit such application to the medical society of the county in which the physician's office is located or of a board designated by such county society or of a board representing duly licensed physicians of any other school of medical practice in such county, and such medical society shall submit the recommendation to the board. In the event such county society or board fails to take action upon a physician's completed and signed application within forty-five days, the chair may complete review of the application without such approval. Upon approval of the application by the chair or the chair's designee, the applicant shall further agree to refrain from subsequently treating for remuneration, as a private patient, any person seeking medical treatment, or submitting to an independent medical examination, in connection with, or as a result of, any injury compensable under this chapter, if he or she has been removed from the list of providers authorized to render medical care or to conduct independent medical examinations under this chapter, or if the person seeking such treatment, or submitting to an independent medical examination, has been transferred from his or her care in accordance with the provisions of this chapter. This agreement shall run to the benefit of the injured person so treated or examined, and shall be available to him or her as a defense in any action by such provider for payment for treatment rendered by a provider after he or she has been removed from the list of providers authorized to render medical care or to conduct independent medical examinations under this chapter, or after the injured person was transferred from his or her care in accordance with the provisions of this chapter.~~]

4. Laboratories and bureaus engaged in x-ray diagnosis or treatment or in physiotherapy or other therapeutic procedures and which participate in the diagnosis or treatment of injured workers under this chapter shall be operated or supervised by providers authorized under this chapter and shall be subject to the provisions of section thirteen-c of this article. The person in charge of diagnostic clinical laboratories duly authorized under this chapter shall possess the qualifications established by the public health and health planning council for approval by the state commissioner of health or, in the city of New York, the qualifications approved by the board of health of said city and shall maintain the standards of work required for such approval.

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

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

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

~~Such investigation, hearing, findings, recommendation and report may be made by the society or board of an adjoining county upon the request of the medical society of the county in which the alleged misconduct or infraction of this chapter occurred, subject to the time limit and conditions set forth herein. The medical appeals unit shall review the findings and recommendation of such medical society or board, or hearing officer appointed by the chair upon application of the accused physician and may reopen the matter and receive further evidence. The findings, decision and recommendation of such society, board or hearing officer appointed by the chair or medical appeals unit shall be advisory to the chair only, and shall not be binding or conclusive upon him or her.~~] **In accordance with this section, the chair shall publish and maintain an exclusion list of providers currently disqualified from rendering medical care or treatment under this chapter or disqualified from conducting independent medical examinations in accordance with paragraph (b) of subdivision four of section thirteen-a and section one hundred thirty-seven of this chapter.**

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

(a) has been guilty of professional or other misconduct or incompetency in connection with rendering medical services under the law; or

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

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

(d) knowingly made a false statement or representation as to a material fact in any medical report**, or in any submission to the board,** made pursuant to this chapter or in testifying or otherwise providing information for the purposes of this chapter; or

(e) has solicited, or has employed another to solicit for [~~himself or herself~~] **either the provider's own benefit themself** or for another, professional treatment, examination or care of an injured employee in connection with any claim under this chapter; or

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

(g) has directly or indirectly requested, received or participated in the division, transference, assignment, rebating, splitting or refunding of a fee for, or has directly or indirectly requested, received or profited by means of a credit or other valuable consideration as a commission, discount or gratuity in connection with the furnishing of medical or surgical care, an independent medical examination, diagnosis or treatment or service, including X-ray examination and treatment, or for or in connection with the sale, rental, supplying or furnishing of clinical laboratory services or supplies, X-ray laboratory services or supplies, inhalation therapy service or equipment, ambulance service, hospital or medical supplies, physiotherapy or other therapeutic service or equipment, artificial limbs, teeth or eyes, orthopedic or surgical appliances or supplies, optical appliances, supplies or equipment, devices for aid of hearing, drugs, medication or medical supplies, or any other goods, services or supplies prescribed for medical diagnosis, care or treatment, under this chapter; except that reasonable payment, not exceeding the technical component fee permitted in the medical fee schedule, established under this chapter for X-ray examinations, diagnosis or treatment, may be made by a provider duly authorized as a roentgenologist to any hospital furnishing facilities and equipment for such examination, diagnosis or treatment, provided such hospital does not also submit a charge for the same services. Nothing contained in this paragraph shall prohibit such providers who practice as partners, in groups or as a professional corporation or as a university faculty practice corporation from pooling fees and moneys received, either by the partnership, professional corporation, university faculty practice corporation or group by the individual members thereof, for professional services furnished by any individual professional member, or employee of such partnership, corporation or group, nor shall the professionals constituting the partnerships, corporations, or groups be prohibited from sharing, dividing or apportioning the fees and moneys received by them or by the partnership, corporation or group in accordance with a partnership or other agreement[~~.~~]; or

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

(i) has misrepresented their credentials; or

(j) has failed to timely complete any trainings required by the chair; or

(k) had previously lost the privilege to treat injured workers by being suspended, removed, denied authorization, or by voluntarily resigning their authorization under this chapter prior to January first,

two thousand twenty-eight, and whose authorization had not been restored prior to January first, two thousand twenty-eight.

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

4. Nothing in this section shall be construed as limiting in any respect the power or duty of the chair to investigate instances of misconduct, either before or after investigation by a medical society or board as herein provided, or to [~~temporarily suspend the authorization of~~] **add** any provider **to the exclusion list** that [~~he or she~~] **the chair or the chair's designee** may believe to be guilty of such misconduct.

5. Whenever the department of health or the department of education shall conduct an investigation with respect to charges of professional or other misconduct by a provider which results in a report, determination or consent order that includes a finding of professional or other misconduct or incompetency by such provider, the chair shall have full power and authority to [~~temporarily suspend, revoke or otherwise limit the authorization under this chapter of~~] **add** any provider **to the exclusion list** upon such finding by the department of health or the department of education that the provider has been guilty of professional or other misconduct. The recommendations of the department of health or the department of education shall be advisory to the chair only and shall not be binding or conclusive upon the chair.

6. The chair may promulgate regulations to effectuate the publication and maintenance of the exclusion list. Providers on the exclusion list may petition the board to be taken off the exclusion list in a format prescribed by the chair.

§ 4. Section 13-f of the workers' compensation law, as amended by chapter 113 of the laws of 1946, subdivision 1 as amended by chapter 353 of the laws of 1990, subdivision 2 as amended by chapter 539 of the laws of 1964, is amended to read as follows:

§ 13-f. Payment of medical fees. (1) Fees for medical services shall be payable only to a [~~physician or other qualified person~~] **provider** permitted by [~~sections~~] **section** thirteen-b[~~, thirteen-k, thirteen-l and thirteen-m~~] of this [~~chapter~~] **article** or other authorized provider of health care under the education law or the public health law permitted to render medical care or treatment under this chapter, or to the agent, executor or administrator of the estate of such [~~physician~~] **provider** or such other qualified person. Except as provided in section thirteen-d of this [~~chapter~~] **article**, no provider of health care rendering medical care or treatment to a compensation claimant, shall collect or receive a fee from such claimant within this state, but shall have recourse for payment of services rendered only to the employer under the provisions of this chapter. Any compensation claimant who pays a fee to a provider of health care for medical care or treatment under this chapter shall have a cause of action against such provider of health care for the recovery of the money paid, which cause of action may be assigned to the chair in trust for the assigning claimant. All such assignments shall run to the chair. The chair may sue the physician, or other authorized provider of health care as herein described on the assigned cause of action with the benefits and subject to the provisions of existing law applying to such actions by the claimant [~~himself or herself~~]. Hospitals shall not be entitled to receive the remuneration paid to [~~physicians~~] **providers** on their staff for medical and surgical services.

(2) Whenever [~~his~~] **their** attendance at a hearing is required, the [~~physician~~] **provider** of the injured employee shall be entitled to receive a fee from the employer, or carrier, in an amount to be fixed by the board in addition to any fee payable under section eight thousand one of the civil practice law and rules.

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

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

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

§ 8. Subdivision 1 of section 13-n of the workers' compensation law, as added by chapter 473 of the laws of 2000, is amended to read as follows:

1. Any entity which derives income from independent medical examinations performed in accordance with subdivision four of section thirteen-a[~~, subdivision three of section thirteen-k, subdivision three of section thirteen-l and subdivision four of section thirteen-m~~] of this article **and section one hundred thirty-seven of this chapter**, whether by employing or contracting with independent examiners to conduct such independent medical examinations or by acting as a referral service or otherwise facilitating such examinations, shall register with the chair by filing a statement of registration containing such information prescribed by the chair in regulation. A fee may be imposed in accordance with regulations promulgated by the chair. Any such fees collected shall be used for the purpose of administering this section.

§ 9. Section 141 of the workers' compensation law, as amended by chapter 6 of the laws of 2007, is amended to read as follows:

§ 141. General powers and duties of the chair. The chair shall be the administrative head of the workers' compensation board and shall exercise the powers and perform the duties in relation to the administration of this chapter heretofore vested in the commissioner of labor by chapter fifty of the laws of nineteen hundred twenty-one, and acts amendatory thereof, and by this chapter excepting article six thereof, and except in so far as such powers and duties are vested by this chapter in the workers' compensation board. The chair shall preside at all meetings of the board and shall appoint all committees and panels of the board; shall designate the times and places for the hearing of claims under this chapter and shall perform all administrative functions of the board as in this chapter set forth. The chair, in the name of the board, shall enforce all the provisions of this chapter, and may make administrative regulations and orders providing for the receipt, indexing and examining of all notices, claims and reports, for the giving of notice of hearings and of decisions, for certifying of records, for the fixing of the times and places for the hearing of claims, and for providing for the conduct of hearings and establishing of calendar practice to the extent not inconsistent with the rules of the board. The chair shall issue and may revoke certificates of authorization of physicians, chiropractors [~~and~~]**,** podiatrists [~~as provided in sections thirteen-a, thirteen-k and thirteen-l of this chapter, and licenses for medical bureaus and x-ray and other laboratories under the provisions of section thirteen-c of this chapter~~]**, and psychologists to perform independent medical examinations in accordance with paragraph (b) of subdivision four of section thirteen-a and section one hundred thirty-seven of this chapter, and licenses for medical bureaus and x-ray and other laboratories under the provisions of section thirteen-c of this chapter, shall publish and maintain an exclusion list, in accordance with section thirteen-d of this chapter, for providers as defined in section thirteen-b of this chapter currently disqualified from providing medical care or from** performing independent medical examinations in accordance with paragraph (b) of subdivision four of section thirteen-a and section one hundred thirty-seven of this chapter, shall develop and require trainings for providers as defined in section thirteen-b of this chapter, which shall include, but not be limited to, the role of medical evidence in the board's determination of claims, the contents of medical reports, the process for seeking authorization for special services, diagnostic test networks, and permanency guidelines, issue stop work orders as provided in section one hundred forty-one-a of this article, and shall have and exercise all powers not otherwise provided for herein in relation to the administration of this chapter heretofore expressly conferred upon the commissioner of labor by any of the provisions of this chapter, or of the labor law. The chair, on behalf of the workers' compensation board, shall enter into the agreement provided for in section one hundred seventy-one-h of the tax law, and shall take such other actions as may be necessary to carry out the agreement provided for in such section for matching beneficiary records of workers' compensation with information provided by employers to the state directory of new hires for the purposes of verifying eligibility for such benefits and for administering workers' compensation. The chair shall promulgate regulations to (1) require that the employer or its carrier or special fund shall pay the costs associated with any deposition of a claimant's provider, and (2) allow workers' compensation law judges to deny cross-examination of a provider where appropriate. The chair may promulgate further regulations designed to prevent the consequences of a treating provider's failure to comply with statutory or regulatory provisions, including failure to appear for a deposition, from unduly harming the injured worker's receipt of compensation or medical treatment.

§ 10. Subdivision 5 of section 220 of the workers' compensation law, as amended by section 18 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

5. In addition to other penalties herein provided, the chair or designee shall [~~remove from the list of physicians authorized to render medical care under the provisions of articles one to eight, inclusive, of this chapter and from the list of podiatrists authorized to render podiatric care under section thirteen-k of this chapter, and from the list of chiropractors authorized to render chiropractic care under section thirteen-l of this chapter~~] place on the exclusion list pursuant to section thirteen-d of this chapter the name of any physician or podiatrist or chiropractor whom the chair or designee, pursuant to section two hundred twenty-one of this article, shall find, after reasonable investigation, has submitted to the employer or carrier or chair in connection with any claim for disability benefits under this article, a statement of disability that is not truthful and complete.

§ 11. Section 232 of the workers' compensation law, as amended by section 27 of part SS of chapter 54 of the laws of 2016, is amended to read as follows:

§ 232. Fees for testimony of physicians, podiatrists, chiropractors, dentists, psychologists and health care providers. Whenever [~~his or her~~] their attendance at a hearing, deposition or arbitration before the board or the chair's designee, pursuant to section two hundred twenty-one of this article, is required, the attending physician or attending podiatrist or attending chiropractor or attending dentist or attending psychologist or attending certified nurse midwife of the disabled employee, [~~except such physicians as are disqualified from testifying pursuant to subdivision one of section thirteen-b, or section nineteen-a~~

~~of this chapter, and except such podiatrists as are disqualified from testifying under the provisions of section thirteen-k, and except such chiropractors as are disqualified from testifying under the provisions of section thirteen-l, and except such psychologists as are disqualified from testifying under the provisions of section thirteen-m,~~] or health care provider shall be entitled to receive a fee in accordance with regulations of the chair.

§ 12. Section 153 of the workers' compensation law, as added by chapter 74 of the laws of 1945, is amended to read as follows:

§ 153. Annual report. The board shall on or before the first day of February in each year make an annual report in writing to the governor, the temporary president of the senate, the speaker of the assembly, and the chairs of the senate and assembly standing committees on labor, stating in detail the work it has done in hearing and deciding cases and otherwise. Such reports shall include the number of providers who rendered medical care or treatment under this chapter in the prior calendar year, the completion rate for provider training required by the board pursuant to section one hundred forty-one of this article, and an analysis of the degree to which new providers are successfully complying with this chapter and implementing regulations.

§ 13. This act shall take effect January 1, 2028 and shall apply to medical care or treatment occurring on or after such effective date.

PART Y

Section 1. Subdivision 6 of section 163 of the state finance law, as amended by chapter 110 of the laws of 2024, paragraph (d) as amended by section 1 of part MM of chapter 58 of the laws of 2025, is amended to read as follows:

6. Discretionary buying thresholds. Pursuant to guidelines established by the state procurement council:

(a) the commissioner may purchase services and commodities for the office of general services or its customer agencies serviced by the office of general services business services center in an amount not exceeding [~~eighty-five~~] one hundred fifty thousand dollars without a formal competitive process;

(b) state agencies may purchase services and commodities in an amount not exceeding [~~fifty~~] one hundred fifty thousand dollars without a formal competitive process;

(c) state agencies may purchase commodities or services from small business concerns, or commodities or technology that are recycled or remanufactured in an amount not exceeding five hundred thousand dollars without a formal competitive process;

(d) state agencies may purchase commodities or services from those certified pursuant to article fifteen-A of the executive law and article three of the veterans' services law in an amount not exceeding one million five hundred thousand dollars without a formal competitive process; and

(e) state agencies may purchase commodities that are food, including milk and milk products, or animal or plant fiber products, grown, produced, harvested, or processed in New York state or textile products manufactured from animal or plant fiber grown or produced predominantly in New York state in an amount not to exceed two hundred thousand dollars without a formal competitive process.

§ 2. Subdivision 6-a of section 163 of the state finance law, as amended by chapter 257 of the laws of 2021, is amended to read as follows:

6-a. Discretionary purchases. Notwithstanding the provisions of subdivision two of section one hundred twelve of this chapter relating to the dollar threshold requiring the state comptroller's approval of contracts, the commissioner of general services may make purchases or enter into contracts for the acquisition of commodities and services for the office of general services or its customer agencies serviced by the office of general services business services center having a value not exceeding [~~eighty-five~~] **one hundred fifty** thousand dollars without prior approval by any other state officer or agency in accordance with procedures and requirements set forth in this article.

§ 3. Subdivision 6-c of section 163 of the state finance law, as amended by chapter 572 of the laws of 2022, is amended to read as follows:

6-c. Pursuant to the authority provided in subdivision six of this section, for the purchase of commodities that are food, including milk and milk products, or animal or plant fiber products, grown, produced, harvested, or processed in New York state or textile products manufactured from animal or plant fiber grown or produced predominantly in New York state, where such commodities exceed [~~fifty~~] **one hundred fifty** thousand dollars in value, state agencies must advertise the discretionary purchase on the state agency website for a reasonable period of time and make the discretionary purchase based on the lowest price that meets the state agency's form, function and utility.

§ 4. Subdivision 8 of section 163 of the state finance law, as amended by section 12 of part L of chapter 55 of the laws of 2012, is amended to read as follows:

8. Public notice. All procurements by state agencies, including, without limitation, the state university of New York and the city university of New York, in excess of [~~fifty~~] **one hundred fifty** thousand dollars shall be advertised in the state's procurement opportunities newsletter in accordance with article four-C of the economic development law.

§ 5. Subdivision 3 of section 141 of the economic development law, as amended by section 14 of part L of chapter 55 of the laws of 2012, is amended to read as follows:

3. "Procurement contract" shall mean any written agreement entered into by an agency for the acquisition of goods, services, or construction of any kind in the actual or estimated amount of [~~fifty~~] **one hundred fifty** thousand dollars or more. The term does not include an agreement for employment in the civil service.

§ 6. Section 146 of the economic development law, as amended by chapter 173 of the laws of 2014, is amended to read as follows:

§ 146. Approval of comptroller. The comptroller shall not approve or file any procurement contract for the acquisition of goods or services in the amount of [~~fifty~~] **one hundred fifty** thousand dollars or more unless notice as provided in section one hundred forty-two of this article shall first have been published in the procurement opportunities newsletter at least fifteen business days prior to the date on which a bid or proposal was due. Provided, however, such requirement of publication of advance notice shall not apply to contracts exempt from such requirement under section one hundred forty-four of this article; provided further, that the comptroller shall not be required to disapprove a contract if [~~he or she~~] **such comptroller** determines that there has been substantial compliance with the requirements of section one hundred forty-two and section one hundred forty-three of this article. The foregoing provisions of this section shall not be construed to limit, in any manner, the right of the comptroller to demand evidence of adequate competition or such other proofs as [~~he or she~~] such comptroller may require in the discharge of [~~his or her~~] such comptroller's responsibilities pursuant to section one hundred twelve of the state finance law or any other provision of law.

§ 7. The opening paragraph of subdivision 8 of section 376 of the education law, as amended by section 3 of subpart A of part D of chapter 58 of the laws of 2011, is amended to read as follows:

All contracts which are to be awarded pursuant to this subdivision shall be awarded by public letting in accordance with the following provisions, notwithstanding any contrary provision of section one hundred thirty-five, one hundred thirty-six, one hundred thirty-nine or one hundred forty of the state finance law or any other law, provided, however, that where the estimated expense of any contract which may be awarded pursuant to this subdivision is less than two hundred fifty thousand dollars, a performance bond and a bond for the payment of labor and material may, in the discretion of the fund, not be required, and except that in the discretion of the fund, a contract may be entered into for such purposes without public letting where the estimated expense thereof is less than [~~twenty thousand~~] one hundred fifty thousand dollars, or where in the judgment of the fund an emergency condition exists as a result of damage to an existing academic building, dormitory or other facility which has been caused by an act of God, fire or other casualty, or any other unanticipated, sudden and unexpected occurrence, that has resulted in damage to or a malfunction in an existing academic building, dormitory or other facility and involves a pressing necessity for immediate repair, reconstruction or maintenance in order to permit the safe continuation of the use or function of such facility, or to protect the facility or the life, health or safety of any person, and the nature of the work is such that in the judgment of the fund it would be impractical and against the public interest to have public letting; provided, however, that the fund, prior to awarding a contract hereunder because of an emergency condition notify the comptroller of its intent to award such a contract:

§ 8. Paragraph a of subdivision 8 of section 376 of the education law, as amended by chapter 877 of the laws of 1990, is amended to read as follows:

a. If contracts are to be publicly let, the letting agency shall advertise the invitation to bid in a newspaper published in the city of Albany and in such other newspapers as will be most likely in its opinion to give adequate notice to contractors of the work required and of the invitation to bid provided, however, that where the estimated expense of any contract which may be awarded pursuant to this subdivision is less than [~~fifty~~] one hundred fifty thousand dollars, the letting agency may advertise the invitation to bid solely through the procurement opportunities newsletter published pursuant to section one hundred forty-two of the economic development law. The invitation to bid shall contain such information as the letting agency shall deem appropriate and a statement of the time and place where all bids received pursuant to such notice will be publicly opened and read.

§ 9. Paragraphs (i), (ii) and (iii) of subdivision a of section 6218 of the education law, as amended by chapter 17 of the laws of 2023, is amended to read as follows:

(i) purchase materials; proprietary electronic information resources, including, but not limited to, academic, professional and industry journals, reference handbooks and manuals, research tracking tools, indexes and abstracts; and equipment and supplies, including computer equipment and motor vehicles, where the amount for a single purchase does not exceed [~~seventy-five thousand dollars~~] **one hundred fifty thousand dollars**, (ii) execute contracts for services and construction contracts to an amount not exceeding [~~seventy-five thousand dollars~~] **one hundred fifty thousand dollars**, and (iii) contract for printing to an amount not exceeding [~~seventy-five thousand dollars~~] **one hundred fifty thousand dollars**, without prior approval by any other state officer or agency, but subject to rules and regulations of the state comptroller not otherwise inconsistent with the provisions of this section and in accordance with the guidelines promulgated by the city university board of trustees after consultation with the state comptroller. In addition, the trustees are authorized to annually negotiate with the state comptroller increases in the aforementioned dollar limits and the exemption of any articles, categories of articles, services, or commodities from these limits. Guidelines promulgated by the city university board of trustees shall, to the extent practicable, require that competitive proposals be solicited for purchases, and shall include requirements that purchases and contracts authorized under this section be at the lowest available price.

§ 10. Subdivision 9 of section 6275 of the education law, as amended by chapter 17 of the laws of 2023, is amended to read as follows:

(9) to make and execute contracts, leases, subleases and all other instruments or agreements necessary or convenient for the exercise of its corporate powers and purposes to an amount not exceeding [~~seventy-five thousand dollars~~] **one hundred fifty thousand dollars** without prior approval by any other state officer or agency; notwithstanding the foregoing, all contracts, leases, subleases, and all other instruments or agreements exceeding [~~seventy-five thousand dollars~~] **one hundred fifty thousand dollars** in amount shall be subject to section one hundred twelve of the state finance law;

§ 11. This act shall take effect immediately; provided, however, that the amendments to section 163 of the state finance law made by sections one, two, three and four of this act shall not affect the repeal of such section and shall be deemed repealed therewith; and provided, further, however, that the amendments to the opening paragraph of subdivision 8 of section 376 of the education law made by section seven of this act shall not affect the expiration of such paragraph and shall be deemed to expire therewith.

PART Z

Section 1. 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, is amended to read as follows:

(e) (i) The first statement of registration filed annually by each lobbyist for calendar years through two thousand three shall be accompanied by a registration fee of fifty dollars except that no registration fee shall be required of a public corporation. A fee of fifty dollars shall be required for any subsequent statement of registration filed by a lobbyist during the same calendar year; (ii) The first statement of registration filed annually by each lobbyist for calendar year two thousand four shall be accompanied by a registration fee of one 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 one hundred dollars shall be required for any subsequent statement of registration filed by a lobbyist during the same calendar year; (iii) The first statement of registration filed biennially by each lobbyist for the first biennial registration requirements for calendar years two thousand five and two thousand six [~~and thereafter,~~] through the thirty-first day of March two thousand twenty-six 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 through the thirty-first day of March two thousand twenty-six; (iv) The statement of registration filed after the due date of a biennial registration for calendar years two thousand five and two thousand six through the thirty-first day of March two thousand twenty-six shall be accompanied by a registration fee that is prorated to one hundred dollars for any such registration filed after January first of the second calendar year covered by the biennial reporting requirement[~~.~~]; (v) Beginning with the first statement of registration filed by each lobbyist on or after the first day of April two thousand twenty-six and thereafter, there shall be an annual registration fee of two hundred and fifty dollars for each calendar year in which such registration remains in effect, 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. An annual registration fee of two hundred fifty dollars shall be required for any subsequent statement of registration filed by a lobbyist during the same biennial period and for each calendar year in which such registration remains in effect; (vi) 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.

§ 2. This act shall take effect immediately.

PART AA

Section 1. The executive law is amended by adding a new section 214-j to read as follows:

§ 214-j. Critical incident policy. 1. As used in this section, the following terms shall have the following meanings:

(a) "Critical incident" shall mean the following actions when performed by a member or experienced by a member in the course of official duties: (i) an action that directly causes serious physical injury or death to another person or member; (ii) a discharge of a firearm by a member directed at another person; (iii) a traffic accident or incident involving a division vehicle, aircraft, or vessel that results in serious physical injury or death; or (iv) any other incident deemed appropriate by the superintendent or their designee.

(b) "Serious physical injury" shall mean an injury that, based on the facts and circumstances reasonably known at the time of the incident, appears to involve a substantial risk of death or an obvious and severe impairment of a major bodily function, such that a reasonable person would conclude the injury is life-threatening or significantly life-altering, without regard to later medical findings, prognosis, or outcome. The determination of a "serious physical injury" shall be made by the superintendent or their designee based on the observable conditions and available information at the time the supervisor arrives at the scene of the critical incident, and shall not be affected by subsequent medical evaluation or recovery. "Serious physical injury" shall include, but not be limited to, suspected spinal cord injury or paralysis, severe penetrating head injury, massive blood loss, or loss of limb.

(c) "Directly involved" shall mean any member who was physically present within the immediate proximity of a critical incident at the time it occurred and whose direct exposure to the incident placed the member within the immediate zone of operational engagement, regardless of whether the member discharged a weapon or otherwise used force.

(d) "Primary member" means any directly involved member who justifiably used deadly physical force during the critical incident, or whose actions during the critical incident appear to be the most immediate and substantial cause of death or serious physical injury to a person.

2. The superintendent shall develop, maintain, and disseminate to all members of the division of state police a critical incident paid leave policy that provides for paid critical incident leave in accordance with this section.

3. Such critical incident paid leave policy shall guarantee: (a) paid critical incident leave of at least twenty calendar days for any primary member whose official actions were the direct and proximate cause of the death of another person; (b) paid critical incident leave of at least ten calendar days for any other member directly involved in the critical incident; and (c) paid critical incident leave under such other circumstances the superintendent or their designee determines appropriate. Such leave shall constitute a separate category of leave and shall not count against vacation, sick, or personal leave accruals. Such leave, where appropriate, shall be designated as family and medical leave act and/or count against a member's workers' compensation leave entitlement.

4. Critical incident paid leave shall begin as soon as possible after the critical incident, provided that initial supervisory inquiries of the involved members shall occur before leave commences. Critical incident leave may only be delayed to ensure minimum necessary staffing levels or protect community safety. Delays shall only be as long as necessary to address such concerns. Upon agreement of the member and the superintendent or their designee, the member shall be allowed to return to duty prior to the completion of the period of critical incident leave.

5. In any case where critical incident paid leave has been made to a member, and it is thereafter determined that a critical incident did not occur or that the member's actions that resulted in the serious physical injury or death of another person were not justified, the superintendent or their designee may order the deduction of equivalent vacation or

personal leave days and/or the withholding of future paid leave to such member, provided that the amount of days deducted and/or withheld shall not be more than the critical incident paid leave days that were originally provided.

6. The superintendent shall be prohibited from taking any punitive administrative action against any member granted critical incident leave under this section solely on the basis of the provision of such leave unless the leave was provided, at least in part, based upon the member's fraud, deceit, or misrepresentation.

7. The superintendent is authorized to promulgate rules and regulations to implement, administer, and enforce the provisions of this section.

§ 2. This act shall take effect on the one hundred twentieth 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 BB

Section 1. Section 16 of chapter 1 of the laws of 2005 amending the state finance law relating to restricting contacts in the procurement process and the recording of contacts relating thereto, as amended by section 1 of part SS of chapter 55 of the laws of 2021, is amended to read as follows:

§ 16. This act shall take effect immediately; provided, however, that sections one, six, eight, nine, ten, eleven and fifteen of this act shall take effect January 1, 2006; and provided, however, the amendments to paragraph f of subdivision 9 of section 163 of the state finance law made by section fifteen of this act shall not affect the repeal of such section and shall be deemed repealed therewith; provided, further, that the amendments to article 1-A of the legislative law, made by this act, shall not affect the repeal of such article pursuant to chapter 2 of the laws of 1999, as amended, and shall be deemed repealed therewith; provided, further, that sections thirteen and fourteen of this act shall take effect January 1, 2006 and shall be deemed repealed July 31, [~~2026~~] 2028; provided, further, that effective immediately, the advisory council on procurement lobbying created pursuant to section twelve of this act shall be constituted no later than sixty days following the effective date of this act, provided that effective sixty days following the effective date of this act, the advisory council on procurement lobbying shall be authorized to establish model guidelines and to add, amend and/or repeal any rules or regulations necessary for the implementation of its duties under sections twelve and thirteen of this act, and the advisory council authorized to make and complete such model guidelines on or before the effective date of section thirteen of this act; provided, further, that procurement contracts for which bid solicitations have been issued prior to the effective date of this act shall be awarded pursuant to the provisions of law in effect at the time of issuance.

§ 2. This act shall take effect immediately.

PART CC

Section 1. Subdivision 5 of section 362 of chapter 83 of the laws of 1995 amending the state finance law and other laws relating to bonds, notes and revenues, as amended by section 1 of part RR of chapter 55 of the laws of 2021, is amended to read as follows:

5. Sections thirty-one through forty-two of this act shall take effect on the thirtieth day after it shall have become a law and shall be deemed to have been in full force and effect on and after April 1, 1995; provided that section 163 of the state finance law, as added by section thirty-three of this act shall remain in full force and effect until June 30, [~~2026~~] **2031** at which time it shall expire and be deemed repealed. Contracts executed prior to the expiration of such section 163 shall remain in full force and effect until the expiration of any such contract notwithstanding the expiration of certain provisions of this act.

§ 2. This act shall take effect immediately.

PART DD

Intentionally Omitted

PART EE

Intentionally Omitted

PART FF

Intentionally Omitted

PART GG

Section 1. Subdivision 3 of section 230.21 of the criminal procedure law is REPEALED.

§ 2. This act shall take effect on the same date and in the same manner as chapter 587 of the laws of 2025, takes effect.

PART HH

Section 1. Subdivision c of section 3 of chapter 729 of the laws of 2023, constituting the New York State community commission on reparations remedies, as amended by section 1 of part JJ of chapter 55 of the laws of 2025, 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 [~~thirty~~] **fifty-four** months after the date of the first meeting of the commission held pursuant to subdivision c of section four of this act.

§ 2. Sections 6 and 7 of chapter 729 of the laws of 2023, constituting the New York State community commission on reparations remedies, are amended to read as follows:

§ 6. **Members shall not be considered "officers" for the purposes of sections seventy-three and seventy-four of the public officers law. The provisions of section seventeen of the public officers law shall apply to members, officers, and employees of the commission in connection with any civil action or proceeding in any state or federal court arising out** of any alleged act or omission which occurred or is alleged in the complaint to have occurred while the member, officer, or employee was acting within the scope of their public employment or duties pursuant to the terms of this title. As used in this section the terms "member", "officer", and "employee" shall include a former member, officer, or employee, and the estate or judicially appointed personal representative of the former member, officer, or employee.

§ 7. Termination. The commission shall terminate 90 days after the date on which the commission submits its report to the temporary president of the senate, the speaker of the assembly, the minority leaders of the senate and the assembly and the governor as provided in subdivision c of section three of this act.

§ [~~7.~~] 8. This act shall take effect immediately and shall expire and be deemed repealed 90 days after the New York State community commission to study reparations remedies submits its report to the temporary president of the senate, the speaker of the assembly, the minority leaders of the senate and the assembly and the governor as provided in subdivision c of section three of this act; provided that, the chair of the New York State community commission to study reparations remedies shall notify the legislative bill drafting commission upon the submission of its report as provided in subdivision c of section three of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the State of New York in furtherance of effecting the provisions of section 44 of the legislative law and section 70-b of the public officers law.

§ 3. This act shall take effect immediately; provided, however, that the amendments to chapter 729 of the laws of 2023 made by sections one and two of this act shall not affect the expiration of such chapter and shall expire and be deemed repealed therewith.

PART II

Section 1. Section 2350 of the insurance law, as added by chapter 136 of the laws of 2008, is amended to read as follows:

§ 2350. Flexible rating for nonbusiness automobile insurance policies. (a) Except as provided in subsection (b) of this section, overall average (for all coverages combined) rate level [~~increases or~~] decreases of five percent [~~above or~~] below the insurer's rates in effect may take effect without prior approval with respect to rates for policies covering losses or liabilities arising out of the ownership of a motor vehicle predominantly used for nonbusiness purposes, including classification plans predominantly consisting of vehicles used for nonbusiness purposes, when a natural person is the named insured under a policy of automobile insurance.

(b) Notwithstanding any other provisions of this article, for any policies governed by this section, filings that produce rate level changes within the limitation specified in subsection (a) of this section shall become effective without prior approval pursuant to subsection (a) of section two thousand three hundred five of this article[~~, provided however (1) that no more than two rate increases the total of which shall not exceed the limitation specified in subsection (a) of this section may be implemented during any twelve month period; and (2) no rate increase within the limitation specified in subsection (a) of this section may be implemented until the onset of the new policy period and unless the insurer, at least thirty but not more than sixty days in advance of the end of the policy period, mails or delivers to~~

~~the named insured, at the address shown in the policy, a written notice of its intention to change the rate. The specific reason or reasons for the rate change shall be stated in or shall accompany the notice~~].

(c) The superintendent shall promulgate rules and regulations implementing the provisions of this section.

(d) The superintendent shall monitor the degree and continued existence of competition and the effectiveness of flexible rating in this state on an on-going basis. In doing so, the superintendent shall utilize the following standards or factors:

(1) the standards contained in section two thousand three hundred eight of this article;

(2) existing relevant information, analytical systems and other sources, or rely on some combination thereof;

(3) the number of insurers or group of affiliated insurers actively engaged in providing coverage, taking into account the specialization traditionally required for insurance in the particular rating territory;

(4) measures of market concentration and changes of market concentration over time, which may include the use of Herfindahl-Hirschman Index (HHI) and the United States Department of Justice merge guidelines for an unconcentrated market ease of entry, and the existence of financial or economical barriers that could prevent new firms from entering the market;

(5) the extent to which any insurer or group of affiliated insurers controls all or a dominant portion of the market has actively sought to prevent competition;

(6) whether the total number of companies writing the line of insurance in this state is sufficient to provide multiple options;

(7) the availability of insurance coverage to consumers;

(8) the opportunities available to consumers in the market to acquire pricing and other consumer information; and

(9) any other factions relevant to inquiry.

Such activities may be conducted internally within the department, in cooperation with other state insurance departments, through outside contractors and/or in any other appropriate manner.

§ 2. Section 2350 of the insurance law is REPEALED.

§ 3. This act shall take effect six months after it shall have become a law; provided, however, section two of this act shall take effect four years 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 JJ

Section 1. The insurance law is amended by adding a new section 2341 to read as follows:

§ 2341. Prohibition against the use of employment, education, homeownership, and zip code for private passenger motor vehicle insurance rates. (a) An insurer shall not use the following factors as the sole basis for initial tier placement, tier movement, or the establishment of rates for motor vehicle insurance subject to section three thousand four hundred twenty-five of this chapter:

(1) occupational status or type of occupation;

(2) education level attained;

(3) homeownership; and

(4) the zip code in which the motor vehicle is principally garaged, provided, however, that an insurer may use a group of contiguous zip codes in accordance with section two thousand three hundred seven of this article.

(b) Nothing in this section shall be construed to prohibit:

(1) consideration of occupational status or type of occupation to determine whether a motor vehicle is used for a business or commuting purpose; or

(2) consideration of occupation to the extent strictly necessary to offer policies pursuant to a mass merchandising plan; or

(3) any actuarially justified discounts approved by the superintendent.

§ 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 KK

Section 1. Section 13 of chapter 141 of the laws of 1994, amending the legislative law and the state finance law relating to the operation and administration of the legislature, as amended by section 1 of part AAA of chapter 55 of the laws of 2025, is amended to read as follows:

§ 13. This act shall take effect immediately and shall be deemed to have been in full force and effect as of April 1, 1994, provided that, the provisions of section 5-a of the legislative law as amended by sections two and two-a of this act shall take effect on January 1, 1995, and provided further that, the provisions of article 5-A of the legislative law as added by section eight of this act shall expire June 30, [~~2026~~] 2027 when upon such date the provisions of such article shall be deemed repealed; and provided further that section twelve of this act shall be deemed to have been in full force and effect on and after April 10, 1994.

§ 2. This act shall not supersede the findings and determinations made by the compensation committee as authorized pursuant to part HHH of chapter 59 of the laws of 2018 unless a court of competent jurisdiction determines that such findings and determinations are invalid or otherwise not applicable or in force.

§ 3. This act shall take effect immediately, provided, however, if this act shall take effect on or after June 30, 2026, this act shall be deemed to have been in full force and effect on and after June 30, 2026.

PART LL

Section 1. This act enacts into law components of legislation necessary to protect the rights of New Yorkers with respect to civil immigration enforcement by the federal government. Each component is wholly contained within a Subpart identified as Subparts A through H. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, 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 Subpart in which it is found. Section three of this act sets forth the general effective date of this act.

SUBPART A

Section 1. This act shall be known and may be cited as the "Local Cops, Local Crimes Act".

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

§ 170-k. Local cops, local crimes act. 1. For purposes of this section, the following definitions shall apply:

(a) "Law enforcement agency" means the New York state police and any law enforcement agency or department of any municipality, any police district, or any agency, department, commission, authority or public benefit corporation of the state of New York employing a police officer as that term is defined in subdivision thirty-four of section 1.20 of the criminal procedure law or peace officer as that term is defined in section 2.10 of the criminal procedure law, except for the port authority of New York and New Jersey.

(b) "Local government" means any municipal corporation and governing board in the state of New York.

(c) "Municipal corporation" has the same meaning as such term is defined in section two of the general municipal law.

(d) "Governing board" has the same meaning as such term is defined in section two of the general municipal law.

(e) "Correctional facility" has the same meaning as such term is defined in subdivision four of section two of the correction law.

(f) "Local correctional facility" has the same meaning as such term is defined in subdivision sixteen of section two of the correction law.

(g) "Immigration detention facility" means any building, facility, or structure used, in whole or in part, to house or detain individuals for any violation of a civil provision of the federal Immigration and Nationality Act relating to an individual's immigration status.

(h) "Juvenile detention facility" means a specialized secure, secure, or nonsecure detention facility certified by the office of children and family services pursuant to section five hundred three of this chapter.

(i) "Facility for youth placed with or committed to the office of children and family services" means a facility operated pursuant to section five hundred four of this chapter.

(j) "Immigration authority" has the same meaning as such term is defined in section three hundred nineteen of this chapter.

(k) "Immigration enforcement" has the same meaning as such term is defined in section three hundred nineteen of this chapter.

(l) "Immigration law" means any civil provision of the federal Immigration and Nationality Act and any provision of law that penalizes a person's presence in, entry into, or reentry into the United States.

2. (a) No local government, law enforcement agency, correctional facility, local correctional facility, juvenile detention facility, or facility for youth placed with or committed to the office of children and family services, or agent thereof may, enter into, modify, renew, remain in, or extend:

(i) any agreement pursuant to section 287(g) of the Immigration and Nationality Act codified at 8 U.S.C. § 1357(g), including, but not limited to, any formal or informal agreement under which an officer or employee may engage in or assist immigration enforcement, or otherwise may perform a function of an immigration officer; or

(ii) any contract, intergovernmental service agreement, or any other formal or informal agreement to house or detain individuals for federal civil immigration violations, including, but not limited to, agreements entered into pursuant to 8 U.S.C. § 1103(a) or § 1231(g).

(b) Nothing in this subdivision shall be construed to preclude contracts or agreements by:

(i) any hospital or other health care facility as defined by section twenty-eight hundred one of the public health law, including any health care facility operated by a public benefit corporation pursuant to title two of article ten-C of the public authorities law, or any mental health facility or hospital as defined by section 1.03 of the mental hygiene law to provide health care services;

(ii) any authorized agency as defined by subdivision ten of section three hundred seventy-one of the social services law, to provide care or placement to children in the custody of the United States Office of Refugee Resettlement; or

(iii) any federal law enforcement agency for the provision of detention space for individuals subject to pending federal criminal charges; provided, however, that no such agreement may provide for detention space to house or detain individuals solely for federal civil immigration violations.

3. No local government, law enforcement agency, correctional facility, local correctional facility, juvenile detention facility, or facility for youth placed with or committed to the office of children and family services or agent thereof shall:

(a) pay, reimburse, subsidize, give any financial incentive or benefit or defray in any way costs related to the sale, purchase, construction, development, ownership, management, or operation of an immigration detention facility that is or will be owned, managed, or operated, in whole or in part by a private entity; or

(b) otherwise give any financial incentive or benefit in connection with the sale, purchase, construction, development, ownership, management, or operation of an immigration detention facility.

4. Notwithstanding any provision of state or local law to the contrary relating to the time in which a decision shall be rendered on an application for or an appeal relating to a permit, certificate, or variance, no local government shall approve a zoning variance or issue a permit or certificate for the construction or the reuse of existing buildings or structures by any private entity for use as an immigration detention facility unless the local government, at a minimum, and in addition to any other requirements:

(a) provides notice to the public of the proposed zoning variance, permit, or certificate action at least one hundred eighty days before authorizing the variance or issuing the permit or certificate; and

(b) solicits and hears public comments on the proposed zoning variance, permit, or certificate action in at least two separate meetings open to the public.

5. Nothing in subdivisions three and four of this section shall restrict any local government from adopting or applying additional zoning variance, permitting, or certificate requirements, or extending the length of the one hundred eighty day notice requirement, or increasing the number of meetings open to the public to discuss the zoning variance, permit, certificate, or reuse of existing buildings or structures, notwithstanding any provision of state or local law to the contrary relating to the time in which a decision shall be rendered on

an application for or an appeal relating to a permit, certificate, or variance.

6. Nothing in this section shall be construed to prohibit a local government, law enforcement agency, correctional facility, or local correctional facility from complying with any state or federal court order or judicial warrant, or any other action as required by law.

7. (a) Any agreement described in subdivision two of this section shall be deemed not consistent with state law and any such agreement existing upon the effective date of this section shall be void and unenforceable, and any law enforcement agency, correctional facility, local correctional facility, juvenile detention facility, or facility for youth placed with or committed to the office of children and family services, or agent thereof shall exercise any applicable termination provision contained in such agreement.

(b) Notwithstanding paragraph (a) of this subdivision, any law enforcement agency, correctional facility, local correctional facility, juvenile detention facility, or facility for youth placed with or committed to the office of children and family services, or agent thereof shall exercise any applicable termination provision contained in any agreement described in subparagraph (ii) of paragraph (a) of subdivision two of this section within three months after the effective date of this section, after which time any such agreement shall be deemed not consistent with state law, void, and unenforceable.

8. The provisions of this section shall apply notwithstanding any other provisions of state or local law, charter, code, ordinance, resolution, rule, or regulation to the contrary. Provided, however, that nothing in this article shall be construed to prevent or restrict the state government from adopting, enacting, or enforcing state policies or a local government from adopting, enacting, or enforcing local policies, laws, resolutions, ordinances, or regulations which comply with at least the applicable standards or requirements of this section, or which exceed the provisions of this section, or which further restrict the ability of state government or local government personnel to participate in immigration enforcement beyond the requirements set forth in the chapter of the laws of two thousand twenty-six that added this section.

§ 3. 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.

§ 4. This act shall take effect immediately; provided, however, that subdivision 7 of section 170-k of the executive law, as added by section two of this act, shall take effect on the ninetieth day after it shall have become a law.

SUBPART B

Section 1. Short title. This act shall be known and may be cited as the "New York state Bivens act".

§ 2. Legislative intent. 1. The people of the state of New York must be guaranteed meaningful remedies, including, but not limited to, those provided through the courts, when their constitutional rights are violated by government officials. Federal civil rights law, 42 U.S.C. § 1983, provides a private right of action to recover damages and seek injunctive relief against state and/or local officials when they violate an individual's constitutional rights while acting under color of law. The Federal Tort Claims Act (FTCA), as amended by the Westfall Act, provides the exclusive avenue for many common law damages actions against federal officers acting within the scope of their employment.

2. a. The Westfall Act explicitly carves out from the FTCA's exclusive purview "a civil action against an employee of the government which is brought for a violation of the constitution of the United States." 28 U.S.C. § 2679(b)(2)(a). The plain text of this provision contains no limitation on the scope of constitutional violations carved out from the FTCA's exclusive purview, recognizing the well-established principle that government agents act outside of the scope of their offices when they violate the federal constitution.

b. Accordingly, the legislature finds it necessary to provide a state avenue to bring a civil action for damages against any government official, who, acting under color of any law, statute, ordinance, regulation, custom, or usage, deprives a person of rights secured by the United States Constitution. The legislature intends for this statute to fall squarely within the provision of the Westfall Act that carves out FTCA claims against federal officials for violations of constitutional rights.

c. This article does not, nor is intended to, usurp federal authority, nor does it discriminate against federal officials. This statute underscores the supremacy of the federal constitution by ensuring that its guarantees remain enforceable for all New Yorkers against all persons acting under color of any law. From the founding era through the nineteenth century, courts regularly adjudicated state lawsuits against federal officers who exceeded lawful authority. Nothing in the constitution, federal statutes, or United States Supreme Court precedent forecloses such actions today. The legislature thus finds that New York state may properly act to safeguard its residents' constitutional rights.

3. The intent of this statute is to restore a meaningful avenue of accountability consistent with federal supremacy, sovereignty, and the longstanding principle that rights must be paired with remedies.

§ 3. The civil rights law is amended by adding a new article 8-A to read as follows:

ARTICLE 8-A

NEW YORK STATE BIVENS ACT

Section 85. Action for deprivation of constitutional rights by government officials acting under color of law.

86. Severability.

§ 85. Action for deprivation of constitutional rights by government officials acting under color of law. 1. Liability. Any person who, under color of any law, statute, ordinance, regulation, custom, or usage of the United States and of any state or territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the constitution of the United States, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable.

2. Remedies. In any action brought under this section, the court may award:

a. Compensatory damages, including damages for emotional distress, pain and suffering, and other non-economic damages;

b. Punitive damages where the violation is found to be malicious, wanton, willful, or in reckless disregard of the plaintiff's rights;

c. Injunctive and declaratory relief;

d. Nominal damages; and

e. Reasonable attorneys' fees and costs to a prevailing plaintiff, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity such officer shall not be held liable for any costs, including attorneys' fees, unless such action was clearly in excess of such officer's jurisdiction.

3. This section shall apply retroactively to January first, two thousand twenty-five, provided that for any claim for a violation of the United States Constitution that occurred between January first, two thousand twenty-five, and the effective date of this section, the only monetary damages that shall be available pursuant to this section for such constitutional violation are nominal and compensatory damages.

§ 86. Severability. If any clause, sentence, paragraph, section, or part of this article 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 article would have been enacted even if such invalid provisions had not been included herein.

§ 4. This act shall take effect immediately.

SUBPART C

Section 1. The executive law is amended by adding a new article 15-AA to read as follows:

ARTICLE 15-AA
RESTRICTIONS ON IMMIGRATION ENFORCEMENT BY STATE EMPLOYEES

Section 319. Definitions.
319-a. Restrictions on immigration enforcement by state employees.

§ 319. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "State entity" means any agency under the executive authority of the governor; any agency for which the governor appoints the commissioner or highest ranking employee; any public benefit corporation, public authority, board, or commission for which the governor appoints the chief executive or a majority of the board members, except for the port authority of New York and New Jersey; any division, department, or office regulated under this chapter; the state education department; any college, university, or postsecondary educational institution within the state university of New York, city university of New York, and its affiliate senior and community colleges; all offices defined in article one of the public officers law; the department of civil service or any of its civil divisions as defined in article one of the civil service

law; and any contractor or subcontractor while performing services on behalf of the state.

2. "State employee" means any individual employed by any agency under the executive authority of the governor; any agency for which the governor appoints the commissioner or highest ranking employee; any public benefit corporation, public authority, board, or commission for which the governor appoints the chief executive or a majority of the board members, except for the port authority of New York and New Jersey; any division, department, or office regulated under this chapter; the state education department; any college, university, or postsecondary educational institution within the state university of New York, city university of New York, and its affiliate senior and community colleges; all offices defined in article one of the public officers law; the department of civil service or any of its civil divisions as defined in article one of the civil service law; or any contractor or subcontractor while performing services on behalf of the state; provided, however, this definition shall not include:

(a) any individual employed as a police officer as that term is defined in subdivision thirty-four of section 1.20 of the criminal procedure law;

(b) any individual employed as a peace officer as that term is defined in section 2.10 of the criminal procedure law; or

(c) any civilian employee of a state law enforcement agency.

3. "Immigration authority" means an agency that primarily enforces immigration law including, but not limited to, United States Immigration and Customs Enforcement or United States Customs and Border Protection, and any successor agencies having similar duties; or a federal agency making a request or taking an enforcement action pursuant to the civil enforcement provisions of the federal Immigration and Nationality Act.

4. "Immigration enforcement" means the enforcement of any civil provision of the federal Immigration and Nationality Act for the purpose of determining a person's lawful presence or status in the United States, or for the purpose of apprehending, detaining, transferring, or removing a person solely for civil immigration purposes because of such person's immigration status.

5. "Immigration detainer" means any document, form, or other communication requesting or directing that a state entity or state employee detain or maintain custody of an individual, for any period of time, for pickup by or transfer to immigration authorities.

6. "Civil immigration warrant" means any warrant for a violation of civil immigration law that is not issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631.

7. "State law enforcement agency" means the New York state police, the department of corrections and community supervision, and the department of law.

8. "Civilian employee of a state law enforcement agency" means any person, other than a police officer or peace officer, employed by a state law enforcement agency, whose official duties require such person to collect, analyze, share, or present evidence and/or intelligence, or to supervise such activities or persons.

§ 319-a. Restrictions on immigration enforcement by state employees. 1. No state employee shall use state resources, including, but not limited to, time spent while on duty or any property or facilities owned or operated by or under the control of the state entity, for immigration enforcement purposes.

2. No state employee shall disclose to an immigration authority or any employee thereof an individual's personally identifiable information, including, but not limited to, a person's name, social security number, physical description, any associated addresses, telephone number, financial information, medical information, or place of employment or education except as provided in subdivision nine of this section.

3. No state employee shall question, investigate, or interrogate an individual solely on the basis of an immigration detainer, a civil immigration warrant, or for the sole purpose of immigration enforcement.

4. No state employee shall inquire about a person's citizenship, immigration status, nationality, or country of origin, except as provided in subdivision nine of this section or as necessary to administer a public program or benefit sought by such person; or when registering an individual to vote and other election related matters.

5. No state employee shall collect information about a person's citizenship, immigration status, nationality, or country of origin, except as provided in subdivision nine of this section or as necessary to administer a public program or benefit sought by such person; or when registering an individual to vote and other election related matters.

6. (a) (i) No state employee shall grant permission to access or facilitate access to non-public areas of property or facilities owned or operated by or under the control of the state entity to an immigration authority or any employee thereof engaging in immigration enforcement except as provided in subdivision nine of this section.

(ii) Provided, however, that no state entity or state government employee shall grant permission to access or facilitate access to a polling location to an immigration authority or any employee thereof engaging in immigration enforcement where doing so would violate 18 §§ U.S.C. 592, 595, 52 U.S.C. § 10307(b), the Fourteenth Amendment of the United States Constitution, or the Fifteenth Amendment of the United States Constitution, except as provided in subdivision nine of this section.

(b) Each state entity shall implement policies and/or procedures for all relevant employees in the event that a judicial warrant or court order is presented for access to non-public areas, including the protocol to verify the sufficiency of any judicial warrant or court order to ensure such judicial warrant or court order complies with the provisions of this section prior to permitting access to any non-public areas. Such policies and/or procedures shall include a designated contact for such inquiries. Nothing in this paragraph shall abrogate or otherwise change any legal privileges, including, but not limited to, the attorney client privilege, that may apply to such inquires.

7. No state employee shall use an immigration authority or any employee thereof as an interpreter or translator for law enforcement matters relating to individuals that such entities or employees interact with as part of their employment duties.

8. The provisions of this section shall not be construed to prohibit or restrict state entities or state employees from sending to or receiving from the United States department of homeland security or any other federal, state, or local governmental entity information regarding the citizenship or immigration status of an individual pursuant to 8 U.S.C. § 1373.

9. The provisions of this article shall not prohibit state employees from complying with court orders issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631, or judicial warrants issued

by a judge appointed pursuant to Article III of the United States Constitution or federal magistrate judge appointed pursuant to 28 U.S.C. § 631, or complying with requirements under existing law.

10. The provisions of this article shall apply notwithstanding any other provisions of state or local law and shall not be construed to in any way to expand the authority of state employees to participate in immigration enforcement.

11. Nothing in this article shall be construed to prevent state entities from adopting policies which exceed the provisions of this article or further restrict state entities or state employees from participation in immigration enforcement beyond the requirements set forth in this article.

12. For any databases operated by a state entity, including databases maintained for a state entity by private vendors, the attorney general shall, by the first of January following the effective date of this article, in consultation with appropriate stakeholders, publish guidance and training recommendations aimed at ensuring that such databases are governed in a manner that limits the availability of information contained therein, to the fullest extent practicable and consistent with federal and state law including, but not limited to, 8 U.S.C. § 1373, to anyone or any entity for the purpose of immigration enforcement. All state entities may adopt necessary changes to database governance policies consistent with such guidance.

13. The office of employee relations shall develop training covering the requirements of this article no later than one hundred twenty days after its effective date and shall ensure that such training is made available to state entities as defined in section three hundred nineteen of this article so that state employees shall receive training relevant to their required role in implementing this article. Such training shall be conducted during the employee's regular working hours and employees shall receive compensation at their regular rate of pay for any time spent participating in such training. Subsequent training for required employees shall be provided within sixty days of hire, and annually thereafter.

§ 2. The general municipal law is amended by adding a new article 19-D to read as follows:

ARTICLE 19-D

DUTIES OF MUNICIPAL GOVERNMENTS AND THEIR EMPLOYEES PERTAINING TO IMMIGRATION ENFORCEMENT

§ 996. Definitions. For purposes of this article, the following terms shall have the following meanings:

1. "Immigration authority" has the same meaning as such term is defined in section three hundred nineteen of the executive law.

2. "Immigration enforcement" has the same meaning as such term is defined in section three hundred nineteen of the executive law.

3. "Immigration detainer" means any document, form, or other communication requesting or directing that a municipal government or municipal government employee detain or maintain custody of an individual, for any period of time, for pickup by or transfer to immigration authorities.

4. "Civil immigration warrant" means any warrant for a violation of civil immigration law that is not issued by a judge appointed pursuant

to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631.

5. "Municipal government" means a municipal corporation, or a governing board as defined in section two of this chapter, except that this definition shall not include a local correctional facility as that term is defined in subdivision sixteen of section two of the correction law.

6. "Municipal government employee" means any individual employed by a municipal government; or any contractor or subcontractor while performing services on behalf of a municipal government except that this definition shall not include:

(a) any individual employed as a police officer as that term is defined in subdivision thirty-four of section 1.20 of the criminal procedure law;

(b) any individual employed as a peace officer as that term is defined in section 2.10 of the criminal procedure law; or

(c) any civilian employee of a local law enforcement agency.

7. "Local law enforcement agency" means any authorized police department, probation department, district attorney's office, local correctional department, or county sheriff's office.

8. "Civilian employee of a local law enforcement agency" means any person, other than a police officer or peace officer, employed by a local law enforcement agency, whose official duties require such person to collect, analyze, share, or present evidence and/or intelligence, or to supervise such activities or persons.

§ 996-a. Restriction on use of municipal government resources for immigration enforcement. 1. No municipal government employee shall use the resources of such municipal government including, but not limited to, time spent while on duty or any property or facilities owned or operated by or under the control of the municipal government for immigration enforcement purposes.

2. No municipal government employee shall disclose to an immigration authority or any employee thereof an individual's personally identifiable information, including, but not limited to, such person's name, social security number, physical description, any associated addresses, telephone number, financial information, medical information, or place of employment or education except as provided in subdivision nine of this section or unless necessary to administer a public program or benefit sought by such person; or when registering an individual to vote and other election related matters.

3. No municipal government employee shall question, investigate, or interrogate an individual solely on the basis of an immigration detainer, a civil immigration warrant, or for the sole purpose of immigration enforcement.

4. No municipal government employee shall inquire about a person's citizenship, immigration status, nationality, or country of origin, except as provided in subdivision nine of this section; or as necessary to administer a public program or benefit sought by such person or when registering an individual to vote and other election related matters.

5. No municipal government employee shall collect information about a person's citizenship, immigration status, nationality, or country of origin, except as provided in subdivision nine of this section; or as necessary to administer a public program or benefit sought by such person.

6. (a) (i) No municipal government employee shall grant permission to access or facilitate access to non-public areas of property or facilities owned or operated by or under the control of such municipal govern-

ment to an immigration authority or any employee thereof engaging in immigration enforcement except as provided in subdivision nine of this section.

(ii) Provided, however, that no municipal government or municipal government employee shall grant permission to access or facilitate access to a polling location to an immigration authority or any employee thereof engaging in immigration enforcement where doing so would violate 18 §§ U.S.C. 592, 595, 52 U.S.C. § 10307(b), the Fourteenth Amendment of the United States Constitution, or the Fifteenth Amendment of the United States Constitution, except as provided in subdivision nine of this section.

(b) Each municipal government shall implement policies and/or procedures for all relevant employees in the event that a judicial warrant or court order is presented for access to non-public areas, including the protocol to verify the sufficiency of any judicial warrant or court order to ensure such judicial warrant or court order complies with the provisions of this section for permitting access to any non-public areas. Such policies and/or procedures shall include a designated contact for such inquiries. Nothing in this paragraph shall abrogate or otherwise change any legal privileges, including, but not limited to, the attorney client privilege, that may apply to such inquiries.

7. No municipal government employee shall use an immigration authority or any employee thereof as an interpreter or a translator for law enforcement matters relating to individuals that such government or employees interact with as part of their employment duties.

8. The provisions of this section shall not be construed to prohibit or restrict municipal governments or municipal governments employees from sending to or receiving from the United States department of homeland security or any other federal, state, or local governmental entity information regarding the citizenship or immigration status of an individual pursuant to 8 U.S.C. § 1373.

9. The provisions of this article shall not prohibit municipal governments or municipal government employees from complying with court orders issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631, or judicial warrants issued by a judge appointed pursuant to Article III of the United States Constitution or federal magistrate judge appointed pursuant to 28 U.S.C. § 631, or as otherwise required by law.

10. The provisions of this article shall apply notwithstanding any other provisions of state or local law, charter, code, ordinance, resolution, rule, or regulation to the contrary and shall not be construed to in any way expand the authority of municipal government employees to participate in immigration enforcement. Provided, however, that nothing in this article shall be construed to prevent or restrict a municipal government from adopting, enacting, or enforcing local policies, laws, resolutions, ordinances, or regulations which comply with at least the applicable standards or requirements of this article, or which exceed the provisions of this article, or which further restrict municipal governments or municipal government employees from participation in immigration enforcement beyond the requirements set forth in the chapter of the laws of two thousand twenty-six that added this article.

11. For any databases operated by a municipal government including databases maintained for a municipal government by private vendors, the attorney general shall, by the first of January next succeeding the effective date of this section, in consultation with appropriate stake-

holders, publish guidance and training recommendations aimed at ensuring that such databases are governed in a manner that limits the availability of information contained therein, to the fullest extent practicable and consistent with federal and state law including, but not limited to, 8 U.S.C. § 1373, to anyone or any entity for the purpose of immigration enforcement. All municipal governments may adopt necessary changes to database governance policies consistent with such guidance.

§ 3. Section 8 of the executive law is REPEALED.

§ 4. Paragraphs g and h of subdivision 3 of section 34 of the municipal home rule law, paragraph g as amended and paragraph h as added by chapter 741 of the laws of 2023, are amended and a new paragraph i is added to read as follows:

g. In this chapter or in the civil service law, eminent domain procedure law, environmental conservation law, election law, executive law, judiciary law, labor law, local finance law, multiple dwelling law, multiple residence law, public authorities law, public housing law, public service law, railroad law, retirement and social security law, state finance law, volunteer firefighters' benefit law, volunteer ambulance workers' benefit law, or workers' compensation law; [~~and~~]

h. Insofar as it relates to requirements for counties, other than counties in the city of New York, to hold elections in even-numbered years for any position of a county elected official, other than the office of sheriff, county clerk, district attorney, family court judge, county court judge, surrogate court judge, or any county offices with a three-year term prior to January first, two thousand twenty-five[~~.~~]; and

i. Insofar as it conflicts with, or fails to meet or exceed any provisions, requirements, or prohibitions pertaining to immigration enforcement as set forth in subparts A through H of the chapter of the laws of two thousand twenty-six that added this paragraph.

§ 5. Severability. 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.

§ 6. This act shall take effect immediately.

SUBPART D

Section 1. The education law is amended by adding a new section 3201-b to read as follows:

§ 3201-b. Denial of a free public education prohibited; additional prohibited practices. 1. For purposes of this section, the following terms shall have the following meanings:

(a) "School" includes a school district, public school, charter school, board of cooperative educational services, special act school district as defined in section four thousand one of this chapter, or state-operated school. For the purposes of subdivisions three through eleven of this section, school also includes universal pre-kindergarten programs authorized under this chapter that are operated by schools on school property.

(b) "School property" means: in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a school; or in or on a school bus, as defined in section one hundred forty-two of the vehicle and traffic law.

(c) "School function" means a school sponsored event or activity, including if such event or activity occurs outside of school property.

(d) "Immigration authority" has the same meaning as such term is defined in section three hundred nineteen of the executive law.

(e) "Immigration enforcement" has the same meaning as such term is defined in section three hundred nineteen of the executive law.

(f) "Child" means a person entitled to attend the public schools of this state under section three thousand two hundred two of this part.

(g) "School personnel" means any employee, agent, officer, or school resource officer of a school or any volunteer or employee of any firm, corporation, institution, or governmental agency who works on school property.

(h) "School resource officer" means a school resource officer, school safety officer, school security official, or any other substantially similar position or office whose purpose is to provide improved public safety and/or security on school property.

(i) "Immigration detainer" means any document, form, or other communication requesting or directing that a school or school personnel detain or maintain custody of an individual, for any period of time, for pickup by or transfer to immigration authorities.

(j) "Civil immigration warrant" means any warrant for a violation of civil immigration law that is not issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631.

(k) "Municipal government" means a municipal corporation or a governing board as defined in section two of the general municipal law.

2. (a) No child shall be denied a free public education. Notwithstanding any general, special or local law, rule or regulation of the education department to the contrary, no child shall be refused admission into, be deterred from participation in, have their admission delayed to, or be excluded from any school in the state of New York on account of such child's perceived or actual citizenship or immigration status or the perceived or actual citizenship or immigration status of a person in a parental relationship to such child.

(b) No school or school personnel shall undertake any action or use any policies that have the intent or effect of deterring a student from participation in or denying a student the benefits of any program or activity on account of such student's perceived or actual citizenship or immigration status or the perceived or actual citizenship or immigration status of a person in a parental relationship to such student.

(c) No school or school personnel shall use policies or procedures or engage in practices that have the intent or effect of excluding participation of a person in a parental relationship to a student from parental engagement activities or programs on account of their perceived or actual citizenship or immigration status.

3. No school or school personnel shall:

(a) use school resources, including, but not limited to, time spent while on duty on school property or at a school function for immigration enforcement purposes;

(b) disclose any information, including actual records, about the actual or perceived citizenship or immigration status of a student or a person in a parental relationship to such student to any other person or entity, including an immigration authority or any employee thereof, except to comply with a court order issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631, or a judicial warrant issued by a judge appointed pursuant to Article III of the United States Constitution or federal magistrate judge appointed pursuant to 28 U.S.C. § 631;

(c) threaten to disclose any information, including actual records, about the actual or perceived citizenship or immigration status of a student or a person associated with such student to any other person or entity, including an immigration authority or any employee thereof;

(d) disclose to an immigration authority or any employee thereof the personally identifiable information of a student or a person in a parental relationship to such student, including, but not limited to, name, social security number, physical description, associated addresses, telephone number, financial information, medical information, or place of employment or education except to comply with a court order issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631, or a judicial warrant issued by a judge appointed pursuant to Article III of the United States Constitution or federal magistrate judge appointed pursuant to 28 U.S.C. § 631 or unless otherwise required by law;

(e) inquire about a student or a person in a parental relationship to such student about such person's citizenship, immigration status, nationality, or country of origin, except to comply with a court order issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631, or a judicial warrant issued by a judge appointed pursuant to Article III of the United States Constitution or federal magistrate judge appointed pursuant to 28 U.S.C. § 631; or as necessary to administer a public program or benefit sought by such person; or when registering an individual to vote and other election related matters; or as otherwise required by law;

(f) collect information from a student or a person in a parental relationship to such student about such student's or person's citizenship, immigration status, nationality, or national origin except to comply with a court order issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631, or a judicial warrant issued by a judge appointed pursuant to Article III of the United States Constitution or federal magistrate judge appointed pursuant to 28 U.S.C. § 631; or as necessary to administer a public program or benefit sought by such person; or when registering an individual to vote and other election related matters; or as otherwise required by law;

(g) designate immigration status, citizenship, nationality, or national origin as directory information; or

(h) employ registration and enrollment requirements or procedures that have the intent or effect of disproportionately delaying or denying the enrollment of non-citizen students.

4. (a) No school or school personnel shall grant permission to access or facilitate access to non-public areas of school property or facilities owned or operated by or under the control of a school to any immigration authority engaging in immigration enforcement unless presented with a judicial warrant signed by a judge appointed pursuant to Article III of the United States Constitution or federal magistrate judge appointed pursuant to 28 U.S.C. § 631, authorizing a search or seeking

the arrest of an individual present at the time the judicial warrant is presented, or as otherwise required by law.

(b) Civil immigration warrants, immigration detainers, notices to appear, or other non-judicial documents shall not constitute sufficient authority to authorize an immigration authority or any employee thereof to access non-public areas of school property or facilities owned or operated by or under the control of a school for the purpose of engaging in immigration enforcement.

5. (a) No school or school personnel shall grant permission for or facilitate the release, transfer, surrender, escort of, or otherwise deliver, a student into the custody of an immigration authority or any employee thereof solely on the basis that a person in a parental relationship to such student has been arrested, detained, or taken into federal custody, unless there is a judicial warrant or court order, issued by a federal or state court of competent jurisdiction, specifically authorizing the removal, detention, or assumption of custody of the student by an immigration authority or any employee thereof.

(b) Civil immigration warrants, immigration detainers, notices to appear, or other non-judicial documents shall not constitute sufficient authority to release, transfer, surrender, escort, or otherwise deliver a student into the custody of an immigration authority or any employee thereof.

(c) (i) No school or school personnel shall assist immigration authorities in locating, questioning, or detaining a student unless presented with court orders issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631, or judicial warrants issued by a judge appointed pursuant to Article III of the United States Constitution or federal magistrate judge appointed pursuant to 28 U.S.C. § 631, or to comply with requirements under existing law.

(ii) Nothing in this section shall be construed to limit, restrict, or impair the authority of state or local law enforcement to apprehend, detain, or take into custody any individual, including a minor, pursuant to a judicial warrant, court order, or lawful criminal investigation conducted in accordance with applicable New York state criminal law and procedure.

6. No school personnel shall use an immigration authority or any employee thereof as interpreters or translators for law enforcement matters relating to individuals that schools or such school personnel interact with as part of their employment duties.

7. The provisions of this section shall not be construed to prohibit or restrict a school or school personnel from sending to or receiving from the United States department of homeland security or any other federal, state, or local governmental entity information regarding the citizenship or immigration status of an individual under 8 U.S.C. § 1373 and 8 U.S.C. § 1644.

8. The provisions of this section shall not prohibit school or school personnel from complying with court orders or judicial warrants issued by a judge appointed pursuant to Article III of the United States Constitution or federal magistrate judge appointed pursuant to 28 U.S.C. § 631.

9. The provisions of this section shall apply notwithstanding any other provisions of state or local law, charter, code, ordinance, resolution, rule, or regulation to the contrary and shall not be construed to in any way expand the authority of schools or school personnel to participate in immigration enforcement. Provided, however, that nothing

in this article shall be construed to prevent or restrict a municipal government or school from adopting, enacting, or enforcing local policies, laws, resolutions, ordinances, or regulations which comply with at least the applicable standards or requirements of this section, or which exceed the provisions of this section, or which further restrict the ability of schools or school personnel to participate in immigration enforcement beyond the requirements set forth in the chapter of the laws of two thousand twenty-six that added this section.

10. Within forty-five days of the effective date of this section, the department shall develop and publish on the department's website model procedures that shall comply with the requirements of this section.

11. Within sixty days of the date the model procedures are published on the department's website pursuant to subdivision ten of this section, each school shall verify to the commissioner that they have developed and implemented procedures that comply with the department's model procedures and the requirements of this section, which shall include, but not be limited to, procedures for reviewing and authorizing requests from immigration authorities to enter school property or to take custody of a student, including designating an individual who is responsible for reviewing such requests, and procedures for notifying parents and persons in a parental relationship about the rights of and protections for students, parents, and persons in a parental relationship provided by this section. Such procedures shall identify the actions the school will take if the school or school personnel become aware that a person in a parental relationship to a student will be unavailable to retrieve the student from school or a school function because a person in a parental relationship to the student has been detained by immigration authorities or the student is not picked up as scheduled, and such student is in need of an alternate plan for pickup. Such procedures shall include, at a minimum, that the school shall not contact the statewide central register for child abuse and maltreatment unless the school has made reasonable efforts to contact all known individuals authorized to retrieve the student and that the school will retain the student on the premises until the student is picked up by an individual authorized by the person in a parental relationship to such student or by law.

§ 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.

SUBPART E

Section 1. Short title. This act shall be known and may be cited as the "sensitive location protection act".

§ 2. The civil rights law is amended by adding a new section 29 to read as follows:

§ 29. Sensitive locations. 1. Definitions. For purposes of this section, the following terms shall have the following meanings:

(a) "Sensitive location" means a privately owned or operated:

(i) location of any program licensed, regulated, certified, funded, or approved by the office of children and family services that provides services to children, youth, or young adults, any legally exempt child-care provider, a childcare program for which a permit to operate such program has been issued by the New York city department of health and mental hygiene pursuant to the health code of the city of New York;

(ii) health care facility, including a doctor's office, hospital, or any location providing health or behavioral health services;

(iii) house of worship, which means any building or structure that a reasonable person would know that religious adherents collectively recognize as a place to regularly gather for or to hold religious worship activities or provide religious education or instruction, such as a church, synagogue, temple, or mosque;

(iv) housing accommodation;

(v) non-public school;

(vi) private school established under chapter eight hundred fifty-three of the laws of nineteen hundred seventy-six, or state-supported school established in accordance with article eighty-five of the education law;

(vii) not-for-profit or for-profit higher education institution;

(viii) nursery school;

(ix) summer camp;

(x) senior center;

(xi) park, playground, athletic field, or recreation center; or

(xii) location being utilized as a polling place in connection with the conduct of an election for an elected position in any government.

(b) "Deny access" means declining to grant permission to enter and declining to facilitate the entry of an individual to a sensitive location.

(c) "Housing accommodation" means any building, structure, or portion thereof which is used or occupied or is intended, arranged, or designed to be used or occupied, as the home, residence, or sleeping place of one or more human beings.

(d) "Immigration enforcement" has the same meaning as such term is defined in section three hundred nineteen of the executive law.

2. Sensitive locations for immigration enforcement. (a) A sensitive location is empowered to adopt policies and/or procedures, to the maximum extent allowable under law, to deny access to any portion of the sensitive location that is not accessible to the general public to any individual seeking access for the purposes of immigration enforcement. Any such policy or procedure shall not overcome any circumstance in which the individual seeking access for the purposes of immigration enforcement presents a court order issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631, or a judicial warrant issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631 authorizing them to take into custody the person who is the subject of such warrant or judicial order.

(b) A sensitive location shall not be liable under state law if it adopts any policy or practice of denying, or chooses to deny, access to any portion of a sensitive location that is not accessible to the general public to any individual seeking access for the purposes of civil immigration enforcement without presenting a court order issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. §

631, or a judicial warrant issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631 authorizing them to take into custody the person who is the subject of such warrant or judicial order.

3. Enforcement. The attorney general, the office of immigrant trust in the department of law, an individual, or the owner or operator of the sensitive location, including a local or state governmental entity that operates out of a sensitive location, may apply for an order to the supreme court of the state of New York to obtain appropriate injunctive and declaratory relief with respect to any violation of this section.

4. Nothing in this section shall be construed to exempt entities covered by this article from the requirements of article fifteen-AA of the executive law, section thirty-two hundred one-b of the education law, and article nineteen-D of the general municipal law, if otherwise applicable.

5. The provisions of this section shall apply notwithstanding any other provisions of state or local law, charter, code, ordinance, resolution, rule, or regulation to the contrary. Provided, however, that nothing in this article shall be construed to prevent or restrict the state government from adopting, enacting, or enforcing state policies or a local government from adopting, enacting, or enforcing local policies, laws, resolutions, ordinances, or regulations which comply with at least the applicable standards or requirements of this section, or which exceed the provisions of this section, or which further restrict the ability of state government or local government personnel to participate in immigration enforcement beyond the requirements set forth in the chapter of the laws of two thousand twenty-six that added this section.

§ 3. Severability. 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.

§ 4. This act shall take effect immediately.

SUBPART F

Section 1. Article 10 and sections 100 and 101 of the civil rights law, as renumbered by chapter 263 of the laws of 2019, are renumbered article 15 and sections 150 and 151, and a new article 10 is added to read as follows:

ARTICLE 10
LAW ENFORCEMENT FACE COVERINGS

Section 100. Definitions.
101. Face coverings prohibited.
102. Identification required.

§ 100. Definitions. For purposes of this article:

1. The term "face covering" means any item that is used to conceal, disguise, or obscure the facial identity, including any opaque mask, garment, helmet, headgear, balaclava, ski mask, neck gaiter, or tactical mask. The term "face covering" shall not include:

(a) a transparent face shield;

(b) a medical grade surgical mask or N95 respirator worn to prevent the transmission of diseases or illnesses;

(c) a mask or apparatus worn to protect against imminent exposure to any toxins, gas, smoke, or other hazardous or harmful environmental condition;

(d) a mask, helmet, self-contained breathing apparatus, or other device necessary when worn to perform duties related to a water rescue operation;

(e) a motorcycle helmet when worn by an individual using a motorcycle or other vehicle that requires a helmet for safe operations;

(f) necessary protective eyewear;

(g) ballistic gear worn for the purposes of physical safety;

(h) camouflage gear worn for the purposes of blending in to a physical environment;

(i) a mask or disguise worn for the purposes of active undercover operations;

(j) a garment worn for religious purposes;

(k) sunglasses;

(l) facial hair; or

(m) any other item worn to follow applicable laws on occupational health and safety, reasonable workplace accommodations, or to protect the skin from frostbite during conditions that the law enforcement officer reasonably thinks could cause frostbite.

2. The term "law enforcement officer" means:

(a) any police officer, as defined in section 1.20 of the criminal procedure law;

(b) any peace officer, as defined in section 2.10 of the criminal procedure law; or

(c) any federal law enforcement officer, as defined in section 2.15 of the criminal procedure law.

§ 101. Face coverings prohibited. 1. A law enforcement officer shall not wear any face covering that conceals, disguises, or obscures their facial identity while interacting with the public in the performance of their duties, except as authorized by this article.

2. Any person who willfully violates this section shall for a first offense be guilty of a violation and each subsequent offense shall be guilty of a misdemeanor.

§ 102. Identification required. 1. Any uniformed law enforcement officer while interacting with the public in the performance of their duties shall visibly display:

(a) the name of the agency or department employing such officer; and

(b) at least one form of identification of the officer, such as the officer's name, badge number, or shield number.

2. Law enforcement officers who are not uniformed while interacting with the public in the performance of their duties shall wear at least one visibly identifying agency-issued or department-issued logo, patch, emblem, insignia, or other external identifier clearly identifying such officer as a law enforcement officer within such agency or department acting under color of law.

3. The requirements of this section shall not apply to:

(a) officers engaged in active undercover operations, covert surveillance, other investigative activities where identification would compromise such investigation, or protective detail assignments for a designated person or location where visible identification would materially increase a security risk to the officer or the protected individual; or

(b) officers using personal protective equipment required for medical or emergency response purposes, where such equipment temporarily prevents visible display of identification.

4. For the purposes of this section: (a) "visibly display" means to wear externally on the uniform in a size and location that is reasonably visible to members of the public with whom the officer interacts; and (b) compliance with 10 U.S.C. § 723, in circumstances where that statute applies, satisfies all obligations that this section imposes upon the officer.

5. Any person who willfully violates this section shall for a first offense be guilty of a violation and each subsequent offense shall be guilty of a misdemeanor.

6. The provisions of this section shall apply notwithstanding any other provisions of state or local law, charter, code, ordinance, resolution, rule, or regulation to the contrary. Provided, however, that nothing in this article shall be construed to prevent or restrict the state government from adopting, enacting, or enforcing state policies or a local government from adopting, enacting, or enforcing local policies, laws, resolutions, ordinances, or regulations which comply with at least the applicable standards or requirements of this section, or which exceed the provisions of this section beyond the requirements set forth in the chapter of the laws of two thousand twenty-six that added this section.

§ 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 on the thirtieth day after it shall have become a law.

SUBPART G

Section 1. The executive law is amended by adding a new section 63-e to read as follows:

§ 63-e. Office of immigrant trust. 1. (a) There is hereby established an immigrant trust office in the department of law. The head of the unit shall be appointed by the attorney general.

(b) Notwithstanding any other provision of law, rule, or regulation to the contrary, the attorney general shall establish, through executive order, processes and procedures for screening such unit head and the entire unit from records, communication, and information related to the civil defense of state officials and employees, and persons involved in the civil defense of state officials and employees from records, communication, and information relating to an investigation or investigations by such unit relating to potential violation of this law. The executive order establishing screens shall be sufficient to satisfy the rules of professional conduct regarding conflicts and to protect the rights of state officials and employees who are the subject of an investigation or civil action under this section by ensuring that the individuals conducting or otherwise involved in such investigation or civil action do not have access to any non-public records or information obtained in the course of the office's civil defense of state employees.

2. Notwithstanding any other provision of law, the immigrant trust office shall establish and maintain a process to solicit and receive complaints from the public alleging knowing, intentional, or willful violations of article fifteen-AA of this chapter, section one hundred seventy-k of this chapter, article nineteen-D of the general municipal law, and section thirty-two hundred one-b of the education law, by state and local entities, officers, or employees, or their contractors, including the improper or unlawful use of state or local resources for immigration enforcement and the improper or unlawful sharing of information by state or local entities, officers, or employees, or their contractors, with federal immigration authorities.

3. (a) The immigrant trust office shall have the power to investigate complaints or violations of article fifteen-AA of this chapter, section one hundred seventy-k of this chapter, article nineteen-D of the general municipal law, and section thirty-two hundred one-b of the education law. Such power shall also include the ability to:

(i) take proof and issue subpoenas in accordance with the civil practice law and rules;

(ii) subpoena and enforce the attendance of witnesses;

(iii) administer oaths or affirmations and examine witnesses under oath;

(iv) notwithstanding any laws to the contrary, examine and copy or remove documents or records of any kind prepared, maintained, or held by any employer or agency;

(v) visit and inspect all local correctional facilities, and speak with people detained therein for the purposes of investigating potential violations and ensuring compliance with this section; and

(vi) perform any other functions that are necessary or appropriate to fulfill the duties and responsibilities of office.

(b) The attorney general shall have the powers enumerated under paragraph (a) of this subdivision with respect to any entity covered by article fifteen-AA of this chapter, section one hundred seventy-k of this chapter, article nineteen-D of the general municipal law, and section thirty-two hundred one-b of the education law, and its employees and agents as outlined in this section, except:

(i) agencies under the executive authority of the governor;

(ii) entities that are statutorily entitled to representation by the department of law;

(iii) entities whose officers and employees are statutorily entitled to representation by the department of law; and

(iv) entities that are subject to the jurisdiction of the New York court of claims.

(c) Upon referral by the governor, the attorney general shall have the powers enumerated under paragraph (a) of this subdivision with regard to employees and agents of:

(i) agencies under the executive authority of the governor;

(ii) entities that are statutorily entitled to representation by the department of law pursuant to section seventeen of the public officers law;

(iii) entities whose officers and employees are statutorily entitled to representation by the department of law; and

(iv) entities that are subject to the jurisdiction of the New York court of claims.

(d) Nothing in this section shall in any way limit rights or remedies which are otherwise available under law to the attorney general or any other person.

4. Upon receipt and review of a complaint, deemed credible, of a violation of article fifteen-AA of this chapter, or section one hundred seventy-k of this chapter, or upon its own initiative when the office learns through the regular course of its duties of a suspected violation of article fifteen-AA of this chapter, or section one hundred seventy-k of this chapter, the office shall, where the alleged violation involves a state agency or a state employee, transmit a request for a referral regarding such credible complaint to the governor. The governor shall review such request and make a determination on whether to refer the matter to the office for investigation, and upon such referral back to the office, the office shall investigate the alleged violation and, if warranted, may commence a civil action for appropriate injunctive or declaratory relief, enter into assurances of discontinuance, or seek the imposition of a period of monitoring of the state entity by the office.

5. Upon receipt of a complaint deemed credible of a violation of article nineteen-D of the general municipal law, or section one hundred seventy-k of this chapter, or upon its own initiative when the office learns through the regular course of its duties of a suspected violation of article nineteen-D of the general municipal law, or section one hundred seventy-k of this chapter that involves a county, locality, or municipal corporation entity or employee, the office shall, notwithstanding any other provision of law, investigate the matter and, if warranted, may commence a civil action for appropriate injunctive or declaratory relief, enter into assurances of discontinuance, or seek the imposition of a period of monitoring of the municipal government entity by the office.

6. Upon receipt of a complaint deemed credible of a violation of section thirty-two hundred one-b of the education law or upon its own initiative when the office learns through the regular course of its duties of a suspected violation of such section, the office shall, notwithstanding any other provision of law, investigate the matter and, if warranted, may commence a civil action for appropriate injunctive or declaratory relief, enter into assurances of discontinuance, or seek the imposition of a period of monitoring of the school by the office.

§ 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.

SUBPART H

Section 1. Subdivision 13 of section 390 of the social services law, as amended by chapter 160 of the laws of 2003, is amended and a new subdivision 15 is added to read as follows:

13. Notwithstanding any other provision of law, this section, except for [~~paragraph (a-1) of subdivision two-a~~] subdivision fifteen of this

section, shall not apply to child day care centers in the city of New York.

15. (a) Each child day care provider, enrolled legally-exempt provider, enrolled legally-exempt group provider, and child care program permitted under the New York City health code shall establish written procedures that identify the actions the provider or program shall take if the provider or program becomes aware that the parent or guardian shall be unavailable to retrieve the child at the conclusion of the child care program hours or the child is not picked up as scheduled, and such child is in need of an alternate plan for pickup for any reason, including that the parent or guardian has been detained by federal immigration authorities.

(b) Such procedures shall be established and implemented no later than ninety days after the effective date of this subdivision, and shall be provided to families upon implementation, admission, and revision.

(c) Such procedures shall include, at a minimum, that the provider shall not contact the statewide central register for child abuse and maltreatment unless the provider has made reasonable efforts to contact all known individuals authorized by the parent or guardian to retrieve the child, and that the provider shall retain the child on the premises until such child is picked up by an individual authorized by the parent or guardian or by law.

§ 2. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, part, or subpart 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, part, or subpart 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 Subparts A through H of this act shall be as specifically set forth in the last section of such Subparts.

PART MM

Section 1. Subdivision 5 of section 912 of the general municipal law, as added by section 1 of part III of chapter 58 of the laws of 2023, is renumbered subdivision 8.

§ 2. Section 912 of the general municipal law, as amended by section 1 of part III of chapter 58 of the laws of 2023 and subdivision 8 as renumbered by section one of this act, is renumbered section 912-b and amended to read as follows:

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

2. For purposes of this section[~~,~~]:

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

(b) "monitor" shall mean the independent monitor appointed by the state inspector general under paragraph (a) of subdivision three of this section.

(c) "funding corporation" shall mean the Orange County Funding Corporation, a local development corporation established pursuant to section fourteen hundred eleven of the not-for-profit corporation law.

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

(b) The reasonable and necessary expenses incurred by the monitor while performing [~~his or her~~] their official duties shall be paid by the industrial development agency and the funding corporation, in such proportions as the state inspector general shall verify and determine are attributable to each entity's matters. The state inspector general shall determine and verify: (i) the reasonable and necessary expenses incurred by the monitor in the performance of duties under this section; (ii) any reasonable and necessary expenses and costs, including but not limited to attorneys' fees and litigation costs, incurred by the monitor or the office of the state inspector general in connection with the appointment, retention, administration, oversight, defense, indemnification, representation, enforcement or continuation of the monitor; and (iii) the proportion of such expenses and costs attributable to the industrial development agency and the funding corporation. The obligation to pay pursuant to this paragraph shall apply to all such expenses and costs incurred on and after the date the monitor was first appointed pursuant to paragraph (a) of this subdivision, whether or not previously invoiced, noticed or demanded. Not later than thirty days after the effective date of the chapter amending the laws of two thousand twenty-six that amended this paragraph, each such entity shall pay all unpaid amounts determined and verified by the state inspector general pursuant to this paragraph; provided, however, that if the state inspector general provides written notice of any additional amount due after such date, such amount shall be paid within thirty days after receipt of such notice. For each state fiscal year thereafter, each such entity shall pay any amount determined and verified by the state inspector general pursuant to this paragraph not later than thirty days after receipt of written notice from the state inspector general of the amount due. Notwithstanding any other provision of law to the contrary, if the industrial development agency or the funding corporation fails to pay any amount required to be paid pursuant to this paragraph by the applicable date required by this paragraph, any contract or financial assistance entered into or proposed to be entered into on or after such applicable date by such industrial development agency or funding corporation shall not be legally binding or effective and may not be reconsidered until the state inspector general certifies in writing that all amounts required to be paid by such agency or corporation pursuant to this paragraph, including all unpaid amounts incurred before the effective date of the chapter of the laws of two thousand twenty-six that amended this paragraph, have been paid in full; provided, however, that nothing in this sentence shall affect the validity of any contract or financial assistance entered into before such applicable date. Notice of any suspension of the industrial development agency or funding corporation's ability to enter contracts or provide financial assistance pursuant to this section shall be publicly posted both on the website of the state inspector general, and on the website or websites of the industrial development agency or funding corporation. Any action taken in violation of this paragraph shall be void and shall not be legally binding or effective. Notwithstanding any other provision of law, while acting within the scope of [~~his or her~~] their authority, the monitor shall not be subject to any liability resulting from carrying out any of the powers expressly given in this section, and the monitor shall be entitled to defense and indemnification by the industrial development agency and the funding corporation.

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

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

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

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

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

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

(iii) No such contract or agreement may be [~~approved or entered into by the industrial development agency unless such actual or potential conflict of interest or violation has been resolved to the satisfaction of the monitor.~~] **voted on, approved or entered into by the industrial development agency unless such actual or potential conflict of interest or violation has been resolved to the satisfaction of the monitor, and unless the monitor has advised the board or employees, in writing, of their approval.**

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

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

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

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

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

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

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

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

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

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

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

(i) (i) The funding corporation shall provide the monitor with copies of any meeting agendas and all proposed resolutions and motions to be considered by the board of directors no later than seventy-two hours prior to such meeting. If a proposed resolution or motion is for the purpose of authorizing or approving a contract, agreement, financing, issuance of bonds, notes or other obligations, property transaction, or project, the funding corporation shall provide the monitor with copies of the proposed transactional documents and material supporting documentation at least seven days prior to such meeting.

(ii) In the event the monitor is not provided with materials within the time periods required by this paragraph, the monitor may, in their discretion, remove an item from consideration by the board of directors at such meeting. An item removed from consideration by the monitor may not be reconsidered by the board of directors until the next meeting.

(iii) At least seventy-two hours prior to consideration by the board of directors, the monitor shall advise the funding corporation, in writing, of the existence of: (A) any actual or potential conflicts of interest; (B) any violations of the funding corporation's conflict of interest policy; (C) any violations of section seven hundred fifteen or section seven hundred fifteen-a of the not-for-profit corporation law; (D) any failure to comply with the funding corporation's certificate of incorporation; or (E) any other violations of law arising from a proposed transaction or project.

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

(v) No such contract, agreement, financing, issuance, property transaction, or project may be voted on, approved, authorized, or entered into by the funding corporation unless such actual or potential conflict of interest or violation has been resolved to the satisfaction of the monitor and the monitor has advised the funding corporation, in writing, of the monitor's approval.

(vi) In determining whether to approve a proposed project or financing, the monitor may require the funding corporation to demonstrate that there is a commitment of funds sufficient to finance the acquisition and construction of the project, taking into consideration commitments of funds, projections of fees or other revenues, and security.

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

(a) The board shall annually submit the industrial development agency's proposed budget for the next succeeding fiscal year to the monitor no later than forty-five days prior to its adoption. The monitor shall review the budget to ensure that it, to the greatest extent possible, is consistent with purposes and necessary activities of the Orange county industrial development agency, and that it does not substantially conflict with the long term economic interests of Orange county and its constituents.

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

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

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

(e) Upon receiving a recommendation, in writing, from the monitor, the board shall consider such recommendation and, within forty-five days of receiving such recommendation, hold a vote on accepting such recommendation. Such recommendation shall only be rejected upon at least five members of the board voting to reject such recommendation. Such recommendations requiring such a vote shall include, but not be limited to, recommendations relating to contracts, budget decisions, and financial assistance agreements.

5. The monitor shall, at their discretion, direct the board to recoup financial assistance, in full or in part, where the recipient of financial assistance failed to execute and complete the terms of a contract,

agreement or understanding including, but not limited to, job creation goals and the development of promised facilities or operations.

6. The Orange county funding corporation, established by Orange county resolution number one hundred twenty-five of the year two thousand ten is a local development corporation established pursuant to section fourteen hundred eleven of the not-for-profit corporation law. The funding corporation shall comply with the applicable provisions of subdivision three of this section, and the monitor shall have the powers set forth in paragraph (i) of subdivision three of this section with respect to the funding corporation.

7. Notwithstanding any other provision of law to the contrary, the monitor may commence an action or special proceeding in any court of competent jurisdiction to enjoin unlawful acts or practices by the industrial development agency or the funding corporation and to compel compliance with this section, including the recovery of amounts due to the monitor for reasonable and necessary expenses and costs, including but not limited to attorneys' fees and litigation costs, authorized by this section.

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

§ 3. Subdivision 8 of section 54 of the executive law, as added by section 2 of part III of chapter 58 of the laws of 2023, is amended to read as follows:

8. Appoint an independent monitor to provide guidance and technical assistance related to the policies, practices, programs and decisions of the Orange county industrial development agency **and the funding corporation**, as authorized in subdivisions two, three, four [~~and~~]**,** five**, six, seven and eight** of section nine hundred [~~twelve~~] **twelve-b** of the general municipal law.

§ 4. Notwithstanding any other provision of law to the contrary, in a county with a population of at least 390,000 and no greater than 415,000 according to the latest federal decennial census, any privately-owned project receiving benefits under section 485-b of the real property tax law or a payment in lieu of taxes agreement from an industrial development agency shall be subject to the payment of no less than prevailing wages for all employees of any contractors and subcontractors utilized for such project, consistent with article 8 of the labor law; provided however, that any such privately-owned project which utilizes a project labor agreement and receives either an exemption pursuant to section 485-b of the real property tax law or a payment in lieu of taxes agreement from an industrial development agency shall not be subject to article 8 of the labor law.

§ 5. Section 3 of part III of chapter 58 of the laws of 2023, amending the general municipal law and the executive law relating to directing the state inspector general to appoint an independent monitor for the Orange county industrial development agency, is amended to read as follows:

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

§ 6. Subparagraph 5 of paragraph (d) of section 1411 of the not-for-profit corporation law is amended to read as follows:

(5) A local development corporation, incorporated or reincorporated under this section, which purchases or leases real property from a county, city, town or village, shall not, without the written approval of the county, city, town or village, use such real property for any purpose except the purposes set forth in the certificate of incorporation or reincorporation of said local development corporation. In the event such real property is used in violation of the restrictions of this paragraph, the attorney-general may bring an action or special proceeding to enjoin the unauthorized use. **With respect to the Orange County Funding Corporation, the independent monitor appointed pursuant to paragraph (a) of subdivision three of section nine hundred twelve-b of the general municipal law may also bring an action or special proceeding to enjoin the unauthorized use of any real property purchased or leased by such corporation in violation of the restrictions of this paragraph.**

§ 7. This act shall take effect immediately; provided, however, that the amendments to subdivisions 2, 3, 4 and 8 of section 912-b of the general municipal law made by section two of this act and the amendments to subdivision 8 of section 54 of the executive law made by section three of this act shall not affect the repeal of such subdivisions and shall be deemed to expire therewith; and provided further, however, that subdivisions 5, 6 and 7 of section 912-b of the general municipal law as added by section two of this act and section four of this act and the amendments to subparagraph 5 of paragraph (d) of section 1411 of the not-for-profit corporation law made by section six of this act shall expire and be deemed repealed on the same date and in the same manner as part III of chapter 58 of the laws of 2023, takes effect.

PART NN

Section 1. Paragraph a of section 11.00 of the local finance law is amended by adding a new subdivision 27-b to read as follows:

27-b. Police emergency response vehicles. Notwithstanding the provisions of subdivision seventy-seven of this paragraph, the purchase of a motor vehicle that is specially designed for use for law enforcement purposes, including but not limited to responding to 911 calls or transporting persons under arrest or in police custody, and that is equipped with emergency vehicle lights and a police siren, five years.

§ 2. Subdivision 29 of paragraph a of section 11.00 of the local finance law, as amended by section 5 of subpart A of part B of chapter 56 of the laws of 2022, is amended to read as follows:

29. Motor vehicles. The purchase of a motor vehicle, five years. The term "motor vehicle," as used in this subdivision, shall mean a vehicle propelled by any power other than muscular power, except

(a) a passenger vehicle, other than a school bus, having a seating capacity of less than ten persons,

(b) a vehicle used for fighting fires,

(c) a motor cycle, traction engine, and electric truck with small wheels used in warehouses and railroad stations and a vehicle which runs only upon rails or tracks,

(d) machinery or apparatus for which a period of probable usefulness has been determined by subdivision twenty-eight of this paragraph, [~~and~~]

(e) a vehicle which is specially designed for use for the treatment, care or transport of sick or injured persons, [~~and~~]

(f) a zero-emission school bus as defined in section three thousand six hundred thirty-eight of the education law**, and**

(g) a vehicle that is specially designed for use for law enforcement purposes and that is equipped with emergency vehicle lights and a police siren.

§ 3. This act shall take effect immediately.

PART OO

Section 1. Subdivision 4 of section 36 of the municipal home rule law, as amended by chapter 592 of the laws of 1964, is amended to read as follows:

4. **(a)** A charter commission to draft a new or revised city charter may also be created by the mayor of any city. Such commission shall consist of not less than nine nor more than fifteen members, all of whom shall be residents of the city. Original appointments to such a commission shall be made by the mayor by a certificate of appointment which shall specify the number of, and names of, the members to constitute the commission, which certificate shall be filed forthwith with the city clerk. The [~~chairman, vice-chairman~~] **chair, vice-chair,** and secretary shall be appointed by the mayor from among the members of the commission. Any vacancy in the membership of such a commission or of its officers shall be filled by the mayor.

(b) When a certificate of appointment is filed within sixty days before or after the date of a general election at which a mayor is elected, but before January first in the year following such election, the continued existence of the charter commission and appointments to the commission shall be dependent on confirmation by the mayor in office on the first day of January of the following year within one hundred eighty days of the start of the calendar year. Failure to obtain such confirmation within the one hundred and eighty day period shall cause the charter commission to expire and nullify all appointments to such commission as well as any proposed revisions to the city charter or any new proposed charter.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after November 4, 2025, and shall apply to any charter commission created for which a certificate of appointment was filed after November 4, 2025.

§ 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 OO of this act shall be as specifically set forth in the last section of such Parts.