STATE OF NEW YORK

S. 3005--A A. 3005--A

SENATE - ASSEMBLY

January 22, 2025

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

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

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

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

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

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

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

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

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

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

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

PART A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

six, three hundred fifty-seven and three hundred fifty-nine of this act shall take effect immediately and shall expire June 30, 1995 and shall revert to and be read as if this act had not been enacted; section three hundred fifty-eight of this act shall take effect immediately and shall expire June 30, 1998 and shall revert to and be read as if this act had not been enacted; section three hundred sixty-four through three hundred sixty-seven of this act shall apply to claims filed on or after such effective date; sections three hundred sixty-nine, three hundred seventy-two, three hundred seventy-three, three hundred seventy-four, three hundred seventy-five and three hundred seventy-six of this act shall remain in effect until September 1, [~~2025~~] 2027, at which time they shall be deemed repealed; provided, however, that the mandatory surcharge provided in section three hundred seventy-four of this act shall apply to parking violations occurring on or after said effective date; and provided further that the amendments made to section 235 of the vehicle and traffic law by section three hundred seventy-two of this act, the amendments made to section 1809 of the vehicle and traffic law by sections three hundred thirty-seven and three hundred thirty-eight of this act and the amendments made to section 215-a of the labor law by section three hundred seventy-five of this act shall expire on September 1, [~~2025~~] 2027 and upon such date the provisions of such subdivisions and sections shall revert to and be read as if the provisions of this act had not been enacted; the amendments to subdivisions 2 and 3 of section 400.05 of the penal law made by sections three hundred seventy-seven and three hundred seventy-eight of this act shall expire on July 1, 1992 and upon such date the provisions of such subdivisions shall revert and shall be read as if the provisions of this act had not been enacted; the state board of law examiners shall take such action as is necessary to assure that all applicants for examination for admission to practice as an attorney and counsellor at law shall pay the increased examination fee provided for by the amendment made to section 465 of the judiciary law by section three hundred eighty of this act for any examination given on or after the effective date of this act notwithstanding that an applicant for such examination may have prepaid a lesser fee for such examination as required by the provisions of such section 465 as of the date prior to the effective date of this act; the provisions of section 306-a of the civil practice law and rules as added by section three hundred eighty-one of this act shall apply to all actions pending on or commenced on or after September 1, 1991, provided, however, that for the purposes of this section service of such summons made prior to such date shall be deemed to have been completed on September 1, 1991; the provisions of section three hundred eighty-three of this act shall apply to all money deposited in connection with a cash bail or a partially secured bail bond on or after such effective date; and the provisions of sections three hundred eighty-four and three hundred eighty-five of this act shall apply only to jury service commenced during a judicial term beginning on or after the effective date of this act; provided, however, that nothing contained herein shall be deemed to affect the application, qualification, expiration or repeal of any provision of law amended by any section of this act and such provisions shall be applied or qualified or shall expire or be deemed repealed in the same manner, to the same extent and on the same date as the case may be as otherwise provided by law;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 18. Section 2 of chapter 689 of the laws of 1993, amending the criminal procedure law relating to electronic court appearance in certain

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 24. This act shall take effect immediately.

PART B

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

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

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

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

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

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

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

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

2. Duties of the prosecution. The prosecutor shall make a diligent, good faith effort to ascertain the existence of material or information discoverable under subdivision one of this section and to cause such material or information to be made available for discovery where it exists but is not within the prosecutor's possession, custody or control[~~; provided that the prosecutor shall not be required to obtain by subpoena duces tecum material or information which the defendant may thereby obtain~~]. Material or information that requires a subpoena duces tecum in order for the prosecutor to obtain, and in which the defendant may obtain by subpoena duces tecum, are not within the scope of automatic discovery for purposes of subdivision one of this section, and the prosecutor shall not be required to obtain such material or information before filing a certificate of compliance pursuant to subdivision one of section 245.50 of this article. For purposes of subdivision one of this section, [~~all items and information related to the prosecution of a charge~~] all material or information relevant to the subject matter of the charges against the defendant in the instant case which are in the possession of any New York state or local police or law enforcement agency shall be deemed to be in the constructive possession of the prosecution. The prosecution shall also identify any laboratory having contact with evidence [~~related~~] relevant to the prosecution of a charge. This subdivision shall not require the prosecutor to ascertain the existence of witnesses not known to the police or another law enforcement agency, or the written or recorded statements thereof, under paragraph (c) or (e) of subdivision one of this section.

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

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

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

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

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

1. By the prosecution. When the prosecution**, after exercising good faith and due diligence,** has provided [~~the discovery required by subdivision one of section 245.20 of this article~~] **all material and information set forth in subdivision one of section 245.20 of this article that are in the people's actual possession**, except for discovery that is lost or destroyed as provided by paragraph (b) of subdivision one of section 245.80 of this article and except for any [~~items~~] **material** or information that [~~are~~] **is** the subject of an order pursuant to section 245.70 of this article, it shall serve upon the defendant and file with the court a certificate of compliance. The certificate of compliance shall state that, after exercising due diligence and making reasonable inquiries to ascertain the existence of material and information subject to discovery, the prosecutor has disclosed and made available all known material and information subject to discovery **that is in its actual possession**. It shall also identify the items provided. [~~If additional discovery is subsequently provided~~] **If the prosecution provides additional discovery** prior to trial pursuant to section 245.60 of this article, a supplemental certificate shall be served upon the defendant and filed with the court identifying the additional material and information provided. [~~No adverse consequence to the prosecution or the prosecutor shall result~~

~~from the filing of a certificate of compliance in good faith and reasonable under the circumstances; but the court may grant a remedy or sanction for a discovery violation as provided in section 245.80 of this article.~~] The filing of a supplemental certificate of compliance shall not impact the validity of the original certificate of compliance if filed in good faith and after exercising due diligence pursuant to section 245.20 of this article. Nothing in this subdivision shall preclude the prosecution from continuing their investigation and obtaining and disclosing new discoverable material and information after they have filed a certificate of compliance.

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

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

4. (a) Challenges to, or questions related to a certificate of compliance shall be addressed by motion.

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

(c) Challenges related to the sufficiency of a certificate of compliance or supplemental certificates of compliance filed pursuant to subdivision one of this section shall be addressed by motion [~~as soon as practicable, provided that nothing in this section shall be construed to waive a party's right to make further challenges, including but not limited to a motion pursuant to section 30.30 of this chapter~~] within thirty-five days of the filing of the certificate. Failure to challenge a certificate of compliance or supplemental certificate of compliance within that time period constitutes a waiver of that challenge, however, for good cause shown, the court may extend the time period beyond thirty-five days. Good cause includes, but is not limited to, voluminous discovery and the complexity of the case. Denial of a motion challenging the sufficiency of a certificate of compliance or supplemental certificate of compliance, or a waiver of such challenge, shall not preclude the imposition of any remedy or sanction authorized under section 245.80 of this article.

(d) A certificate of compliance or supplemental certificate of compliance shall not be invalidated where the people rely on a good faith interpretation of the disclosure requirements of this article, and there is no controlling precedent to the contrary from the intermediate appellate court to which an appeal from a judgment of conviction would be had or from the court of appeals.

5. Notwithstanding any other section of law to the contrary, no adverse consequence to the prosecution or the prosecutor, including the invalidation of a certificate of compliance or statement of readiness, shall result from the filing of a certificate of compliance or a supplemental certificate of compliance that was made in good faith and is reasonable under the circumstances. Belated or missing disclosures shall be cured by supplemental discovery pursuant to subdivisions one and two of this section. If the party entitled to the belated or missing disclosures shows that they have been prejudiced by the belated or non-disclosure, the court shall grant an appropriate and proportionate remedy pursuant to section 245.80 of this article. A certificate of compliance or statement of readiness shall be invalidated only upon a showing that no other remedy, pursuant to section 245.80 of this article, can sufficiently cure any prejudice resulting from the belated or missing disclosure.

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

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

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

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

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

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

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

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

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

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

PART C

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

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

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

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

Notwithstanding the foregoing, any member in service in the division on August fifteenth, two thousand seven, and who on that date was entitled to receive retirement benefits on the thirty-first day of December in the year in which [~~he or she~~] such member attained fifty-seven years of age as provided in paragraph three of subdivision b of this section, may elect to retain such entitlement, provided the member remains in service on the thirtieth day of December in the year in which [~~he or she~~] such member attains fifty-seven years of age, and any member in service in the division on August thirty-first, two thousand twenty-five, and who on that date was entitled to receive retirement benefits on the thirty-first day of December in the year in which such member attained sixty years of age as provided in paragraph three of subdivision b of this section, may elect to retain such entitlement, provided the member remains in service on the thirtieth day of December in the

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

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

3. The sworn members of the New York state police shall be appointed by the superintendent and permanent appointees may be removed by the superintendent only after a hearing. No person shall be appointed to the New York state police force as a sworn member unless [~~he or she~~] such person shall be a citizen of the United States[~~, between the ages of twenty-one and twenty-nine years except that in the superintendent's discretion, the maximum age may be extended to thirty-five years. Notwithstanding any other provision of law or any general or special law to the contrary the time spent on military duty, not exceeding a total of six years, shall be subtracted from the age of any applicant who has passed his or her twenty-ninth birthday, solely for the purpose of permitting qualification as to age and for no other purpose. Such limitations as to age however shall not apply to persons appointed to the positions of counsel, first assistant counsel, assistant counsel, and assistant deputy superintendent for employee relations nor to any person appointed to the bureau of criminal investigation pursuant to section two hundred sixteen of this article nor shall any person~~] who is at least twenty-one years of age. No person shall be appointed unless [~~he or she~~] such person has fitness and good moral character and shall have passed a physical and mental examination based upon standards provided by the rules and regulations of the superintendent. Appointments shall be made for a probationary period which, in the case of appointees required to attend and complete a basic training program at the state police academy, shall include such time spent attending the basic school and terminate one year after successful completion thereof. All other sworn members shall be subject to a probationary period of one year from the date of appointment. Following satisfactory completion of the probationary period the member shall be a permanent appointee. Voluntary resignation or withdrawal from the New York state police during such appointment shall be submitted to the superintendent for approval. Reasonable time shall be required to account for all equipment issued or for debts or obligations to the state to be satisfied. Resignation or withdrawal from the division during a time of emergency, so declared by the governor, shall not be approved if contrary to the best interest of the state and shall be a misdemeanor. No sworn member removed from the New York state police shall be eligible for reappointment. The superintendent shall make rules and regulations subject to approval by the governor for the discipline and control of the New York state police and for the examination and qualifications of applicants for appointment as members thereto and such examinations shall be held and conducted by the superintendent subject to such rules and regulations. The superintendent is authorized to charge a fee of twenty dollars as an application fee for any person applying to take a competitive examination for the position of trooper, and a fee of five dollars for any competitive examination for a civilian position. The superintendent shall promulgate regulations subject to the approval of the director of the budget, to provide for a waiver of the application fee when the fee would cause an unreasonable hardship on the applicant and to establish a fee schedule and charge fees for the use of state police facilities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(b)~~] Any person who has received permanent appointment in the competitive class of the civil service as a police officer of the regional state park police, the state university of New York police, the depart-

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

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

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

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

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

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

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

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

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

PART D

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

§ 120.65 Domestic violence.

A person is guilty of domestic violence when such person:

1. commits a serious offense as defined in paragraph (c) of subdivision seventeen of section 265.00 of this part and the person against whom the offense is committed is a member of the same family or household as defined in subdivision one of section 530.11 of the criminal procedure law; or

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

Domestic violence is a class A misdemeanor.

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

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

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

PART E

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

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

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

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

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

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

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

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

PART F

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

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

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

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

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

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

§ 213-c. Action by victim of conduct constituting certain sexual offenses. Notwithstanding any other limitation set forth in this article, except as provided in subdivision (b) of section two hundred eight of this article, all civil claims or causes of action brought by any person for physical, psychological or other injury or condition suffered by such person as a result of conduct which would constitute rape in the first degree as defined in section 130.35 of the penal law, or rape in the second degree as defined in subdivision four, five or six of section 130.30 of the penal law, or rape in the second degree as defined in former subdivision two of section 130.30 of the penal law, or rape in the third degree as defined in subdivision one, two, three, seven, eight or nine of section 130.25 of the penal law, or a crime formerly defined in section 130.50 of the penal law, or a crime formerly defined in subdivision two of section 130.45 of the penal law, or a crime formerly defined in subdivision one or three of section 130.40 of the penal law, or incest in the first degree as defined in section 255.27 of the penal law, or incest in the second degree as defined in section 255.26 of the penal law (where the crime committed is rape in the second degree as defined in subdivision four, five or six of section 130.30 of the penal law, or rape in the second degree as formerly defined in subdivision two of section 130.30 of the penal law, or a crime formerly defined in subdivision two of section 130.45 of the penal law), or aggravated sexual abuse in the first degree as defined in section 130.70 of the penal law, or course of sexual conduct against a child in the first degree as defined in section 130.75 of the penal law**, or sex trafficking as defined in section 230.34 of the penal law, or sex trafficking of a child as defined in section 230.34-a of the penal law** may be brought

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PART G

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

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

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

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

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

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

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

5. (a) [~~**In**~~] **Except as provided in paragraph (g) of this subdivision, in** determining the amount of an award, the office shall determine whether, because of [~~**his**~~] **such victim's** conduct, the victim of such crime contributed to the infliction of [~~**his**~~] **such victim's** injury, and the

office shall reduce the amount of the award or reject the claim altogether, in accordance with such determination.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PART H

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

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

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

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

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

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

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

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

PART I

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

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

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

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

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

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

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

PART J

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

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

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

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

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

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

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

shall be deemed to have been authorized by the board of directors of such bidder, and such authorization shall be deemed to include the signing and submission of such bid and the inclusion therein of such statement as the act and deed of the corporation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PART K

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

ARTICLE 19-C

CYBERSECURITY INCIDENT REPORTING REQUIREMENTS FOR MUNICIPAL CORPORATIONS

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

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

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

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

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

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

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

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

(e) malicious cyber command and control;

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

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

(h) any combination thereof.

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

provides unauthorized access to, or substantially harms an information system or information stored on, processed by, or transiting such information system not owned by the municipal corporation operating the measure, or federal entity that is authorized to provide consent and has provided consent to that municipal corporation for operation of such measure.

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

6. "Municipal corporation" means:

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

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

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

8. "Ransomware attack":

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

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

(i) not genuine; or

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

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

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

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

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

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

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

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

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

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

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

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

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

PART L

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

§ 263.10 Promoting an obscene sexual performance by a child.

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

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

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

§ 263.11 Possessing an obscene sexual performance by a child.

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

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

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

§ 263.15 Promoting a sexual performance by a child.

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

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

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

§ 263.16 Possessing a sexual performance by a child.

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

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

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

PART M

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

§ 230.34 Sex trafficking.

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

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

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

3. **by** withholding, destroying, or confiscating any actual or purported passport, immigration document, or any other actual or purported government identification document of another person with intent to impair said person's freedom of movement; provided, however, that this subdivision shall not apply to an attempt to correct a social security administration record or immigration agency record in accordance with any local, state, or federal agency requirement, where such attempt is not made for the purpose of any express or implied threat;

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

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

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

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

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

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

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

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

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

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

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

Sex trafficking is a class B felony.

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

PART N

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

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

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

(iii) A person at liberty and subject to a condition under this paragraph who applies, within thirty days after the date such condition becomes effective, for a refund of any prepaid fare amounts rendered unusable in whole or in part by such condition including, but not limited to, a monthly pass, shall be issued a refund of the amounts so prepaid.

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

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

§ 2. This act shall take effect immediately.

PART O

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

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

§ 2. This act shall take effect immediately.

PART P

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

§ 240.80 Aggravated transportation offense.

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

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

(menacing in the first degree); section 120.14 (menacing in the second degree); section 120.15 (menacing in the third degree); section 120.20 (reckless endangerment in the second degree); section 120.25 (reckless endangerment in the first degree); section 120.45 (stalking in the fourth degree); section 120.50 (stalking in the third degree); section 120.55 (stalking in the second degree); section 120.60 (stalking in the first degree); section 121.11 (criminal obstruction of breathing or blood circulation); section 121.12 (strangulation in the second degree); section 121.13 (strangulation in the first degree); subdivision one of section 125.15 (manslaughter in the second degree); subdivision one, two or four of section 125.20 (manslaughter in the first degree); section 125.25 (murder in the second degree); section 130.20 (sexual misconduct); section 130.30 (rape in the second degree); section 130.35 (rape in the first degree); former section 130.40 (criminal sexual act in the third degree); former section 130.45 (criminal sexual act in the second degree); former section 130.50 (criminal sexual act in the first degree); section 130.52 (forcible touching); section 130.53 (persistent sexual abuse); section 130.55 (sexual abuse in the third degree); section 130.60 (sexual abuse in the second degree); section 130.65 (sexual abuse in the first degree); section 130.66 (aggravated sexual abuse in the third degree); section 130.67 (aggravated sexual abuse in the second degree); section 130.70 (aggravated sexual abuse in the first degree); section 130.91 (sexually motivated felony); section 130.95 (predatory sexual assault); section 130.96 (predatory sexual assault against a child); section 135.05 (unlawful imprisonment in the second degree); section 135.10 (unlawful imprisonment in the first degree); section 135.60 (coercion in the third degree); section 135.61 (coercion in the second degree); section 135.65 (coercion in the first degree); section 140.20 (burglary in the third degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal mischief in the fourth degree); section 145.05 (criminal mischief in the third degree); section 145.10 (criminal mischief in the second degree); section 145.12 (criminal mischief in the first degree); section 145.14 (criminal tampering in the third degree); section 215.50 (criminal contempt in the second degree); section 215.51 (criminal contempt in the first degree); section 215.52 (aggravated criminal contempt); section 240.25 (harassment in the first degree); subdivision one, two or four of section 240.30 (aggravated harassment in the second degree); section 245.00 (public lewdness); section 245.01 (exposure of a person); section 245.02 (promoting exposure of a person); section 245.03 (public lewdness in the first degree); section 245.05 (offensive exhibition); section 245.11 (public display of offensive sexual material); section 245.15 (unlawful dissemination or publication of an intimate image); section 250.45 (unlawful surveillance in the second degree); section 250.50 (unlawful surveillance in the first degree); aggravated transportation offense as defined in this section or any attempt or conspiracy to commit any of the foregoing offenses where the offense was committed in or adjacent to any facility or conveyance of the metropolitan transportation authority or a subsidiary thereof or the New York city transit authority or a subsidiary thereof.

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

Aggravated transportation offense is a class C felony.

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

PART Q

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

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

§ 2. This act shall take effect immediately.

PART R

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

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

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

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

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

PART S

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PART T

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

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

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

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

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

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

PART U

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

§ 167-a. Reimbursement for medicare premium charges. **1.** Upon exclusion from the coverage of the health benefit plan of supplementary medical insurance benefits for which an active or retired employee or a dependent covered by the health benefit plan is or would be eligible under the federal old-age, survivors and disability insurance program, an amount equal to the **standard medicare** premium charge for such supplementary medical insurance benefits for such active or retired employee and [~~his or her~~] **such employee's** dependents, if any, shall be paid monthly or at other intervals to such active or retired employee from the health insurance fund. **There shall be no payment for the income related monthly adjustment amount incurred on or after January first, two thousand twenty-five to any active or retired employee and such employee's dependents, if any.** Where appropriate, such **standard medicare premium** amount may be deducted from contributions payable by the employee or retired employee; or where appropriate in the case of a retired employee receiving a retirement allowance, such **standard medicare premium** amount may be included with payments of [~~his or her~~] **such employee's** retirement allowance. All state employer, employee, retired employee and dependent contributions to the health insurance fund, including contributions from public authorities, public benefit corporations or other quasi-public organizations of the state eligible for participation in the health benefit plan as authorized by subdivision two of section one hundred sixty-three of this article, shall be adjusted as necessary to cover the cost of reimbursing federal old-age, survivors and disability insurance program premium charges under this section. This cost shall be included in the calculation of premium or subscription charges for health coverage provided to employees and retired employees of the state, public authorities, public benefit corporations or other quasi-public organizations of the state; provided, however, the state, public authorities,

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

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

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

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

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

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

PART V

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

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, the state civil service department, subject to the approval of the director of the budget, a municipal commission, subject to the approval of the governing board or body of the city or county, as the case may be, or a regional commission or personnel officer, pursuant to governmental agreement, may elect to waive application fees, or to abolish fees for specific classes of positions or types of examinations or candidates, or to establish a uniform schedule of reasonable fees different from those prescribed in paragraph (a) of this subdivision, specifying in such schedule the classes of positions or types of examinations or candidates to which such fees shall apply; provided, however, that fees shall be waived for candidates who certify to the state civil service department, a municipal commission or a regional commission that they are unemployed and primarily responsible for the support of a household, or are receiving public assistance. Provided further, the state civil service department shall waive the state application fee for examinations for original appointment for all veterans. Provided further, the state civil service department shall, and a municipal commission may, subject to the approval of the governing board or body of the city or county, as the case may be, or a regional commission or personnel officer, pursuant to governmental agreement, waive application

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

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

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

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

PART W

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

2. Notwithstanding the provisions of subdivision one of this section, where the state and an employee organization representing state officers and employees who are in positions which are in collective negotiating units established pursuant to article fourteen of the civil service law enter into an agreement providing for an alternative procedure for the payment of salaries to such employees or where the director of employee relations shall authorize an alternative procedure for the payment of salaries to state officers or employees in the executive branch who are in positions which are not in collective negotiating units, such alternative procedure shall be implemented in lieu of the procedure specified in subdivision one of this section. [~~Notwithstanding any other provision of law to the contrary, where the state and an employee organization representing officers and employees in the executive branch who are in positions which are in collective negotiating units established pursuant to article fourteen of the civil service law enter into an agreement, or where the director of employee relations shall authorize for officers and employees in the executive branch who are in positions which are not in collective negotiating units, the alternate procedure specified herein shall be terminated for officers and employees hired on or after July first, two thousand twenty-five. The alternate procedure specified herein shall also be terminated for: (i) nonjudicial officers and employees of the unified court system hired on or after July first, two thousand~~

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

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

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

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

PART X

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

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

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

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

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

§ 2. This act shall take effect immediately.

PART Y

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

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

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

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

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

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

If otherwise applicable, authorized projects undertaken by the authorized state entities listed above solely in connection with the provisions of this act shall be subject to section 135 of the state finance law, section 101 of the general municipal law, and section 222 of the labor law; provided, however, that an authorized state entity may fulfill its obligations under section 135 of the state finance law or section 101 of the general municipal law by requiring the contractor to prepare separate specifications in accordance with section 135 of the state finance law or section 101 of the general municipal law, as the case may be. Provided further, that authorized projects with a total construction cost of not less than twenty-five million dollars ($25,000,000) undertaken by the authorized state entities listed above solely in connection with the provisions of this act shall only be undertaken pursuant to a project labor agreement in accordance with section 222 of the labor law. If a project labor agreement is not performed on the authorized project, the authorized state entity shall not utilize a design-build **or construction manager as constructor** contract for such project. Prior to utilizing the alternative delivery [~~method~~] **methods** referred to as design-build **or construction manager as constructor** contracts for the authorized projects listed in this subparagraph with a total construction cost of less than twenty-five million dollars ($25,000,000), the authorized state entities listed above shall conduct a feasibility study in accordance with section 222 of the labor law.

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

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

1. The quality of the contractor's performance on previous projects;

2. The timeliness of the contractor's performance on previous projects;

3. The level of customer satisfaction with the contractor's performance on previous projects;

4. The contractor's record of performing previous projects on budget and ability to minimize cost overruns;

5. The contractor's ability to limit change orders;

6. The contractor's ability to prepare appropriate project plans;

7. The contractor's technical capacities;

8. The individual qualifications of the contractor's key personnel;

9. The contractor's ability to assess and manage risk and minimize risk impact; and

10. The contractor's past record of compliance with article 15-A of the executive law.

Such basis shall reflect, wherever possible, objective and quantifiable analysis.

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

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

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

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

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

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

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

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

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

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

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

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

public buildings law, section 103 of the general municipal law, and the provisions of any other law to the contrary, and in conformity with the requirements of this act, an authorized state entity may utilize the alternative delivery [~~method~~] **methods** referred to as design-build **or construction manager as constructor** contracts, in consultation with relevant local labor organizations and construction industry, unless otherwise provided below, for capital projects located in the state related to physical infrastructure, including, but not limited to, highways, bridges, buildings and appurtenant structures, dams, flood control projects, canals, and parks, including, but not limited to, to repair damage caused by natural disaster, to correct health and safety defects, to comply with federal and state laws, standards, and regulations, to extend the useful life of or replace highways, bridges, buildings and appurtenant structures, dams, flood control projects, canals, and parks or to improve or add to highways, bridges, buildings and appurtenant structures, dams, flood control projects, canals, and parks; provided that for the contracts executed by the department of transportation, the office of parks, recreation and historic preservation, or the department of environmental conservation, the total cost of each such project shall not be less than ten million dollars ($10,000,000). Provided further that authorized state entities may only utilize the alternative delivery [~~method~~] **methods** referred to as design-build **or construction manager as constructor** contracts on projects with a total construction cost of not less than twenty-five million dollars ($25,000,000) if undertaken pursuant to a project labor agreement in accordance with section 222 of the labor law. If a project labor agreement is not performed on [~~the~~] **such** project, the authorized state entity shall not utilize a design-build **or construction manager as constructor** contract for such project. The use of a project labor agreement on a federal aid project shall not be required where the federal government prohibits or disapproves of the use of a project labor agreement on such a federal aided project. Prior to utilizing the alternative delivery [~~method~~] **methods** referred to as design-build **or construction manager as constructor** contracts for projects with a total construction cost of less than twenty-five million dollars ($25,000,000), authorized state entities shall conduct a feasibility study in accordance with section 222 of the labor law.

§ 3. Section 4 of part F of chapter 60 of the laws of 2015, constituting the infrastructure investment act, as amended by section 4 of part RRR of chapter 59 of the laws of 2017, the opening paragraph and subdivision (a) as amended by section 2 of part DD of chapter 58 of the laws of 2020, is amended to read as follows:

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

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

organization, demonstrated responsibility, ability of the team or of a member or members of the team to comply with applicable requirements, including the provisions of articles 145, 147 and 148 of the education law, past record of compliance with the labor law, and such other qualifications the authorized state entity deems appropriate which may include but are not limited to project understanding, financial capability and record of past performance. The authorized state entity shall evaluate and rate all entities responding to the request for qualifications. Based upon such ratings, the authorized state entity shall list the entities that shall receive a request for proposals in accordance with subdivision (b) of this section. To the extent consistent with applicable federal law, the authorized state entity shall consider, when awarding any contract pursuant to this section, the participation of: (i) firms certified pursuant to article 15-A of the executive law as minority or women-owned businesses and the ability of other businesses under consideration to work with minority and women-owned businesses so as to promote and assist participation by such businesses; [~~and~~] (ii) small business concerns identified pursuant to subdivision (b) of section 139-g of the state finance law and (iii) firms certified pursuant to article 17-B of the executive law as service-disabled veteran-owned businesses and the ability of other businesses under consideration to work with service-disabled veteran-owned businesses so as to promote and assist participation by such businesses.

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

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

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

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

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

1. Offering the best value; or

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

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

(ii) include a detailed line item cost breakdown;

(iii) include a list of all drawings, specifications and other information on which the guaranteed maximum price is based;

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

(v) include a schedule of unit prices; or

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

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

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

§ 14. Prequalified contractors. (a) Notwithstanding any other provision of law, the authorized state entity [~~may maintain a list of prequalified contractors who are eligible to submit a proposal pursuant to this act and entry into such list shall be continuously available~~] **when awarding any contract for public work may establish guidelines governing the qualifications of contractors seeking to bid, propose or enter into such contract**. Prospective contractors may be prequalified as contractors to provide particular types of construction, in accordance with general criteria established by the authorized state entity which may include, but shall not be limited to, the experience, past performance, ability to undertake the type and complexity of work, financial capability, responsibility, compliance with equal employment opportunity

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

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

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

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

§ 8. Section 16 of part F of chapter 60 of the laws of 2015, constituting the infrastructure investment act, as amended by section 6 of part DD of chapter 58 of the laws of 2020, is amended to read as follows:

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

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

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

PART Z

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

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

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

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

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

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

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

(b) This section may only be applied to:

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

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

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

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

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

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

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

(e) The request for proposals shall set forth the public work's scope of work, and other requirements, as determined by the [~~department~~] **authorized entity**, which may include separate goals for work under the contract to be performed by businesses certified as minority- or women-owned business enterprises pursuant to article fifteen-A of the executive law or certified pursuant to local law as minority- or women-owned business enterprises. The request for proposals shall also specify the criteria to be used to evaluate the responses and the relative weight of each of such criteria. Such criteria shall include the proposal's cost, the quality of the proposal's solution, the qualifications and experience of the proposer, and other factors deemed pertinent by the [~~department~~] **authorized entity**, which may include, but shall not be limited to, the proposal's manner and schedule of project implementation, the proposer's ability to complete the work in a timely and satisfactory manner, maintenance costs of the completed public work, maintenance of traffic approach, and community impact. A contract awarded pursuant to this section shall be awarded to a responsive and responsible proposer, which, in consideration of these and other specified criteria deemed pertinent, offers the best value, as determined by the [~~department~~] **authorized entity**. The [~~department~~] **authorized entity** may engage in negotiations or other discussions with all qualified proposers that have expressed interest in response to the request for proposals released pursuant to subdivision (d) of this section, provided that such [~~department~~] **authorized entity** maintains a written record of the conduct of negotiations or discussions and the basis for every determination to continue or suspend negotiations, and, provided, further, that if such [~~department~~] **authorized entity** determines for a particular contract or for a particular type of contract that it is in the best interest of the public to negotiate or enter into discussions with fewer proposers, it shall make such a determination in writing. If such [~~department~~] **authorized entity** enters into such negotiations, such [~~department~~] **authorized entity** shall allow all proposers to revise their proposals upon conclusion of negotiations, and shall evaluate any such revised proposals using the criteria included in the request for proposals. The request for proposals shall include a statement that proposers shall designate in writing those portions of the proposal that contain trade secrets or other proprietary information that are to remain confidential; that the material designated as confidential shall be readily separable from the proposal. Nothing in this section shall be construed to prohibit the authorized entity from negotiating final contract terms and conditions

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

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

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

PART AA

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

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

§ 2. This act shall take effect immediately.

PART BB

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~~] **them** any [~~physician~~] **provider** authorized by the chair to render medical care, as hereafter provided. If for any reason during the period when medical treatment and care is required, the employee wishes to transfer [~~his or her~~] **their** 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~~] **them** with the necessary medical care, 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 required, any [~~physician~~] **provider** authorized by the chair to render medical care 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~~] **provider**, whether chosen originally by the employee or by the employer, to another authorized [~~physician~~] **provider** (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 has not been authorized under this act to treat the particular injury or condition as provided by section thirteen-b (2)~~] **provider is currently placed on the exclusion list**. An authorized [~~physician~~] **provider** 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~~] **provider** a sum equal to the total fee earned by the [~~physician~~] **provider** 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.

(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 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~~] **the claimant** has 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 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~~] **provider** 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~~] **the employer's** 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.

(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 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, 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.

(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 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 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 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, and paragraphs (p) and (q) of subdivision 1 and paragraph (b-1) of subdivision 2 as added by chapter 335 of the laws of 2024, 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 this section shall be authorized to render medical care under this chapter unless they are currently excluded pursuant to section thirteen-d of this article. 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, when qualified by the board. 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, 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 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 require-

ments 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 excluded 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" means the list published and maintained by the board 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 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 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 treat-

ment 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.

(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 provider, 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 physician, physician assistant, podiatrist, or nurse practitioner acting within the scope of [~~his or her~~] **such person's** practice, care or treatment may be rendered to an injured employee by an authorized physical therapist, occupational therapist or acupuncturist 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 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 **as provided for in the applicable regulations, currently section 300.2 of Title 12 NYCRR**. [~~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 under this chapter or to conduct independent medical examinations in accordance with paragraph (b) of subdivision four of section thirteen-a of this article.**

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 publish** 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 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~~] **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 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.

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.

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

(1) Fees for medical services shall be payable only to a physician or other qualified person 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~~] themself. Hospitals shall not be entitled to receive the remuneration paid to physicians on their staff for medical and surgical services.

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

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

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

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

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

§ 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~~] **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 of this chapter**, and licenses for medical bureaus and x-ray and other laboratories under the provisions of section thirteen-c of this chapter, 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.

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

PART CC

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

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

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

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

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

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

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

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

3. An employer may cease making temporary payments of compensation and **medical treatment and care, including** prescribed medicine if such employer delivers within five days after the last payment, to the injured employee and the board, a notice of termination of temporary payments of compensation on a form prescribed by the board. Such notice shall inform the injured employee that the employer is ceasing temporary payment of compensation and **medical treatment and care, including** prescribed medicine. Upon the cessation of temporary payments of compensation and **medical treatment and care, including** prescribed medicine, all parties to any action pursuant to this chapter shall retain all rights, defenses and obligations they would otherwise have pursuant to this chapter without regard for the temporary payment of compensation and **medical treatment and care, including** prescribed medicine.

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

PART DD

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

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

adopted by the chair if the board determines that the claim is compensable. Additionally, in the event that an insurer or health benefits plan makes payments for medical and/or hospital services for or on behalf of an injured employee when the claim is not controverted, they shall be entitled to be reimbursed for such payments by the carrier or employer within the limits of the medical and hospital fee schedules adopted by the chair if the board determines that the claim is compensable. For the purposes of this section, an insurer or health benefits plan includes a medical expense indemnity corporation, a health or hospital service corporation, a commercial insurance company licensed to write accident and health insurance in the state of New York, an institution of higher education certified under section eleven hundred twenty-four of the insurance law, as added by chapter two hundred forty-six of the laws of two thousand twelve a municipal cooperative health benefit plan under article forty-seven of the insurance law, a health maintenance organization operating in accordance with article forty-three of the insurance law or article forty-four of the public health law, or a self-insured or self-funded health care benefits plan operated by, or on behalf of, any business, municipality or other entity (including an employee welfare fund as defined in article forty-four of the insurance law or any other union trust fund or union health benefits plan). Notwithstanding any other provision of law, in no event shall the carrier or employer be required to reimburse the insurer or health benefits plan in an amount greater than the amount paid for medical and hospital services for or on behalf of the injured [~~employer~~] employee by such [~~corporation~~] insurer or [~~company~~] health benefits plan; provided, however, if the carrier or employer does not reimburse the insurer or health benefits plan within thirty days after the board determines that the claim is compensable, the carrier or employer shall reimburse the insurer or health benefits plan at the amount the carrier or employer would be obligated to reimburse the hospital or other provider of medical services if the carrier or employer made payment directly to the provider of medical and/or hospital services pursuant to this chapter (or, in the case of inpatient hospital services, pursuant to paragraphs (b) and (b-1) of subdivision one of section twenty-eight hundred seven-c of the public health law). Upon reimbursement to the insurer or health benefits plan pursuant to this subdivision, the carrier or employer shall be relieved of liability for the medical and/or hospital services for which payment has been made by the insurer or health benefits plan.

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

§ 3224-e. Payment of controverted workers' compensation insurance claims. (a) Pursuant to paragraph one of subdivision (d) of section thirteen of the workers' compensation law, an insurer shall make payments for otherwise covered medical or hospital services when the workers' compensation insurance claim is controverted and the insurer receives from the provider of the medical or hospital services who is treating the injured employee a written notice from the workers' compensation insurer or employer that the workers' compensation insurer or employer denied payment for the medical or hospital services. The insurer shall be entitled to be reimbursed for such payments by the workers' compensation insurer or employer within the limits of the medical and hospital fee schedules of the chair of the workers' compensation board if the workers' compensation board determines that the claim is compensable.

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

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

PART EE

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

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

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

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

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

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

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

Economic Development and Public Authorities:

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

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

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

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

Education:

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

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

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

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

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

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

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

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

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

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

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

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

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

13. $70,000,000 from the state university income fund, state university hospitals income reimbursable account (22656) to the general fund for hospital debt service.

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

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

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

17. $312,000,000 from the State University Income Fund, Long Island veterans' home account (22652), state university income fund, state university general income reimbursable account (22653), state university income fund, state university general revenue offset account (22655), state university income fund, state university hospitals income reimbursable account (22656), state university income fund, SUNY stabilization account (22657), state university income fund, state university-wide hospital reimbursable account (22658), and/or state university income fund, SUNY tuition reimbursable account (22659) to the General Fund for the payment of SUNY Hospitals Health Insurance premiums on or before March 31, 2026.

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

Environmental Affairs:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Family Assistance:

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

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

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

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

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

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

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

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

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

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

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

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

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

General Government:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Health:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23. $5,000,000 from the general fund to the occupational health clinics account (22177).

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

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

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

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

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

Labor:

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

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

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

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

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

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

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

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

Mental Hygiene:

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

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

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

Public Protection:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Transportation:

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

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

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

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

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

Miscellaneous:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Notwithstanding any other provisions of law to the contrary, [~~commencing on April first, two thousand twenty-one, and continuing through March thirty-first, two thousand twenty-five,~~] the comptroller is hereby authorized to transfer monies from the dedicated infrastructure investment fund to the general fund, and from the general fund to the dedicated infrastructure investment fund, in an amount determined by the director of the budget to the extent moneys are available in the fund; provided, however, that the comptroller is only authorized to transfer monies from the dedicated infrastructure investment fund to the general fund in the event of an economic downturn as described in paragraph (a) of this subdivision; and/or to fulfill disallowances and/or settlements related to over-payments of federal medicare and medicaid revenues in excess of one hundred million dollars from anticipated levels, as determined by the director of the budget and described in paragraph (b) of this subdivision.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. include a summary financial plan showing for each of the governmental fund types: (a) the disbursements estimated to be made before the close of the current fiscal year and the moneys estimated to be available from receipts and other sources therefor; and (b) the disbursements proposed to be made during the ensuing fiscal year, and the moneys estimated to be available from receipts and other sources therefor inclusive of any receipts which are expected to result from proposed legislation which [~~he~~] **the governor** deems necessary to provide receipts sufficient to meet such proposed disbursements. For the purposes of this summary financial plan, disbursements shall be presented by the following purposes: state purposes, local assistance, capital projects, debt service, and general state charges; receipts shall be presented for each fund type by each revenue source which accounts for at least one per centum of all such receipts and otherwise by categories of revenue sources; receipts and disbursements for special revenue funds shall be presented separately for federal funds and all other special revenue funds. Whenever receipts or disbursements are proposed to be moved to a different fund type, each significant amount so moved shall be identified.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[~~c-1.~~] d-1. Within ten days following the submission of the financial plans presented in accordance with [~~subdivisions~~] subdivision one [~~and two~~] of this section, the anticipated general fund monthly and governmental fund types quarterly schedule and fiscal year total for the ensuing fiscal year of: disbursements; receipts; repayments of advances; total tax refunds; and refunds for the tax imposed under article twenty-two of the tax law. Such information shall be presented in the same form as the summary financial plans presented in accordance with [~~subdivisions~~] subdivision one [~~and two~~] of this section.

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

(1) separate schedules for each fund type; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Estimated costs by fiscal year shall not be disclosed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Subject to the provisions of chapter fifty-nine of the laws of two thousand, in order to enhance and encourage the promotion of housing programs and thereby achieve the stated purposes and objectives of such housing programs, the agency shall have the power and is hereby authorized from time to time to issue negotiable housing program bonds and notes in such principal amount as shall be necessary to provide sufficient funds for the repayment of amounts disbursed (and not previously reimbursed) pursuant to law or any prior year making capital appropriations or reappropriations for the purposes of the housing program; provided, however, that the agency may issue such bonds and notes in an aggregate principal amount not exceeding [~~fourteen billion five hundred twenty-six million eighty-nine thousand dollars $14,526,089,000, plus a principal amount of bonds issued to fund the debt service reserve fund in accordance with the debt service reserve fund requirement established by the agency and to fund any other reserves that the agency reasonably deems necessary for the security or marketability of such bonds and to provide for the payment of fees and other charges and expenses, including underwriters' discount, trustee and rating agency fees, bond insurance, credit enhancement and liquidity enhancement related to the issuance of such bonds and notes~~] **sixteen billion five hundred six million three hundred sixty-four thousand dollars $16,506,364,000, excluding bonds issued after April first, two thousand twenty-five to (i) fund one or more debt service reserve funds, (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise repay such bonds or notes previously issued, provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date**. No reserve fund securing the housing program bonds shall be entitled or eligible to receive state funds apportioned or appropriated to maintain or restore such reserve fund at or to a particular level, except to the extent of any deficiency resulting directly or indirectly from a failure of the state to appropriate or pay the agreed amount under any of the contracts provided for in subdivision four of this section.

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

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

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

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

bonds so to be issued when added to all principal amounts of bonds previously issued by the dormitory authority for city university community college facilities, except to refund or to be substituted in lieu of other bonds in relation to city university community college facilities will exceed the sum of four hundred twenty-five million dollars and (ii) the dormitory authority shall not deliver a series of bonds issued for city university facilities, including community college facilities, pursuant to a resolution of the dormitory authority adopted on or after July first, nineteen hundred eighty-five, except to refund or to be substituted for or in lieu of other bonds in relation to city university facilities and except for bonds issued pursuant to a resolution supplemental to a resolution of the dormitory authority adopted prior to July first, nineteen hundred eighty-five, if the principal amount of bonds so to be issued when added to the principal amount of bonds previously issued pursuant to any such resolution, except bonds issued to refund or to be substituted for or in lieu of other bonds in relation to city university facilities, will exceed [~~eleven billion seven hundred sixty-three million twenty-two thousand dollars $11,763,022,000~~] twelve billion two hundred fifteen million three hundred sixty-eight thousand dollars $12,215,368,000, excluding bonds issued after April first, two thousand twenty-five to (i) fund one or more debt service reserve funds, (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise repay such bonds or notes previously issued, provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the city university, and the fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

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

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

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

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

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

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

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

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

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

in the opinion of the agency, shall be necessary, after taking into account other moneys which may be available for the purpose, to provide sufficient funds to the facilities development corporation, or any successor agency, for the financing or refinancing of or for the design, construction, acquisition, reconstruction, rehabilitation or improvement of mental health services facilities pursuant to paragraph a of this subdivision, the payment of interest on mental health services improvement bonds and mental health services improvement notes issued for such purposes, the establishment of reserves to secure such bonds and notes, the cost or premium of bond insurance or the costs of any financial mechanisms which may be used to reduce the debt service that would be payable by the agency on its mental health services facilities improvement bonds and notes and all other expenditures of the agency incident to and necessary or convenient to providing the facilities development corporation, or any successor agency, with funds for the financing or refinancing of or for any such design, construction, acquisition, reconstruction, rehabilitation or improvement and for the refunding of mental hygiene improvement bonds issued pursuant to section 47-b of the private housing finance law; provided, however, that the agency shall not issue mental health services facilities improvement bonds and mental health services facilities improvement notes in an aggregate principal amount exceeding [~~twelve billion nine hundred twenty-one million seven hundred fifty-six thousand dollars $12,921,756,000, excluding mental health services facilities improvement bonds and mental health services facilities improvement notes issued to refund outstanding mental health services facilities improvement bonds and mental health services facilities improvement notes; provided, however, that upon any such refunding or repayment of mental health services facilities improvement bonds and/or mental health services facilities improvement notes the total aggregate principal amount of outstanding mental health services facilities improvement bonds and mental health facilities improvement notes may be greater than twelve billion nine hundred twenty-one million seven hundred fifty-six thousand dollars $12,921,756,000, only if, except as hereinafter provided with respect to mental health services facilities bonds and mental health services facilities notes issued to refund mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law, the present value of the aggregate debt service of the refunding or repayment bonds to be issued shall not exceed the present value of the aggregate debt service of the bonds to be refunded or repaid. For purposes hereof, the present values of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the authority including estimated accrued interest from the sale thereof. Such bonds, other than bonds issued to refund outstanding bonds, shall be scheduled to mature over a term not to exceed the average useful life, as certified by the facilities development corporation, of the projects for which the bonds are issued, and in any case shall not exceed thirty~~

~~years and the maximum maturity of notes or any renewals thereof shall not exceed five years from the date of the original issue of such notes. Notwithstanding the provisions of this section, the agency shall have the power and is hereby authorized to issue mental health services facilities improvement bonds and/or mental health services facilities improvement notes to refund outstanding mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law and the amount of bonds issued or outstanding for such purposes shall not be included for purposes of determining the amount of bonds issued pursuant to this section~~] thirteen billion six hundred thirty-nine million five hundred fifty-four thousand dollars $13,639,554,000, excluding bonds issued after April first, two thousand twenty-five to (i) fund one or more debt service reserve funds, (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise repay such bonds or notes previously issued, provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date. The director of the budget shall allocate the aggregate principal authorized to be issued by the agency among the office of mental health, office for people with developmental disabilities, and the office of addiction services and supports, in consultation with their respective commissioners to finance bondable appropriations previously approved by the legislature.

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

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

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

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

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

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

(b) Any service contract or contracts for projects authorized pursuant to sections 10-c, 10-f, 10-g and 80-b of the highway law and section 14-k of the transportation law, and entered into pursuant to subdivision (a) of this section, shall provide for state commitments to provide annually to the thruway authority a sum or sums, upon such terms and conditions as shall be deemed appropriate by the director of the budget, to fund, or fund the debt service requirements of any bonds or any obligations of the thruway authority issued to fund or to reimburse the state for funding such projects having a cost not in excess of [~~fourteen billion eight hundred forty-four million five hundred eighty-seven thousand dollars $14,844,587,000 cumulatively by the end of fiscal year 2024-25~~] **fifteen billion seven hundred twenty-two million three hundred eighty-four thousand dollars $15,722,384,000. Such limit shall exclude bonds issued after April first, two thousand twenty-five to (i) fund one or more debt service reserve funds, (ii) pay costs of issuance of such bonds, and (iii) refund or otherwise repay such bonds or notes previously issued, provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date**. For purposes of this subdivision, such projects shall be deemed to include capital grants to cities, towns and villages for the reimbursement of eligible capital costs of local highway and bridge projects within such municipality, where allocations to cities, towns and villages are based on the total number of New York or United States or interstate signed touring route miles for

which such municipality has capital maintenance responsibility, and where such eligible capital costs include the costs of construction and repair of highways, bridges, highway-railroad crossings, and other transportation facilities for projects with a service life of ten years or more.

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

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

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

3. The maximum amount of bonds that may be issued for the purpose of financing environmental infrastructure projects authorized by this section shall be [~~ten billion eight hundred sixty-six million five hundred sixty thousand dollars $10,866,560,000~~] **thirteen billion two hundred nineteen million one hundred sixty thousand dollars $13,219,160,000**, exclusive of bonds issued to fund any debt service reserve funds, pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay bonds or notes previously issued. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision one of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

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

amended by section 20 of part P2 of chapter 62 of the laws of 2003, are amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed [~~one billion sixty-six million seven hundred fifty-five thousand dollars $1,066,755,000, which~~] one billion two hundred seventeen million seven hundred fifty-five thousand dollars $1,217,755,000, excluding bonds issued after April first, two thousand twenty-five to (a) fund one or more debt service reserve funds, (b) to pay costs of issuance of such bonds, and (c) refund or otherwise repay such bonds or notes previously issued, provided that nothing herein shall affect the exclusion of refunding debt issued prior to such date. Which authorization increases the aggregate principal amount of bonds, notes and other obligations authorized by section 40 of chapter 309 of the laws of 1996, and shall include all bonds, notes and other obligations issued pursuant to chapter 211 of the laws of 1990, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the youth facilities improvement fund or the capital projects fund, to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the office of children and family services from the youth facilities improvement fund or the capital projects fund for capital projects. [~~The aggregate amount of bonds, notes and other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the office of children and family services; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than one billion sixty-six million seven hundred fifty-five thousand dollars $1,066,755,000, only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.~~]

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

any purchases therefor, on behalf of the New York state office of children and family services.

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

1. Notwithstanding any other provision of law to the contrary, the authority, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of financing peace bridge projects and capital costs of state and local highways, parkways, bridges, the New York state thruway, Indian reservation roads, and facilities, and transportation infrastructure projects including aviation projects, non-MTA mass transit projects, and rail service preservation projects, including work appurtenant and ancillary thereto. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~fifteen billion two hundred forty million six hundred sixty-nine thousand dollars $15,240,669,000~~] seventeen billion four million twenty-seven thousand dollars $ 17,004,027,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the authority, the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the authority, the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

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

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medicine, the olympic regional development authority, projects at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, high tech innovation and economic development infrastructure program, high technology manufacturing projects in Chautauqua and Erie county, an industrial scale research and development facility in Clinton county, upstate revitalization initiative projects, downstate revitalization initiative, market New York projects, fairground buildings, equipment or facilities used to house and promote agriculture, the state fair, the empire state trail, the moynihan station development project, the Kingsbridge armory project, strategic economic development projects, the cultural, arts and

public spaces fund, water infrastructure in the city of Auburn and town of Owasco, a life sciences laboratory public health initiative, not-for-profit pounds, shelters and humane societies, arts and cultural facilities improvement program, restore New York's communities initiative, heavy equipment, economic development and infrastructure projects, Roosevelt Island operating corporation capital projects, Lake Ontario regional projects, Pennsylvania station and other transit projects, athletic facilities for professional football in Orchard Park, New York, Rush - NY, New York AI Consortium, New York Creates UEV Tool, and other state costs associated with such projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~twenty billion eight hundred seventy-eight million one hundred ninety-four thousand dollars $20,878,194,000~~] **twenty-two billion eight hundred forty-nine million nine hundred fifty-three thousand dollars $22,849,953,000**, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

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

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

§ 49. Subdivision 1 of section 50 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corpo-

ration act, as amended by section 45 of part XX of chapter 56 of the laws of 2024, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs undertaken by or on behalf of the state education department, special act school districts, state-supported schools for the blind and deaf, approved private special education schools, non-public schools, community centers, day care facilities, residential camps, day camps, Native American Indian Nation schools, and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~three hundred ninety-six million eight hundred ninety-eight thousand dollars $396,898,000~~] four hundred forty million three hundred ninety-seven thousand dollars $440,397,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

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

1. Subject to the provisions of chapter fifty-nine of the laws of two thousand, but notwithstanding any provisions of law to the contrary, the dormitory authority is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [~~forty-one million sixty thousand dollars $41,060,000~~] forty-one million one hundred seventy-five thousand dollars $41,175,000, excluding bonds issued to finance one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing the construction of the New York state agriculture and markets food laboratory. Eligible project costs may include, but not be limited to the cost of design, financing, site investigations, site acquisition and preparation, demolition, construction, rehabilitation, acquisition of machinery and equipment, and infrastructure improvements. Such bonds and notes of such authorized issuers shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to such authorized issuers for debt service and related expenses pursuant to any service contract executed pursuant to subdivision two of this section and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

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

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

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

1. Notwithstanding any other provision of law to the contrary, the authority, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of assisting the metropolitan transportation authority in the financing of transportation facilities as defined in subdivision seventeen of section twelve hundred sixty-one of this chapter or other capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [~~twelve billion five hundred fifteen million eight hundred fifty-six thousand dollars $12,515,856,000~~] fifteen billion five hundred fifteen million eight hundred fifty-six thousand dollars $15,515,856,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the authority, the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the authority, the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds. Notwithstanding any other provision of law to the contrary, including the limitations contained in subdivision four of section sixty-seven-b of the state finance law, (A) any bonds and notes issued prior to April first, two thousand twenty-seven pursuant to this section may be issued with a maximum maturity of fifty years, and (B) any bonds issued to refund such

bonds and notes may be issued with a maximum maturity of fifty years from the respective date of original issuance of such bonds and notes.

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

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

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

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

§ 55. Subdivision 1 of section 16 of part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, as amended by

section 28 of part XX of chapter 56 of the laws of 2024, is amended to read as follows:

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

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

Notwithstanding any provision of this article or any other provision of law to the contrary, so long as bonds issued by the dormitory authority [~~to finance facilities for~~] **on or before March thirty-first, two thousand twenty-five to make loans to** the department of health of the

state of New York **to finance state hospital facilities listed in section four hundred three of the public health law** remain outstanding as defined in the bond resolution under which such bonds were issued, the following provisions shall be applicable:

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

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

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

§ 58. Paragraph (b) of subdivision 1 of section 54-b of section 1 of chapter 174 of the laws of 1968 constituting the urban development corporation act, as amended by section 54 of part XX of chapter 56 of the laws of 2024, is amended to read as follows:

(b) Notwithstanding any other provision of law to the contrary, including, specifically, the provisions of chapter 59 of the laws of 2000 and section sixty-seven-b of the state finance law, the dormitory authority of the state of New York and the corporation are hereby authorized to issue personal income tax revenue anticipation notes with a maturity no later than March 31[~~, 2025~~] **of the state fiscal year in which such notes are issued**, in one or more series in an aggregate principal amount for each fiscal year not to exceed three billion dollars, and to pay costs of issuance of such notes, for the purpose of temporarily financing budgetary needs of the state. Such purpose shall constitute an authorized purpose under subdivision two of section sixty-eight-a of the state finance law for all purposes of article five-C of the state finance law with respect to the notes authorized by this paragraph. Such notes shall not be renewed, extended or refunded. For so long as any notes authorized by this paragraph shall be outstanding, the restrictions, limitations and requirements contained in article five-B of the state finance law shall not apply.

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

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

§ 60. Subdivision 1 of section 56 of the state finance law, as amended by chapter 415 of the laws of 1986, is amended to read as follows:

1. Whenever in [~~his~~] **the comptroller's** opinion it is to the advantage of the state the comptroller when issuing and selling any bonds of the state may reserve to the state on such conditions as [~~he~~] **the comptroller** may deem advisable and proper the privilege of refunding or of redeeming [~~at not more than three per centum above par value~~] all or any part of such bonds prior to the date on which they shall be due and payable.

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

PART FF

Section 1. Section 13-638.2 of the administrative code of the city of New York is amended by adding two new subdivisions k-3 and k-4 to read as follows:

k-3. For NYCERS, NYCTRS and BERS, all installments of contribution resulting from any unfunded accrued liability established for any such retirement system prior to the establishment of the unfunded accrued liability as of June thirtieth, two thousand twenty-three for such retirement systems pursuant to the provisions of paragraph one of subdivision k-4 of this section which are payable to such retirement system on or after July first, two thousand twenty-four are hereby canceled and shall not be due and payable on or after such July first.

k-4. (1) (i) The actuary for each of such retirement systems, upon the basis of the latest mortality and other tables applicable at the time such actuary performs the calculations, and the valuation rate of interest (as defined in paragraph eleven of subdivision a of this section), shall calculate separately for NYCERS, NYCTRS and BERS, as of June thirtieth, two thousand twenty-three and as of each succeeding June thirtieth, an unfunded accrued liability for each retirement system in accordance with the succeeding subparagraphs of this paragraph.

(ii) The actuary shall calculate, as of the applicable June thirtieth, an amount equal to the sum of (A) the total actuarial present value of all benefits payable by NYCERS, NYCTRS and BERS pursuant to applicable law, as determined by the actuary, and (B) the liability of each retirement system, as determined by the actuary, for amounts which the retirement system may be required by applicable law to pay to any other fund on account of related benefits financed through the retirement system, without a corresponding offset in the liabilities of the retirement system.

(iii) The unfunded accrued liability of each of such retirement systems as of the applicable June thirtieth shall be the amount obtained by deducting from the amount of such total liability of the retirement system on account of benefits, as determined by the actuary pursuant to subparagraph (ii) of this paragraph, the sum of:

(A) the actuarial present value of entry age normal contributions payable to such retirement system, as determined by the actuary as of the applicable June thirtieth in a manner consistent with the entry age actuarial cost method, and with the applicable methodologies set forth for NYCERS in subparagraph (d) of paragraph two of subdivision b of section 13-127 of this title, for the NYCTRS in paragraph five of subdivision b of section 13-527 of this title or for BERS in item (v) of subparagraph four of paragraph (c) of subdivision sixteen of section twenty-five hundred seventy-five of the education law;

(B) the present value of future member contributions of all members of such retirement system, as determined by the actuary as of the applicable June thirtieth;

(C) the total funds on hand of such retirement system for valuation purposes, as determined by the actuary as of the applicable June thirtieth;

(D) the present value of future installments of unfunded accrued liability contributions to be paid to such retirement system as of the applicable June thirtieth;

(E) the present value of the pending normal contribution to such retirement system as of the applicable June thirtieth as determined by the actuary and established in the valuation for the prior year; and

(F) the present value of pending contributions to such retirement system for administrative expenses in accordance with the provisions of subdivision f of section 13-103 of this title for NYCERS, subdivision d of section 13-518 of this title for the NYCTRS or paragraph (e) of subdivision twenty-three of section twenty-five hundred seventy-five of the education law for BERS.

(iv) The actuary, in determining the unfunded accrued liability pursuant to this paragraph, may make any adjustments which such actuary deems appropriate due to the calculation of the unfunded accrued liability as of the second June thirtieth preceding the fiscal year in which the first installment of such unfunded accrued liability becomes payable or creditable.

(2) (i) The unfunded accrued liability calculated by the actuary as of June thirtieth, two thousand twenty-three shall be known as the "2023 UAL" or, with respect to NYCERS as the "NYCERS 2023 UAL", with respect to NYCTRS as the "NYCTRS 2023 UAL", and with respect to BERS as the "BERS 2023 UAL".

(ii) The 2023 UAL for NYCERS, NYCTRS and BERS shall be amortized in twenty annual installments, as determined by the actuary, with payments commencing with the two thousand twenty-four--two thousand twenty-five fiscal year. The actuary for each of such retirement systems shall determine the schedule of contribution installments such that each installment after the first shall decline, relative to the next preceding installment, by a constant dollar amount equal to five percent of such first installment.

(3) (i) Notwithstanding paragraph three of subdivision k-2 of this section or any other law to the contrary, the unfunded accrued liability calculated pursuant to paragraph one of this subdivision by the actuary as of June thirtieth, two thousand twenty-four, and as of each succeeding June thirtieth, shall be known as a "post-2023 UAL adjustment". With respect to NYCERS, NYCTRS and BERS, such unfunded accrued liability shall be known by the name consisting of the applicable abbreviation for each retirement system, as defined in paragraph three, four or seven of subdivision a of this section, followed by the calendar year as of which the unfunded accrued liability was established, followed by the term "UAL adjustment".

(ii) Notwithstanding paragraph three of subdivision k-2 of this section or any other law to the contrary, each post-2023 UAL adjustment for NYCERS, NYCTRS and BERS, excluding adjustments due to investment gains and losses or enacted changes in benefits as described in subparagraphs (iii) and (iv) respectively of this paragraph, shall be amortized in twenty equal annual installments, as determined by the actuary, with payments or credits commencing with the second fiscal year succeeding the June thirtieth as of which the unfunded accrued liability was established.

(iii) Post-2023 UAL adjustments due to investment gains and losses shall be amortized over twenty installments such that installments one through five increase by a constant dollar amount, installments seventeen through twenty decrease by that same amount, and installments six through sixteen equal installment five, as determined by the actuary. Deferred investment gains and losses established prior to the Post-2023 UAL adjustments will continue to be recognized based on their existing recognition schedule and amortized in twenty equal annual installments, as determined by the actuary, with payments or credits commencing with the second fiscal year succeeding the June thirtieth as of which they are recognized.

(iv) Post-2023 UAL adjustments due to enacted changes in benefits shall be amortized over a number of installments equal to the rounded number of years of the remaining working lifetimes of those covered by the benefit changes. Where the length of the amortization period for an UAL adjustment is not specified in the law, the actuary, in such actuary's discretion, may select an amortization period that is reasonably consistent with past practice for amortizing UAL adjustments attributable to the particular type of changes.

(v) In the event that the total unfunded accrued liability as of June thirtieth for NYCERS, NYCTRS or BERS, as determined by the actuary, is less than or equal to zero based on the market value of assets, results in the total amortization installment being negative while the total unfunded accrued liability is positive, or results in any other mathematical inconsistency as determined by the actuary, the actuary, in their discretion, shall void all previously established remaining amortization installments scheduled for or after the second fiscal year succeeding the June thirtieth as of which the determination was made and shall establish a new amortization schedule of twenty installments that will be applied as charges or credits against the normal contribution of any such retirement system's obligors commencing in that second fiscal year.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2024.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY: This proposed legislation (see Appendix) would modify existing statutory language to amortize the Unfunded Accrued Liabilities (UAL) for the New York City Employees' Retirement System (NYCERS), the New York City Teachers' Retirement System (TRS), and the New York City Board of Education Retirement System (BERS) on an alternate schedule effective upon enactment and deemed to have been in effect on and after July 1, 2024.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
by Fiscal Year for the first 25 years ($ in Millions)

Year	NYCERS	TRS	BERS	TOTAL
2025	48.2	(523.8)	(36.2)	(511.8)
2026	(129.2)	(661.4)	(41.0)	(831.6)
2027	(338.3)	(644.0)	(67.5)	(1,049.8)
2028	(526.5)	(693.8)	(64.3)	(1,284.6)
2029	(682.2)	(582.9)	(31.0)	(1,296.1)
2030	(1,020.3)	(611.7)	(26.4)	(1,658.4)
2031	(1,258.7)	(673.4)	(16.7)	(1,948.8)
2032	(1,477.0)	(924.6)	(9.6)	(2,411.2)
2033	1,162.3	1,526.3	128.5	2,817.1
2034	1,010.7	1,382.9	120.1	2,513.7
2035	1,170.1	1,329.6	72.3	2,572.0
2036	1,075.1	1,253.5	84.2	2,412.8
2037	727.7	880.5	42.1	1,650.3
2038	709.9	722.6	32.2	1,464.7
2039	782.4	674.5	18.3	1,475.2
2040	553.0	250.1	(33.2)	769.9
2041	442.4	278.0	2.0	722.4
2042	331.8	209.4	1.5	542.7
2043	221.2	139.6	1.0	361.8
2044	110.6	69.8	0.5	180.9
2045	0.0	0.0	0.0	0.0

2046	0.0	0.0	0.0	0.0
2047	0.0	0.0	0.0	0.0
2048	0.0	0.0	0.0	0.0
2049	0.0	0.0	0.0	0.0

Allocation of the impact above to New York City and other obligors will vary by year.

IMPACT ON EMPLOYER CONTRIBUTIONS: For NYCERS, TRS, and BERS, the proposed legislation would amend the UAL amortization schedule; change the smoothing method used for investment gains and losses; and allow a reset of the UAL amortization schedule under certain scenarios. While the proposed changes will impact the timing of employer contributions, there is no change to the benefits paid and therefore no ultimate savings or cost.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
as of June 30, 2023 ($ in Millions)

Present Value (PV)	NYCERS	TRS	BERS
(1) PV of Employer Contributions:	0.0	0.0	0.0
(2) PV of Employee Contributions:	**0.0**	**0.0**	**0.0**
Total PV of Benefits (1) + (2):	0.0	0.0	0.0

IMPACT ON UAL AMORTIZATION: Pursuant to Chapter 3 of the Laws of 2013, an Initial UAL amortization base was established for each of the New York City Retirement Systems and Pension Funds (NYCRS) such that the annual amortization payments would increase by 3% per year consistent with the expected annual increases in total payroll, with the final payment scheduled to occur in Fiscal Year 2032. Subsequent changes in the UAL have their own statutorily defined amortization period, generally amortized using level dollar payments.

The proposed legislation would re-amortize all outstanding UAL balances for NYCERS, TRS, and BERS as of June 30, 2023, adjusted for pending employer contributions, over a 20-year period such that the amortization payments decrease by a constant dollar amount annually. New amortization bases would be added on an annual basis using level dollar amortization. Actuarial gains and losses (currently amortized over 14 payments), assumption and method changes (currently amortized over 19 payments) would be amortized over 20 payments. Future benefit changes would be amortized over the expected future working lifetime of the impacted population.

This legislation also includes provisions that allow the NYCRS Actuary to reset the amortization schedule over a 20-year period when a NYCERS, TRS, or BERS plan becomes overfunded based on the Market Value of Assets (MVA) or if the Actuary observes any anomalies in the amortization schedule, such as a negative net amortization payment being applied to a positive UAL.

IMPACT ON ASSET SMOOTHING: This legislation modifies the approach used to smooth investment gains and losses. The current asset smoothing method phases in the recognition of investment gains and losses over a five-year period producing an Actuarial Value of Assets (AVA) used to determine the UAL and related amortization payments that is different from the Market Value of Assets (MVA).

The proposed legislation would recognize the full investment gain or loss immediately with a five-year phase-in and five-year phase-out of the payments over a twenty-year period in total. This alternate method produces a contribution smoothing effect similar to the current method and eliminates the need to calculate an AVA different from the MVA. The smoothing corridor currently used to constrain the AVA within plus or minus twenty percent of the MVA becomes obsolete under this legislation.

Unrecognized investment gains and losses as of June 30, 2023 will be recognized in future valuations based on their recognition schedule established prior to this legislation, though those deferred gains and losses will be amortized over 20 payments instead of the current 14 payments. This Fiscal Note does not reflect the difference in timing of recognizing currently deferred investment gains and losses, though the net impact of this difference is zero on a present value basis.

COST BASIS: The estimates presented herein are based on census data collected as of June 30, 2023 and the Preliminary June 30, 2023 Actuarial Valuation. The Final June 30, 2023 Actuarial Valuation may reflect subsequent events, such as data corrections or other legislative changes that impact the timing of employer contributions shown in this Fiscal Note.

ASSUMPTIONS AND METHODS: The estimates presented herein, except for those changes described in this Fiscal Note, have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted NYCRS.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2025-16 dated February 19, 2025 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2025 Legislative Session.

PART GG

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

§ 135. New York state department of corrections and community supervision body-worn cameras program. 1. There is hereby created within the department a body-worn cameras program. The purpose of such program is

to increase accountability and evidence for departmental and law enforcement purposes, department staff, residents of the state, and those under the department's care by providing body-worn cameras to all correction officers, security supervisors, and any civilian staff as identified by the commissioner.

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

(a) during any interaction with an incarcerated individual or visitor, in any location. This paragraph shall not apply when the office of special investigations or crisis intervention unit is conducting an interview with an incarcerated individual providing confidential information where a record of interview is completed;

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

(c) during general movement of incarcerated individuals;

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

(e) during all incarcerated individual escorts;

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

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

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

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

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

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

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

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

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

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

(ii) A body-worn camera recording of any strip search or strip frisk shall immediately be turned over to an officer assigned to upload, charge, and issue such cameras to assigned staff for uploading and storage.

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

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

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

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

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

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

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

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

PART HH

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

1. There shall be within the executive department a state commission of correction. It shall consist of three persons to be appointed by the governor, by and with the advice and consent of the senate. The governor

shall designate one of the appointed members as [~~chairman~~] chair to serve as such at the pleasure of the governor. The members shall devote full time to their duties and shall hold no other salaried public position.

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

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

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

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

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

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

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

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

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

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

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

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

cian duly licensed to practice in this state and a board certified forensic pathologist; one shall be a physician duly licensed to practice in this state and shall be a board certified forensic psychiatrist; one shall be an attorney admitted to practice in this state; two shall be members appointed at large.

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

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

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

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

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

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

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

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

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

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

4. Establish procedures to assure effective investigation of grievances of, and conditions affecting, incarcerated individuals of local correctional facilities. Such procedures shall include but not be limited to receipt of written complaints, interviews of persons, and on-site

monitoring of conditions. In addition, the commission shall establish procedures for the speedy and impartial review of grievances referred to it by the commissioner [~~of the department of corrections and community supervision~~]. **The commission shall maintain a website that allows for the submission of written complaints regarding any correctional facility, and provides the commission's address for the receipt of complaints by mail. The commission shall promulgate rules and regulations requiring correctional facilities to provide incarcerated individuals, in writing, the commission's website and mailing address.**

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

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

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

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

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

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

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

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

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

PART II

Section 1. Notwithstanding the provisions of sections 79-a and 79-b of the correction law, the governor is authorized to close up to five correctional facilities of the department of corrections and community supervision, in the state fiscal year 2025--2026, as the governor determines to be necessary for the cost-effective and efficient operation of the correctional system, provided that the governor provides at least 90 days' notice prior to any such closures to the temporary president of the senate and the speaker of the assembly. Such notice shall include the list of facilities the governor plans to close, the number of incarcerated individuals in said facilities, and the number of staff working in said facilities. The commissioner of corrections and community supervision shall also report in detail to the temporary president of the senate and the speaker of the assembly on the results of staff relocation efforts within 60 days after such closures.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2025; provided, however that this act shall expire and be deemed repealed March 31, 2026.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Parts A through II of this act shall be as specifically set forth in the last section of such Parts.