

# STATE OF NEW YORK

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3005--B

## IN SENATE

January 22, 2025

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

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

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

LBD12570-04-5

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

relation to expanding support services for victims of financial abuse and homicide (Part G); to amend the executive law and the public health law, in relation to expanding protections and services to survivors of sexual assault (Part H); to amend the social services law, in relation to public assistance for survivors of gender-based violence; and to repeal subdivision four of section 349-a of the social services law relating thereto (Part I); to amend the state finance law and the executive law, in relation to a model gender-based violence and the workplace policy (Part J); to amend the general municipal law and the executive law, in relation to requiring municipal cybersecurity incident reporting and exempting such reports from freedom of information requirements (Part K); to amend the penal law, in relation to artificial intelligence-generated child sexual abuse material (Part L); to amend the penal law, in relation to including the patronization of a person who is mentally disabled in the offense of sex trafficking (Part M); intentionally omitted (Part N); intentionally omitted (Part O); intentionally omitted (Part P); to amend chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part Q); to amend the public authorities law, in relation to the bonding limit of the New York city transitional finance authority (Part R); to amend the real property tax law and the administrative code of the city of New York, in relation to the industrial and commercial abatement program (Part S); intentionally omitted (Part T); intentionally omitted (Part U); to amend the civil service law, in relation to extending the waiver of certain state civil service examination fees; and to amend part EE of chapter 55 of the laws of 2023, amending the civil service law relating to waiving state civil service examination fees between July 1, 2023 and December 31, 2025, in relation to the effectiveness thereof (Part V); intentionally omitted (Part W); to amend the state technology law, in relation to cybersecurity awareness training for government employees, data protection standards and cybersecurity protection (Part X); intentionally omitted (Part Y); to amend the New York city public works investment act, in relation to authorizing the use of certain alternative project delivery methods (Part Z); to amend the workers' compensation law, in relation to medical providers entitled to render emergency care and treatment in cases of a workers' compensation injury (Part AA); intentionally omitted (Part BB); to amend the workers' compensation law, in relation to temporary payment of compensation for medical treatment and care (Part CC); intentionally omitted (Part DD); in relation to providing for the administration of certain funds and accounts related to the 2025-2026 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts, in relation to the effectiveness thereof, and in relation to interest owed on outstanding balances of debt; to amend part XX of chapter 56 of the laws of 2024, amending the state finance law and other laws relating to providing for the administration of certain funds and accounts related to the 2023-2024 budget, in relation to the effectiveness thereof; authorizing the comptroller to transfer up to \$25,000,000 from various state bond funds to the general debt service fund for the purposes of redeeming or defeasing outstanding state bonds; to amend the private housing finance law, in relation to housing program bonds and notes; to amend the public authorities law, in relation to the issuance of bonds and notes by the dedicated highway

and bridge trust fund; to amend the public authorities law, in relation to the issuance of bonds and notes for city university facilities; to amend the public authorities law, in relation to the issuance of bonds for library construction projects; to amend the public authorities law, in relation to the issuance of bonds for state university educational facilities; to amend the public authorities law, in relation to the issuance of bonds and notes for locally sponsored community colleges; to amend chapter 392 of the laws of 1973, constituting the New York state medical care facilities finance agency act, in relation to the issuance of mental health services facilities improvement bonds and notes; to amend part K of chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to the issuance of bonds and notes to finance capital costs related to homeland security; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds and notes for purposes of funding office of information technology services project costs; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of funds to the thruway authority; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds and notes to fund costs for statewide equipment; to amend part D of chapter 63 of the laws of 2005, relating to the composition and responsibilities of the New York state higher education capital matching grant board, in relation to higher education capital matching grants; to amend the public authorities law, in relation to the issuance of bonds for purposes of financing environmental infrastructure projects; to amend part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation to the issuance of bonds and notes for the youth facilities improvement fund; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing peace bridge projects and capital costs of state and local highways; to amend chapter 174 of the laws of 1968 constituting the urban development corporation act, in relation to the issuance of bonds for economic development initiatives; to amend part Y of chapter 61 of the laws of 2005, relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to the issuance of bonds and notes for the purpose of financing capital projects for the division of military and naval affairs and initiative of the state police; to amend the public authorities law, in relation to the issuance of bonds and notes for the purpose of financing the construction of the New York state agriculture and markets food laboratory; to amend the public authorities law, in relation to authorization for the issuance of bonds for the capital restructuring financing program, the health care facility transformation programs, and the essential health care provider program; to amend the public authorities law, in relation to the issuance of bonds or notes for the purpose of assisting the metropolitan transportation authority in the financing of transportation facilities; to amend the public authorities law, in relation to bonds and notes for hazardous waste remediation; to amend part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, in relation

to the issuance of certain bonds and notes; to amend the public authorities law, in relation to funds for the department of health and financing through the dormitory authority; to amend the public health law, in relation to the department of health income fund; to amend the state finance law, in relation to the issuance of bonds and notes for certain purposes; to amend the state finance law, in relation to refunding and redemption of bonds; to repeal certain provisions of the state finance law relating to the required contents of the budget; and providing for the repeal of certain provisions upon expiration thereof (Part EE); intentionally omitted (Part FF); to amend the correction law, in relation to addressing accountability within the department of corrections and community supervision (Part GG); to amend the correction law, in relation to the functions, powers and duties of the state commission of correction (Part HH); in relation to authorizing the department of corrections and community supervision to close up to five correctional facilities in the 2025--2026 state fiscal year; and providing for the repeal of such provisions upon expiration thereof (Part II); to amend the legislative law, in relation to relieving reporting requirements on small nonprofits (Part JJ); to amend the legislative law, in relation to the law revision commission (Part KK); to amend the judiciary law, in relation to increasing the amount of allowance that trial and grand jurors are entitled to in each court of the unified court system (Part LL); to amend the correction law, in relation to available transportation for correction facility visitation (Part MM); to amend the correction law, in relation to creating an identification card program for incarcerated individuals in local correctional facilities; and to amend the vehicle and traffic law, in relation to issuance of and waiver of fees for identification cards issued pursuant to identification card programs under the correction law (Part NN); to amend the family court act, in relation to enacting the "family court adjusted service time (FAST) act"; and providing for the repeal of such provisions upon expiration thereof (Part OO); to amend the correction law, in relation to establishing a uniform electronic medical records system for correctional facilities (Part PP); to amend the executive law, in relation to authorizing the state inspector general to receive and investigate complaints of sexual assault in correctional facilities and other places operated by the department of corrections and community supervision for the confinement of persons (Part QQ); to amend the judiciary law, in relation to requiring the state commission on judicial conduct to transmit its annual budget request to the governor for inclusion in the executive budget without revision; to complaints regarding judges; and to extending the jurisdiction of the state commission on judicial conduct as to judges who resign or retire while under investigation or formal charges (Part RR); to amend the judiciary law, in relation to audio-visual coverage of judicial proceedings by the media; and to repeal section 218 of the judiciary law and section 52 of the civil rights law relating thereto (Part SS); to amend the criminal procedure law and the mental hygiene law, in relation to determining the capacity of a defendant to stand trial (Part TT); to amend the executive law, in relation to defining the term "mass shooting" for purposes of emergency response measures and access to emergency funding (Part UU); to amend the executive law, in relation to establishing the office of gun violence prevention and the gun violence advisory council (Part VV); to amend the executive law, the public authorities law and the public buildings law, in relation to the utilization of renewable energy at

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

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

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

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

12 PART A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

52 § 24. This act shall take effect immediately.

53

PART B

54

Intentionally Omitted

1

## PART C

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 PART D

46 Intentionally Omitted

47 PART E

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

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

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

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

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

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

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

38

## PART F

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45

## PART G

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39 PART H

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

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

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

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

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

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

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

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

## 31 PART I

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

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

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

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

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

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

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

20 PART J

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 PART K

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

14 ARTICLE 19-C

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

17 995-b. Reporting of cybersecurity incidents.

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

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

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

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

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

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

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

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

45 (e) malicious cyber command and control;

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

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

51 (h) any combination thereof.

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

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

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

13 6. "Municipal corporation" means:

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

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

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

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

25 9. "Ransomware attack":

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

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

35 (i) not genuine; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

44 PART L

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

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

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

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

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

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

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

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

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

17 § 263.15 Promoting a sexual performance by a child.

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

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

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

26 § 263.16 Possessing a sexual performance by a child.

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

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

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

#### 36 PART M

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

39 § 230.34 Sex trafficking.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 Sex trafficking is a class B felony.

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

43 PART N

44 Intentionally Omitted

45 PART O

46 Intentionally Omitted

47 PART P

48 Intentionally Omitted

1

## PART Q

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

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

11 § 2. This act shall take effect immediately.

12

## PART R

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

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

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

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

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

8

## PART S

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Intentionally Omitted

2 PART U

3 Intentionally Omitted

4 PART V

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

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

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

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

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

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

8 PART W

9 Intentionally Omitted

10 PART X

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 (i) the judiciary; and

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

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

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

20 (ii) data backup that includes;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 2. This act shall take effect immediately.

#### PART Y

Intentionally Omitted

#### PART Z

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

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

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

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

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

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

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

(b) This section may only be applied to:

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

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

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

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

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

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

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

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

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

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

46

## PART AA

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

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

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

3 § 2. This act shall take effect immediately.

4 PART BB

5 Intentionally Omitted

6 PART CC

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

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

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

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

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

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

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

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

1 all parties to any action pursuant to this chapter shall retain all  
2 rights, defenses and obligations they would otherwise have pursuant to  
3 this chapter without regard for the temporary payment of compensation  
4 and medical treatment and care, including prescribed medicine.  
5 § 2. This act shall take effect January 1, 2027.

6 PART DD

7 Intentionally Omitted

8 PART EE

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

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

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

- 1 93. Information technology capital financing account (32215).
- 2 94. New York environmental protection and spill remediation account
- 3 (32219).
- 4 95. Department of financial services IT modernization capital account
- 5 (32230).
- 6 96. Mental hygiene facilities capital improvement fund (32300).
- 7 97. Correctional facilities capital improvement fund (32350).
- 8 98. New York State Storm Recovery Capital Fund (33000).
- 9 99. OGS convention center account (50318).
- 10 100. Empire Plaza Gift Shop (50327).
- 11 101. Unemployment Insurance Benefit Fund, Interest Assessment Account
- 12 (50651).
- 13 102. Centralized services fund (55000).
- 14 103. Archives records management account (55052).
- 15 104. Federal single audit account (55053).
- 16 105. Civil service administration account (55055).
- 17 106. Civil service EHS occupational health program account (55056).
- 18 107. Banking services account (55057).
- 19 108. Cultural resources survey account (55058).
- 20 109. Neighborhood work project account (55059).
- 21 110. Automation & printing chargeback account (55060).
- 22 111. OFT NYT account (55061).
- 23 112. Data center account (55062).
- 24 113. Intrusion detection account (55066).
- 25 114. Domestic violence grant account (55067).
- 26 115. Centralized technology services account (55069).
- 27 116. Labor contact center account (55071).
- 28 117. Human services contact center account (55072).
- 29 118. Tax contact center account (55073).
- 30 119. Department of law civil recoveries account (55074).
- 31 120. Executive direction internal audit account (55251).
- 32 121. CIO Information technology centralized services account (55252).
- 33 122. Health insurance internal service account (55300).
- 34 123. Civil service employee benefits division administrative account
- 35 (55301).
- 36 124. Correctional industries revolving fund (55350).
- 37 125. Employees health insurance account (60201).
- 38 126. Medicaid management information system escrow fund (60900).
- 39 127. Animal shelter regulation account.
- 40 128. Climate initiative account.
- 41 129. Employers Assessment account.
- 42 § 2. The state comptroller is hereby authorized and directed to loan
- 43 money in accordance with the provisions set forth in subdivision 5 of
- 44 section 4 of the state finance law to any account within the following
- 45 federal funds, provided the comptroller has made a determination that
- 46 sufficient federal grant award authority is available to reimburse such
- 47 loans:
- 48 1. Federal USDA-food and nutrition services fund (25000).
- 49 2. Federal health and human services fund (25100).
- 50 3. Federal education fund (25200).
- 51 4. Federal block grant fund (25250).
- 52 5. Federal miscellaneous operating grants fund (25300).
- 53 6. Federal unemployment insurance administration fund (25900).
- 54 7. Federal unemployment insurance occupational training fund (25950).
- 55 8. Federal emergency employment act fund (26000).
- 56 9. Federal capital projects fund (31350).

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

6 Economic Development and Public Authorities:

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

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

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

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

17 Education:

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

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

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

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

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

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

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

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

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

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

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

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

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

14 13. Intentionally omitted.

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

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

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

22 17. Intentionally omitted.

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

25 Environmental Affairs:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 Miscellaneous:

4 1. \$250,000,000 from the general fund to any funds or accounts for the  
5 purpose of reimbursing certain outstanding accounts receivable balances.  
6 2. \$500,000,000 from the general fund to the debt reduction reserve  
7 fund (40000).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 § 25. Intentionally omitted.

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

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

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

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

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

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

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

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

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

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

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

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

36 § 27. Intentionally omitted.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~1 projects shall be set forth in a third separate and distinct part, and  
2 those expenditures for debt service shall be set forth in a fourth separate and distinct part.~~

~~4 d. The revenues actually accrued in the preceding fiscal year, the  
5 revenues estimated to accrue during current and ensuing fiscal years  
6 respectively. Revenues from each tax shall be shown both in total and  
7 net of refunds.~~

~~8 d-1. A schedule for the general fund showing the differences between  
9 projected operating results on a cash basis and those on the basis of  
10 generally accepted accounting principles.~~

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

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

~~18 (ii) [a schedule for each governmental fund type other than the gener-  
19 al fund showing the differences between projected operating results on a  
20 cash basis and those on the basis of generally accepted accounting prin-  
21 ciples,~~

~~22 (iii) a detailed schedule by fund of revenues and expenditures within  
23 the general fund;~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 Estimated costs by fiscal year shall not be disclosed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 58. Intentionally omitted.

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

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

§ 60. Intentionally omitted.

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

PART FF

Intentionally Omitted

PART GG

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

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

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

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

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

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

6 (c) during general movement of incarcerated individuals;

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

8 (e) during all incarcerated individual escorts;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 PART HH

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1

## PART II

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

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

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

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

32

## PART JJ

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

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

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

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

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

9 twenty-five, shall be accompanied by a registration fee of two hundred  
10 dollars except that no registration fee shall be required from any  
11 lobbyist who in any year does not expend, incur or receive an amount in  
12 excess of five thousand dollars of reportable compensation and expenses,  
13 as provided in paragraph five of subdivision (b) of section one-h of  
14 this article, for the purposes of lobbying or of a public corporation. A  
15 fee of two hundred dollars shall be required for any subsequent state-

16 ment of registration filed by a lobbyist during the same biennial peri-  
17 od; (iv) The first statement of registration filed biennially by each  
18 lobbyist for the first biennial registration requirements for calendar  
19 year two thousand twenty-six and thereafter, shall be accompanied by a  
20 registration fee of two hundred dollars except that no registration fee  
21 shall be required from any lobbyist who is qualified as an exempt organ-  
22 ization or entity by the United States department of the treasury under  
23 section 501(c)(3) of the internal revenue code and in any year does not  
24 expend, incur or receive an amount in excess of ten thousand dollars of  
25 reportable compensation and expenses, as provided in paragraph five of  
26 subdivision (b) of section one-h of this article, for the purposes of  
27 lobbying or of a public corporation. A fee of two hundred dollars shall  
28 be required for any subsequent statement of registration filed by a  
29 lobbyist during the same biennial period; (v) The statement of registra-

30 tion filed after the due date of a biennial registration shall be accom-  
31 panied by a registration fee that is prorated to one hundred dollars for  
32 any registration filed after January first of the second calendar year  
33 covered by the biennial reporting requirement. In addition to the fees  
34 authorized by this section, the commission may impose a fee for late  
35 filing of a registration statement required by this section not to  
36 exceed twenty-five dollars for each day that the statement required to  
37 be filed is late, except that if the lobbyist making a late filing has  
38 not previously been required by statute to file such a statement, the  
39 fee for late filing shall not exceed ten dollars for each day that the  
40 statement required to be filed is late.

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

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

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

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

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

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

18

## PART KK

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

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

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

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

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

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

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

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

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

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

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

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

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

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

52 § 5. This act shall take effect immediately.

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

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

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

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

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

38 PART MM

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

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

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

1

## PART NN

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

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

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

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

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

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

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

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

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

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

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

8 PART OO

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

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

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

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

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

35 PART PP

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

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

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

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

49 PART QQ

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47 § 3. Section 45 of the judiciary law, as amended by chapter 35 of the  
48 laws of 1983, is amended to read as follows:

49 § 45. Confidentiality of records. [~~1.~~] Except as hereinafter provided,  
50 all complaints, correspondence, commission proceedings and transcripts  
51 thereof, other papers and data and records of the commission shall be  
52 confidential and shall not be made available to any person except pursu-  
53 ant to section forty-four of this article. The commission and its desig-  
54 nated staff personnel shall have access to confidential material in the  
55 performance of their powers and duties. If the judge who is the subject  
56 of a complaint so requests in writing, copies of [~~the~~] any pending

1 complaint, [~~the transcripts of hearings by the commission thereon, if~~  
 2 ~~any~~] any documents made public pursuant to section forty-four of this  
 3 article, and the dispositive action of the commission with respect to  
 4 [~~the~~] any complaint resulting in a caution, admonition, censure,  
 5 removal, retirement, or resignation from judicial office, such copies  
 6 with any reference to the identity of any person who did not participate  
 7 at any such hearing suitably deleted therefrom, except the subject judge  
 8 or complainant, shall be made available for inspection and copying to  
 9 the public, or to any person, agency or body designated by such judge.

10 [~~2. Notwithstanding any provision in this section, the commission,~~  
 11 ~~with the consent of the applicant, shall provide the record of any~~  
 12 ~~proceeding pursuant to a formal written complaint against an applicant~~  
 13 ~~for judicial appointment in which the applicant's misconduct was estab-~~  
 14 ~~lished, any pending complaint against an applicant, and the record to~~  
 15 ~~date of any pending proceeding pursuant to a formal written complaint~~  
 16 ~~against an applicant for judicial appointment.~~

17 ~~(a) to the commission on judicial nomination established by article~~  
 18 ~~three A of this chapter, with respect to applicants for appointment to~~  
 19 ~~the court of appeals,~~

20 ~~(b) to the governor with respect to all applicants whom the governor~~  
 21 ~~indicates are under consideration for any judicial appointment, and~~

22 ~~(c) to the temporary president of the senate and the chairman of the~~  
 23 ~~senate judiciary committee with respect to all nominees for judicial~~  
 24 ~~appointments which are subject to the advice and consent of the senate.]~~

25 The commission shall respond within fifteen days of a request for the  
 26 information provided for in this [~~subdivision~~] section.

27 § 4. Section 47 of the judiciary law, as added by chapter 156 of the  
 28 laws of 1978, is amended to read as follows:

29 § 47. Resignation or retirement not to divest commission or court of  
 30 appeals of jurisdiction. The jurisdiction of the court of appeals and  
 31 the commission pursuant to this article shall continue notwithstanding  
 32 that a judge resigns or retires from office after a [~~determination of~~  
 33 ~~the commission that the judge be removed from office has been transmit-~~  
 34 ~~ted to the chief judge of the court of appeals,] formal written  
 35 complaint authorized pursuant to section forty-four of this article has  
 36 been served on the judge or in any case in which the [~~commission's~~  
 37 ~~determination that a judge should be removed from office shall be trans-~~  
 38 ~~mitted to the chief judge of the court of appeals] formal written  
 39 complaint is served on the judge within one hundred twenty days after  
 40 receipt by the chief administrator of the courts of the resignation or  
 41 retirement of such judge. Any determination by the court of appeals  
 42 that a judge who has resigned or retired should be removed from office  
 43 shall render such judge ineligible to hold any other judicial office.  
 44 The chief administrator of the courts shall give written notice to the  
 45 commission of the resignation or retirement of any judge who is the  
 46 subject of an investigation within five days after [~~his~~] receipt there-  
 47 of.~~~~

48 § 5. This act shall take effect immediately.

49 PART SS

50 Section 1. Section 218 of the judiciary law is REPEALED and a new  
 51 section 218 is added to read as follows:

52 § 218. Audio-visual coverage of judicial proceedings. 1. Authori-  
 53 zation. Subject to the authority of the judge or justice presiding over  
 54 the proceeding to exercise sound discretion to prohibit or limit filming

1 or photographing of particular participants in judicial proceedings to  
2 ensure safety and the fair administration of justice, audio-visual and  
3 still photography coverage by the media of public judicial proceedings  
4 in the appellate and trial courts of this state shall be allowed in  
5 accordance with this section.

6 2. Definitions. For purposes of this section, the following terms  
7 shall have the following meanings:

8 (a) "Proceeding" shall mean any action or proceeding heard in a court  
9 of competent jurisdiction in this state.

10 (b) "Media" shall mean any news reporting or news gathering agency and  
11 any employee or agent associated with such agency, including television,  
12 radio, radio and television networks, news services, newspapers, maga-  
13 zines, trade papers, in-house publications, professional journals or any  
14 other news reporting or news gathering agency, the function of which is  
15 to inform the public, or some segment thereof.

16 3. Equipment and personnel. The following shall be permitted in any  
17 trial court or appellate court proceeding other than a matrimonial  
18 proceeding or a proceeding in family court:

19 (a) At least one compact video camera, operated by no more than one  
20 camera person. Additional permitted cameras shall be within the sole  
21 discretion and authority of the judge or justice presiding over the  
22 proceeding.

23 (b) Not more than one audio system for radio broadcast purposes.  
24 Audio pickup for all media purposes shall be provided by existing audio  
25 systems present in the courtroom. If no technically suitable audio  
26 system exists in the courtroom, microphones and related wiring essential  
27 for media purposes shall be permissible provided they are unobtrusive  
28 and shall be located in places designated in advance of any proceeding  
29 by the judge or justice presiding over the proceeding. In the event  
30 that the courtroom has existing cameras suitable for audio-visual cover-  
31 age, upon request the judge or justice presiding over the proceeding  
32 shall have sole discretion to provide a media feed from such cameras  
33 instead of allowing video cameras in the courtroom.

34 (c) Additional permitted equipment or personnel shall be within the  
35 sole discretion and authority of the judge or justice presiding over the  
36 proceeding. All costs of all audio and visual coverage shall be borne  
37 by the entity seeking to provide such coverage.

38 (d) Any pooling arrangements among members of the media concerning  
39 equipment and personnel shall be the sole responsibility of such members  
40 without calling upon the judge or justice presiding over the proceeding  
41 to mediate any dispute as to the appropriate media representative or  
42 equipment authorized to cover a particular proceeding. In the absence of  
43 advance media agreement concerning disputed equipment or personnel  
44 issues, the judge or justice presiding over the proceeding may exclude  
45 all media personnel from a proceeding.

46 4. Sound and light criteria. Any video and audio equipment, including  
47 still camera equipment, whether film or digital, shall be operated in a  
48 manner to generate the least possible sound or light, and such equipment  
49 shall not be permitted if it produces distracting sound or light. No  
50 artificial lighting device of any kind shall be used in connection with  
51 the video equipment or still camera.

52 5. Location of equipment personnel. Video camera equipment and still  
53 camera photographers shall be positioned in such location or locations  
54 in the courtroom as shall be designated by the judge or justice presid-  
55 ing over the proceeding. The area designated shall provide reasonable  
56 access to coverage of the proceedings, so long as such reasonable access

1 can be provided without interference with the proceedings. Video  
2 cameras and operators, and any still cameras and photographers, if  
3 permitted, shall assume a fixed position within the designated area and  
4 shall not be permitted to move about to obtain photographs or video  
5 recordings of court proceedings. Media representatives shall not move  
6 about the court facility while proceedings are in session.

7 6. Equipment movement during proceedings. News media photographic or  
8 audio equipment shall not be placed in, removed from, or moved about the  
9 authorized location as determined by the judge or justice presiding over  
10 the proceeding, except before commencement or after adjournment of  
11 proceedings each day. Equipment may be moved during a recess only with  
12 the prior approval of the judge or justice presiding over the proceed-  
13 ing. Neither video cassettes or film magazines nor still camera film,  
14 digital media cards or lenses shall be changed within a courtroom except  
15 during a recess in the proceeding.

16 7. Courtroom light sources. With the concurrence of the administrative  
17 judge or the presiding justice who oversees the court in which the  
18 proceeding is occurring, modifications and additions may be made in  
19 light sources existing in the courtroom, provided such modifications or  
20 additions are installed and maintained without public expense.

21 8. Restrictions on audio-visual coverage. Notwithstanding the initial  
22 approval of a request for audio-visual coverage of any court proceeding,  
23 the presiding trial judge shall have discretion throughout the proceed-  
24 ing to revoke such approval or limit such coverage, and may where appro-  
25 priate exercise such discretion to limit, restrict or prohibit audio or  
26 visual broadcast or photography of any part of the proceeding in the  
27 courtroom, or of the name or features of any participant therein. In any  
28 case, audio-visual coverage shall be limited as follows:

29 (a) to protect the attorney-client privilege and the effective right  
30 to counsel, there shall be no video or audio pickup or broadcast of  
31 conferences that occur in a courtroom between attorneys and their  
32 clients, between co-counsel of a client, or between counsel and the  
33 presiding judge held at the bench;

34 (b) no conference in chambers shall be subject to audio-visual cover-  
35 age;

36 (c) no audio-visual coverage of the selection of the prospective jury  
37 during voir dire shall be permitted;

38 (d) no audio-visual coverage of the jury, or of any juror or alternate  
39 juror, while in the jury box, in the courtroom, in the jury deliberation  
40 room during recess, or while going to or from the deliberation room at  
41 any time shall be permitted, provided, however, that upon consent of the  
42 foreperson of a jury, the presiding trial judge may, in such presiding  
43 trial judge's discretion, permit audio coverage of such foreperson  
44 delivering a verdict;

45 (e) no audio-visual coverage shall be permitted of a witness, who as a  
46 peace or police officer acted in a covert or undercover capacity in  
47 connection with the instant court proceeding, without the prior written  
48 consent of such witness;

49 (f) no audio-visual coverage shall be permitted of a witness, who as a  
50 peace officer or police officer is currently engaged in a covert or  
51 undercover capacity, without the prior written consent of such witness;

52 (g) no audio-visual coverage shall be permitted of the victim in a  
53 prosecution for rape, criminal sexual act, sexual abuse or other sex  
54 offense under article one hundred thirty or section 255.25 of the penal  
55 law. Notwithstanding the initial approval of a request for audio-visual  
56 coverage of such a proceeding, the presiding trial judge shall have

1 discretion throughout the proceeding to limit any coverage which would  
2 identify the victim, except that said victim can request of the presid-  
3 ing trial judge that audio-visual coverage be permitted of such victim's  
4 testimony, or in the alternative the victim can request that coverage of  
5 such victim's testimony be permitted but that such victim's image shall  
6 be visually obscured by the news media, and the presiding trial judge in  
7 such presiding trial judge's discretion shall grant the request of the  
8 victim for the coverage specified;

9 (h) no audio-visual coverage of any arraignment or suppression hearing  
10 shall be permitted without the prior consent of all parties to the  
11 proceeding, provided, however, where a party is not yet represented by  
12 counsel, consent may not be given unless the party has been advised of  
13 such party's right to the aid of counsel pursuant to subdivision four of  
14 section 170.10 or 180.10 of the criminal procedure law and the party has  
15 affirmatively elected to proceed without counsel at such proceeding;

16 (i) no judicial proceeding shall be scheduled, delayed, reenacted or  
17 continued at the request of, or for the convenience of the news media;

18 (j) no audio-visual coverage of any participant shall be permitted if  
19 the presiding trial judge finds that such coverage is liable to endanger  
20 the safety of any person; and

21 (k) no audio-visual coverage shall be permitted which focuses on or  
22 features a family member of a victim or a party in the trial of a crimi-  
23 nal case, except while such family member is testifying. Audio-visual  
24 coverage operators shall make all reasonable efforts to determine the  
25 identity of such persons, so that such coverage shall not occur.

26 9. Impermissible use of media material. Film, digital files, vide-  
27 otape, still photographs, or audio reproductions captured or recorded  
28 during or by virtue of coverage of a judicial proceeding shall not be  
29 admissible as evidence in the proceeding out of which it arose, or upon  
30 retrial or appeal of such proceedings.

31 10. Written order. (a) An order restricting audio-visual coverage with  
32 respect to a particular participant shall be in writing. The order must  
33 state good cause why such coverage will have a substantial effect upon  
34 the individual which would be qualitatively different from the effect on  
35 members of the public in general and that such effect will be qualita-  
36 tively different from coverage by other types of media. Before prohibit-  
37 ing audio-visual coverage, the presiding judge must first consider the  
38 imposition of special limitations, such as a delayed or modified still  
39 or audio-visual coverage of the proceedings.

40 (b) A presumption of good cause shall exist with respect to the testi-  
41 mony of minors and testimony of any individual covered by section  
42 fifty-b of the civil rights law.

43 11. Closing the courtroom. No audio-visual coverage will be permitted  
44 during any period in which the courtroom is lawfully closed to the  
45 general public in accordance with the United States and New York Consti-  
46 tutions, New York law and court rules.

47 12. Appellate review. Any order issued pursuant to this section shall  
48 be subject to review pursuant to article seventy-eight of the civil  
49 practice law and rules and any rules of the appellate courts promulgated  
50 to provide expedited review of such order.

51 13. Regulations. The chief administrator shall promulgate appropriate  
52 rules and regulations for the implementation of the provisions of this  
53 section after affording all interested persons, agencies and insti-  
54 tutions an opportunity to review and comment thereon. Such rules and  
55 regulations shall include provisions to ensure that audio-visual cover-

1 age of trial proceedings shall not interfere with the decorum and digni-  
 2 ty of courtrooms and court facilities.

3 § 2. Section 52 of the civil rights law is REPEALED.

4 § 3. Subdivision 5 of section 751 of the judiciary law, as added by  
 5 chapter 187 of the laws of 1992, is amended to read as follows:

6 5. Where any member of the [~~news~~] media as [~~defined in subdivision two~~  
 7 ~~of~~] referenced in section two hundred eighteen of this chapter, willful-  
 8 ly disobeys a lawful mandate of a court issued pursuant to such section,  
 9 the punishment for each day that such contempt persists may be by a fine  
 10 fixed in the discretion of the court, but not to exceed five thousand  
 11 dollars per day or imprisonment, not exceeding thirty days, in the jail  
 12 of the county where the court is sitting or both, in the discretion of  
 13 the court. In fixing the amount of the fine, the court shall consider  
 14 all the facts and circumstances directly related to the contempt,  
 15 including, but not limited to: (i) the extent of the willful defiance of  
 16 or resistance to the court's mandate, (ii) the amount of gain obtained  
 17 by the willful disobedience of the mandate, and (iii) the effect upon  
 18 the public and the parties to the proceeding of the willful disobedi-  
 19 ence.

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

22 PART TT

23 Section 1. Subdivision 1 of section 730.10 of the criminal procedure  
 24 law is amended to read as follows:

25 1. "Incapacitated person" means a defendant who as a result of mental  
 26 disease or defect lacks capacity to understand the proceedings against  
 27 [~~him~~] such defendant or to assist in [~~his~~] their own defense.

28 § 2. Subdivision 8 of section 730.10 of the criminal procedure law, as  
 29 separately amended by chapters 615 and 629 of the laws of 1974, is  
 30 amended to read as follows:

31 8. "Examination report" means a report made by a psychiatric examiner  
 32 wherein [~~he~~] such examiner sets forth [~~his~~] their opinion as to whether  
 33 the defendant is or is not an incapacitated person, the nature and  
 34 extent of [~~his~~] their examination and, if [~~he or she finds~~] they find  
 35 that the defendant is an incapacitated person, [~~his~~] their diagnosis and  
 36 prognosis and a detailed statement of the reasons for [~~his~~] their opin-  
 37 ion by making particular reference to those aspects of the proceedings  
 38 wherein the defendant lacks capacity to understand or to assist in [~~his~~]  
 39 their own defense. The report must also state the examiner's profes-  
 40 sional opinion as to whether or not there is at least a reasonable  
 41 expectation that restoration services could have a substantial probabil-  
 42 ity of restoring the defendant to competence within a reasonable period  
 43 of time. The state administrator and the commissioner must jointly adopt  
 44 the form of the examination report; and the state administrator shall  
 45 prescribe the number of copies thereof that must be submitted to the  
 46 court by the director.

47 § 3. Section 730.10 of the criminal procedure law is amended by adding  
 48 a new subdivision 10 to read as follows:

49 10. "Restoration services" means those services including but not  
 50 limited to medication support, classroom-based competency instruction,  
 51 mock trials, symptom management, and rehabilitative services provided to  
 52 an incapacitated person which are designed to improve their mental state  
 53 or developmental status to the extent that they can understand the  
 54 charges against them and participate in their own defense. Restoration

1 services are not intended to be mental health treatment aimed at recovery  
2 from mental illness or services aimed at improving a developmentally  
3 disabled person's ability to function on a day-to-day basis.

4 § 4. Section 730.20 of the criminal procedure law, subdivisions 1 and  
5 as amended by chapter 693 of the laws of 1989 and subdivision 7 as  
6 amended by chapter 692 of the laws of 1972, is amended to read as  
7 follows:

8 § 730.20 Fitness to proceed; generally.

9 1. [~~The appropriate director to whom a criminal court issues an order~~  
10 ~~of examination must be determined in accordance with rules jointly~~  
11 ~~adopted by the judicial conference and the commissioner.~~] Upon receipt  
12 of an examination order, the director to whom the court has issued an  
13 order must designate two qualified psychiatric examiners, of whom [~~he~~]  
14 such director may be one, to examine the defendant to determine if [~~he~~]  
15 the defendant is an incapacitated person. In conducting their examina-  
16 tion, the psychiatric examiners [~~may~~] shall employ [~~any~~] a method [~~which~~  
17 ~~is accepted by the medical profession for the examination of persons~~  
18 ~~alleged to be mentally ill or mentally defective~~] as set forth in stand-  
19 ards set by the commissioner to determine if the defendant is an inca-  
20 pacitated person. The court may authorize a psychiatrist or psychol-  
21 ogist retained by the defendant to be present at such examination.

22 2. When the defendant is not in custody at the time a court issues an  
23 order of examination, because [~~he~~] the defendant was theretofore  
24 released on bail or on [~~his~~] the defendant's own recognizance, the court  
25 [~~may~~] shall direct that the examination be conducted on an out-patient  
26 basis, and at such time and place as the director shall designate and  
27 the court shall order the defendant to appear for such examination. If,  
28 however, the director informs the court that hospital confinement of the  
29 defendant is necessary for an effective examination, or if the defendant  
30 refuses to appear as ordered for the examination, the court may direct  
31 that the defendant be confined in a hospital [~~designated by the direc-~~  
32 ~~tor~~] operated or approved by the commissioner only until the examination  
33 is completed. In no event shall the need for such examination be a basis  
34 for incarcerating a defendant who has been released on bail or their own  
35 recognizance.

36 3. When the defendant is in custody at the time a court issues an  
37 order of examination, the examination must be conducted at the place  
38 where the defendant is being held in custody. If, however, the director  
39 determines that hospital confinement of the defendant is necessary for  
40 an effective examination, the sheriff must deliver the defendant to a  
41 hospital designated by the [~~director~~] commissioner and hold [~~him~~] the  
42 defendant in custody therein, under sufficient guard, until the examina-  
43 tion is completed.

44 4. Hospital confinement under subdivisions two and three shall be for  
45 a period not exceeding [~~thirty~~] ten days, except that, upon application  
46 of the director, the court may authorize confinement for an additional  
47 period not exceeding [~~thirty~~] ten days if it is satisfied that a longer  
48 period is necessary to complete the examination. [~~During the period of~~  
49 ~~hospital confinement, the physician in charge of the hospital may admin-~~  
50 ~~ister or cause to be administered to the defendant such emergency~~  
51 ~~psychiatric, medical or other therapeutic treatment as in his judgment~~  
52 ~~should be administered.~~]

53 5. Each psychiatric examiner, after [~~he has completed his~~] completing  
54 the examination of the defendant, must promptly prepare and submit to  
55 the director an examination report [~~and submit it to the director~~]  
56 setting forth the examiner's opinion as to whether or not there is at

1 least a reasonable expectation that restoration services could have a  
 2 substantial probability of restoring the defendant to competence within  
 3 a reasonable period of time. If the psychiatric examiners are not unani-  
 4 mous in their opinion as to whether the defendant is or is not an inca-  
 5 pacitated person, the director must designate another qualified psychi-  
 6 atric examiner to examine the defendant to determine if [~~he~~] the  
 7 defendant is an incapacitated person and, if so, whether or not there is  
 8 at least a reasonable expectation that restoration services could have a  
 9 substantial probability of restoring the defendant to competence within  
 10 a reasonable period of time. Upon receipt of the examination reports,  
 11 the director must submit them to the court that issued the order of  
 12 examination. The court must furnish a copy of the reports to counsel  
 13 for the defendant and to the district attorney.

14 6. When a defendant is subjected to examination pursuant to an order  
 15 issued by a criminal court in accordance with this article, any state-  
 16 ment made by [~~him~~] such defendant for the purpose of the examination or  
 17 treatment shall be inadmissible in evidence against [~~him~~] such defendant  
 18 in any criminal action on any issue other than that of [~~his~~] such  
 19 defendant's mental condition[~~, but such statement is admissible upon~~  
 20 ~~that issue whether or not it would otherwise be deemed a privileged~~  
 21 ~~communication~~].

22 7. A psychiatric examiner, who is not regularly employed by the county  
 23 or the state of New York, is entitled to [~~his~~] their reasonable travel-  
 24 ing expenses[~~, a~~] and to a reasonable fee [~~of fifty dollars~~] to be nego-  
 25 tiated with the examiner by the director or the county or, if no such  
 26 fee is agreed upon, to be set by the court for each examination of a  
 27 defendant and [~~a fee of fifty dollars~~] for each appearance at a court  
 28 hearing or trial [~~but not exceeding two hundred dollars in fees for~~  
 29 ~~examination and testimony in any one case~~]; except that if such psychi-  
 30 atric examiner be an employee of the county or of the state of New York  
 31 [~~he~~] they shall be entitled only to reasonable traveling expenses,  
 32 unless such psychiatric examiner makes the examination or appears at a  
 33 court hearing or trial outside [~~his~~] their hours of state or county  
 34 employment in a county in which the director of community [~~mental~~  
 35 ~~health~~] services certifies to the fiscal officer thereof that there is a  
 36 shortage of qualified [~~psychiatrists~~] examiners available to conduct  
 37 examinations under [~~the criminal procedure law~~] this chapter in such  
 38 county, in which event [~~he~~] such examiner shall be entitled to [~~the~~  
 39 ~~foregoing~~] such fees and reasonable traveling expenses as approved by  
 40 the court. Such fees and traveling expenses and the costs of sending a  
 41 defendant to another place of detention or to a hospital for examina-  
 42 tion[~~, of his maintenance therein~~] and the cost of returning [~~him~~] the  
 43 defendant shall, when approved and so ordered by the court, be a charge  
 44 of the county in which the defendant is being tried, and the cost of the  
 45 maintenance of such defendant therein shall be a cost to the state.

46 § 5. Section 730.30 of the criminal procedure law, subdivision 3 as  
 47 amended by chapter 629 of the laws of 1974, is amended to read as  
 48 follows:

49 § 730.30 Fitness to proceed; order of examination.

50 1. At any time after a defendant is arraigned upon an accusatory  
 51 instrument other than a felony complaint and before the imposition of  
 52 sentence, or at any time after a defendant is arraigned upon a felony  
 53 complaint and before [~~he~~] such defendant is held for the action of the  
 54 grand jury, or upon arraignment on an indictment by a grand jury, the  
 55 court wherein the criminal action is pending [~~must~~] may issue an order

1 of examination when it [~~is of the opinion~~] has a reasonable basis to  
2 believe that the defendant may be an incapacitated person.

3 2. When the examination reports submitted to the court show that each  
4 psychiatric examiner is of the opinion that the defendant is not an  
5 incapacitated person, the court may, on its own motion, conduct a hear-  
6 ing to determine the issue of capacity, and it must conduct a hearing  
7 upon motion therefor by the defendant or by the district attorney. If  
8 the court does not decide to hold a hearing on its own motion and no  
9 motion for a hearing is made, or if, following a hearing the court is  
10 satisfied that the defendant is not an incapacitated person, the crimi-  
11 nal action against the defendant must proceed. [~~If, following a hearing,~~  
12 ~~the court is satisfied that the defendant is not an incapacitated~~  
13 ~~person, the criminal action against him must proceed; if the court is~~  
14 ~~not so satisfied, it must issue a further order of examination directing~~  
15 ~~that the defendant be examined by different psychiatric examiners desig-~~  
16 ~~nated by the director.~~]

17 3. When the examination reports submitted to the court show that each  
18 psychiatric examiner is of the opinion that the defendant is an incapac-  
19 itated person and that there is at least a reasonable expectation that  
20 restoration services could have a substantial probability of restoring  
21 the defendant to competence within a reasonable period of time, the  
22 court [~~may, on its own motion,~~] shall conduct a hearing to determine the  
23 issue of capacity [~~and it must conduct such hearing upon motion therefor~~  
24 ~~by the defendant or by the district attorney~~].

25 4. When the examination reports submitted to the court show that the  
26 psychiatric examiners are not unanimous in their opinion as to whether  
27 the defendant is or is not an incapacitated person[~~, or when the exam-~~  
28 ~~ination reports submitted to the superior court show that the psychiat-~~  
29 ~~ric examiners are not unanimous in their opinion as to whether the~~  
30 ~~defendant is or is not a dangerous incapacitated person~~] and that there  
31 is at least a reasonable expectation that restoration services could  
32 have a substantial probability of restoring the defendant to competence  
33 within a reasonable period of time, the court must conduct a hearing to  
34 determine the issue of capacity [~~or dangerousness~~] and expectation of  
35 restoration within a reasonable time.

36 § 6. Subdivision 1 of section 730.40 of the criminal procedure law, as  
37 amended by chapter 7 of the laws of 2013, is amended to read as follows:

38 1. When a local criminal court, following a hearing conducted pursuant  
39 to subdivision two, three or four of section 730.30 of this article, is  
40 satisfied that the defendant is not an incapacitated person, the crimi-  
41 nal action against [~~him or her~~] such defendant must proceed. If [~~it~~] a  
42 local criminal court accusatory instrument other than a felony complaint  
43 has been filed against the defendant and the court is satisfied that the  
44 defendant is an incapacitated person, [~~or if no motion for such a hear-~~  
45 ~~ing is made, such court must issue a final or temporary order of obser-~~  
46 ~~vation committing him or her to the custody of the commissioner for care~~  
47 ~~and treatment in an appropriate institution for a period not to exceed~~  
48 ~~ninety days from the date of the order, provided, however, that the~~  
49 ~~commissioner may designate an appropriate hospital for placement of a~~  
50 ~~defendant for whom a final order of observation has been issued, where~~  
51 ~~such hospital is licensed by the office of mental health and has agreed~~  
52 ~~to accept, upon referral by the commissioner, defendants subject to~~  
53 ~~final orders of observation issued under this subdivision. When a local~~  
54 ~~criminal court accusatory instrument other than a felony complaint has~~  
55 ~~been filed against the defendant,~~] such court must issue a final order  
56 of observation. When a felony complaint has been filed against the

1 defendant, such court must issue a temporary order of observation  
2 committing [~~him or her~~] such defendant to the custody of the commissioner for [~~care and treatment~~] restoration services in an appropriate  
3 institution or, [~~upon the consent of the district attorney~~] in the  
4 discretion of the court, committing [~~him or her~~] such defendant to the  
5 custody of the commissioner for care and treatment on an out-patient  
6 basis, for a period not to exceed ninety days from the date of such  
7 order[~~, except that, with the consent of the district attorney,~~] or it  
8 may issue a final order of observation. Upon the issuance of a final  
9 order of observation, the district attorney shall immediately transmit  
10 to the commissioner, in a manner intended to protect the confidentiality  
11 of the information, a list of names and contact information of persons  
12 who may reasonably be expected to be the victim of any assault or any  
13 violent felony offense, as defined in the penal law, or any offense  
14 listed in section 530.11 of this [~~chapter~~] part which would be carried  
15 out by the committed person; provided that the person who reasonably may  
16 be expected to be a victim does not need to be a member of the same  
17 family or household as the committed person.

19 § 7. Section 730.50 of the criminal procedure law, subdivision 1 as  
20 amended by chapter 7 of the laws of 2013, subdivision 2 as amended by  
21 chapter 789 of the laws of 1985, subdivision 5 as amended by chapter 629  
22 of the laws of 1974, is amended to read as follows:

23 § 730.50 Fitness to proceed; indictment.

24 1. When a superior court, following a hearing conducted pursuant to  
25 subdivision two, three or four of section 730.30 of this article, is  
26 satisfied that the defendant is not an incapacitated person, the criminal  
27 action against [~~him or her~~] such defendant must proceed. If [~~it is~~  
28 ~~satisfied~~] after a hearing, the court makes a finding that the defendant  
29 is an incapacitated person, [~~or if no motion for such a hearing is made~~]  
30 and that there is at least a reasonable expectation that restoration  
31 services could have a substantial probability of restoring the defendant  
32 to competence within a reasonable period of time, it must adjudicate  
33 [~~him or her~~] them an incapacitated person[~~, and must issue a final order~~  
34 ~~of observation or an order of commitment~~]. When the indictment does not  
35 charge a felony or when the defendant has been convicted of an offense  
36 other than a felony, such court (a) must issue a final order of observa-  
37 tion [~~committing the defendant to the custody of the commissioner for~~  
38 ~~care and treatment in an appropriate institution for a period not to~~  
39 ~~exceed ninety days from the date of such order, provided, however, that~~  
40 ~~the commissioner may designate an appropriate hospital for placement of~~  
41 ~~a defendant for whom a final order of observation has been issued, where~~  
42 ~~such hospital is licensed by the office of mental health and has agreed~~  
43 ~~to accept, upon referral by the commissioner, defendants subject to~~  
44 ~~final orders of observation issued under this subdivision~~], and (b) must  
45 dismiss the indictment filed in such court against the defendant, and  
46 such dismissal constitutes a bar to any further prosecution of the  
47 charge or charges contained in such indictment. Upon the issuance of a  
48 final order of observation, the district attorney shall immediately  
49 transmit to the commissioner, in a manner intended to protect the confi-  
50 dentiality of the information, a list of names and contact information  
51 of persons who may reasonably be expected to be the victim of any  
52 assault or any violent felony offense, as defined in the penal law, or  
53 any offense listed in section 530.11 of this [~~chapter~~] part which would  
54 be carried out by the committed person; provided that the person who  
55 reasonably may be expected to be a victim does not need to be a member  
56 of the same family or household as the committed person. When the

1 indictment charges a felony [~~or when the defendant has been convicted of~~  
2 ~~a felony~~] and the court has determined that there is at least a reason-  
3 able expectation that restoration services could have a substantial  
4 probability of restoring the defendant to competence within a reasonable  
5 period of time, it must issue an order of commitment committing the  
6 defendant to the custody of the commissioner [~~for care and treatment~~] to  
7 receive restoration services in an appropriate institution or [~~, upon the~~  
8 ~~consent of the district attorney,~~] committing [~~him or her~~] such defend-  
9 ant to the custody of the commissioner for care and treatment on an  
10 out-patient basis, for a period not to exceed [~~one year~~] ninety days  
11 from the date of such order. Upon the issuance of an order of commit-  
12 ment, the court must exonerate the defendant's bail if [~~he or she was~~  
13 they were] previously at liberty on bail; provided, however, that exoner-  
14 ation of bail is not required when a defendant is committed to the  
15 custody of the commissioner for care and treatment on an out-patient  
16 basis. [~~When the defendant is in the custody of the commissioner pursu-~~  
17 ~~ant to a final order of observation, the commissioner or his or her~~  
18 ~~designee, which may include the director of an appropriate institution,~~  
19 ~~immediately upon the discharge of the defendant, must certify to such~~  
20 ~~court that he or she has complied with the notice provisions set forth~~  
21 ~~in paragraph (a) of subdivision six of section 730.60 of this article]~~  
22 In the event that the court determines there is not a reasonable expec-  
23 tation that restoration services could have a substantial probability of  
24 restoring the defendant to competence within a reasonable period of time  
25 the matter shall be referred to the supreme court for a hearing  
26 conducted in accordance with section 9.33 or 15.31 of the mental  
27 hygiene law.

28 2. When a defendant is in the custody of the commissioner immediately  
29 prior to the expiration of the period prescribed in a temporary order of  
30 commitment and the superintendent of the institution wherein the defend-  
31 ant is confined is of the opinion that the defendant continues to be an  
32 incapacitated person, such superintendent must apply to the court that  
33 issued such order for an order of retention for an additional period of  
34 ninety days. The court must hold a hearing on this application to  
35 determine if there is a substantial probability of recovery in the fore-  
36 seeable future. If the court determines that there is such reasonable  
37 expectation of restoration, it shall issue an order of retention for an  
38 additional ninety days. If the court finds that the defendant is still  
39 incapacitated and there is not a substantial probability of restoration  
40 in the foreseeable future, it shall refer the matter to the civil  
41 section of the supreme court in the county where the defendant's case is  
42 pending, for a hearing pursuant to article nine or fifteen of the mental  
43 hygiene law to determine if the defendant shall be hospitalized or  
44 otherwise retained on an involuntary basis. [~~Such application must be~~  
45 ~~made within sixty days prior to the expiration of such period on forms~~  
46 ~~that have been jointly adopted by the judicial conference and the~~  
47 ~~commissioner.] The superintendent must give written notice of the appli-  
48 cation for such order to the defendant and to the mental hygiene legal  
49 service. Upon receipt of such application, the court [~~may, on its own~~  
50 ~~motion,~~] shall conduct a hearing [~~to determine the issue of capacity,~~  
51 ~~and it must conduct such hearing if a demand therefor is made by the~~  
52 ~~defendant or the mental hygiene legal service within ten days from the~~  
53 ~~date that notice of the application was given them. If, at the conclu-~~  
54 ~~sion of a hearing conducted pursuant to this subdivision, the court is~~  
55 ~~satisfied that the defendant is no longer an incapacitated person, the~~  
56 ~~criminal action against him must proceed. If it is satisfied that the~~~~

1 ~~defendant continues to be an incapacitated person, or if no demand for a~~  
2 ~~hearing is made, the court must adjudicate him an incapacitated person~~  
3 ~~and must issue an order of retention which shall authorize continued~~  
4 ~~custody of the defendant by the commissioner for a period not to exceed~~  
5 ~~one year] pursuant to the provisions of article nine or fifteen of the~~  
6 ~~mental hygiene law and the court shall order that the defendant shall be~~  
7 ~~maintained in the custody of the commissioner but transferred to a~~  
8 ~~hospital or other appropriate institution to be involuntarily admitted~~  
9 ~~pursuant to article nine or fifteen of the mental hygiene law subject~~  
10 ~~to the retention provisions of section 9.33 or 15.31 of the mental~~  
11 ~~hygiene law except as specifically provided herein. Such order shall~~  
12 ~~not be deemed in any way to be the order of a criminal court.~~

13 3. [~~When~~] Before a defendant is [~~in~~] released from the custody of the  
14 commissioner [~~immediately prior to the expiration of the period~~  
15 ~~prescribed in the first order of retention, the procedure set forth in~~  
16 ~~subdivision two shall govern the application for and the issuance of any~~  
17 ~~subsequent order of retention, except that any subsequent orders of~~  
18 ~~retention must be for periods not to exceed two years each, provided,~~  
19 ~~however,~~] either pursuant to this section or pursuant to article nine or  
20 fifteen of the mental hygiene law, the court shall hold a hearing to  
21 determine whether or not the defendant continues to be an incapacitated  
22 person. If, at the conclusion of a hearing conducted pursuant to this  
23 subdivision, the court is satisfied that the defendant is no longer an  
24 incapacitated person, the criminal action against them must proceed  
25 except that the court shall have the discretion to dismiss the case in  
26 the interests of justice. If, at the conclusion of a hearing conducted  
27 pursuant to this subdivision, the court finds that the defendant contin-  
28 ues to be an incapacitated person then the court shall make an order in  
29 accordance with section 9.33 or 15.31 of the mental hygiene law. In any  
30 case that the aggregate of periods prescribed in the temporary order of  
31 commitment [~~, the first order of retention and all subsequent orders of~~  
32 ~~retention] and any order of retention pursuant to this article or arti-  
33 cle nine or fifteen of the mental hygiene law must not exceed two-thirds  
34 of the authorized maximum term of imprisonment for the highest class  
35 felony charged in the indictment [~~or for the highest class felony of~~  
36 ~~which he was convicted].~~~~

37 4. When a defendant is in the custody of the commissioner either at  
38 the expiration of the authorized period prescribed in the last order of  
39 retention or any order of retention issued pursuant to article nine or  
40 fifteen of the mental hygiene law, the criminal action pending against  
41 [~~him~~] such defendant in the superior court that issued such order shall  
42 terminate for all purposes, and the commissioner must promptly certify  
43 to such court and to the appropriate district attorney that the defend-  
44 ant was in [~~his~~] their custody on such expiration date. Upon receipt of  
45 such certification, the court must dismiss the indictment, and such  
46 dismissal constitutes a bar to any further prosecution of the charge or  
47 charges contained in such indictment.

48 [~~5. When, on the effective date of this subdivision, any defendant~~  
49 ~~remains in the custody of the commissioner pursuant to an order issued~~  
50 ~~under former code of criminal procedure section six hundred sixty-two-b,~~  
51 ~~the superintendent or director of the institution where such defendant~~  
52 ~~is confined shall, if he believes that the defendant continues to be an~~  
53 ~~incapacitated person, apply forthwith to a court of record in the county~~  
54 ~~where the institution is located for an order of retention. The proce-~~  
55 ~~dures for obtaining any order pursuant to this subdivision shall be in~~  
56 ~~accordance with the provisions of subdivisions two, three and four of~~

~~this section, except that the period of retention pursuant to the first order obtained under this subdivision shall be for not more than one year and any subsequent orders of retention must be for periods not to exceed two years each; provided, however, that the aggregate of the time spent in the custody of the commissioner pursuant to any order issued in accordance with the provisions of former code of criminal procedure section six hundred sixty two b and the periods prescribed by the first order obtained under this subdivision and all subsequent orders of retention must not exceed two-thirds of the authorized maximum term of imprisonment for the highest class felony charged in the indictment or the highest class felony of which he was convicted.]~~

§ 8. Section 730.60 of the criminal procedure law, subdivisions 1 and 3 as amended by chapter 231 of the laws of 2008, subdivision 2 as amended by chapter 57 of the laws of 1984, subdivisions 4 and 5 as renumbered by chapter 629 of the laws of 1974, subdivision 6 as added by chapter 549 of the laws of 1980 and paragraphs (a) and (b) of subdivision 6 as amended by chapter 7 of the laws of 2013, is amended to read as follows:

§ 730.60 Fitness to proceed; procedure following custody by commissioner.

1. When a local criminal court issues a [~~final or~~] temporary order of observation or an order of commitment, it must forward such order and a copy of the examination reports and the accusatory instrument to the commissioner [~~, and, if available, a copy of the pre-sentence report~~]. Upon receipt thereof, the commissioner must designate an appropriate institution operated by the department of mental hygiene in which the defendant is to be placed [~~, provided, however, that the commissioner may designate an appropriate hospital for placement of a defendant for whom a final order of observation has been issued, where such hospital is licensed by the office of mental health and has agreed to accept, upon referral by the commissioner, defendants subject to final orders of observation issued under this subdivision~~]. The sheriff [~~must hold the defendant in custody pending such designation by the commissioner, and~~] when notified of the designation, [~~the sheriff~~] must deliver the defendant to the superintendent of such institution. The superintendent must promptly inform the appropriate director of the mental hygiene legal service of the defendant's admission to such institution. If a defendant escapes from the custody of the commissioner, the escape shall interrupt the period prescribed in any order of observation, commitment or retention, and such interruption shall continue until the defendant is returned to the custody of the commissioner.

2. Except as otherwise provided in subdivisions four and five of this section, when a defendant is in the custody of the commissioner pursuant to a temporary order of observation or an order of commitment or an order of retention, the criminal action pending against the defendant in the court that issued such order is suspended [~~until~~] pending further order of the court. If the superintendent of the institution in which the defendant is confined determines that [~~he~~] such defendant is no longer an incapacitated person [~~. In that event~~], the court that issued such order and the appropriate district attorney must be notified, in writing, by the superintendent of [~~his~~] their determination. The court must thereupon proceed in accordance with the provisions of subdivision two of section 730.30 of this [~~chapter~~] article; provided, however, if the court is satisfied that the defendant remains an incapacitated person, and upon consent of all parties, the court may order the return of the defendant to the institution in which [~~he~~] they had been confined

1 for such period of time as was authorized by the prior order of commit-  
2 ment or order of retention. Upon such return, the defendant shall have  
3 all rights and privileges accorded by the provisions of this article.

4 3. When a defendant is in the custody of the commissioner pursuant to  
5 an order issued in accordance with this article, the commissioner may  
6 transfer [~~him~~] such defendant to any appropriate institution operated by  
7 the department of mental hygiene, provided, however, that the commis-  
8 sioner may designate an appropriate hospital for placement of a defend-  
9 ant for whom a final order of observation has been issued, where such  
10 hospital is licensed by the office of mental health and has agreed to  
11 accept, upon referral by the commissioner, defendants subject to final  
12 orders of observation issued under this section. The commissioner may  
13 discharge a defendant in [~~his~~] their custody under a final order of  
14 observation at any time prior to the expiration date of such order, or  
15 otherwise treat or transfer such defendant in the same manner as if [~~he~~]  
16 such defendant were a patient not in confinement under a criminal court  
17 order.

18 4. When a defendant is in the custody of the commissioner pursuant to  
19 an order of commitment or an order of retention, [~~he~~] they may make any  
20 motion authorized by this chapter which is susceptible of fair determi-  
21 nation without [~~his~~] their personal participation. If the court denies  
22 any such motion it must be without prejudice to a renewal thereof after  
23 the criminal action against the defendant has been ordered to proceed.  
24 If the court enters an order dismissing the indictment and does not  
25 direct that the charge or charges be resubmitted to a grand jury, the  
26 court must direct that such order of dismissal be served upon the  
27 commissioner.

28 5. When a defendant is in the custody of the commissioner pursuant to  
29 an order of commitment or an order of retention, the superior court that  
30 issued such order may, upon motion of the defendant, and with the  
31 consent of the district attorney, dismiss the indictment when the court  
32 is satisfied that (a) the defendant is a resident or citizen of another  
33 state or country and that [~~he~~] they will be removed thereto upon  
34 dismissal of the indictment, or (b) the defendant has been continuously  
35 confined in the custody of the commissioner, either pursuant to this  
36 article or pursuant to article nine or fifteen of the mental hygiene  
37 law, for a period of more than two years. Before granting a motion  
38 under this subdivision, the court must be further satisfied that  
39 dismissal of the indictment is consistent with the ends of justice and  
40 that custody of the defendant by the commissioner pursuant to an order  
41 of commitment or an order of retention is not necessary for the  
42 protection of the public and that care and treatment can be effectively  
43 administered to the defendant without the necessity of such order. If  
44 the court enters an order of dismissal under this subdivision, it must  
45 set forth in the record the reasons for such action, and must direct  
46 that such order of dismissal be served upon the commissioner. The  
47 dismissal of an indictment pursuant to this subdivision constitutes a  
48 bar to any further prosecution of the charge or charges contained in  
49 such indictment.

50 ~~[6. (a) Notwithstanding any other provision of law, no person commit-~~  
51 ~~ted to the custody of the commissioner pursuant to this article, or~~  
52 ~~continuously thereafter retained in such custody, shall be discharged,~~  
53 ~~released on condition or placed in any less secure facility or on any~~  
54 ~~less restrictive status, including, but not limited to vacations,~~  
55 ~~furloughs and temporary passes, unless the commissioner or his or her~~  
56 ~~designee, which may include the director of an appropriate institution,~~

~~1 shall deliver written notice, at least four days, excluding Saturdays,  
2 Sundays and holidays, in advance of the change of such committed  
3 person's facility or status, or in the case of a person committed pursu-  
4 ant to a final order of observation written notice upon discharge of  
5 such committed person, to all of the following:~~

~~6 (1) The district attorney of the county from which such person was  
7 committed;~~

~~8 (2) The superintendent of state police;~~

~~9 (3) The sheriff of the county where the facility is located;~~

~~10 (4) The police department having jurisdiction of the area where the  
11 facility is located;~~

~~12 (5) Any person who may reasonably be expected to be the victim of any  
13 assault or any violent felony offense, as defined in the penal law, or  
14 any offense listed in section 530.11 of this part which would be carried  
15 out by the committed person; provided that the person who reasonably may  
16 be expected to be a victim does not need to be a member of the same  
17 family or household as the committed person; and~~

~~18 (6) Any other person the court may designate.~~

~~19 Said notice may be given by any means reasonably calculated to give  
20 prompt actual notice.~~

~~21 (b) The notice required by this subdivision shall also be given imme-  
22 diately upon the departure of such committed person from the actual  
23 custody of the commissioner or an appropriate institution, without prop-  
24 er authorization. Nothing in this subdivision shall be construed to  
25 impair any other right or duty regarding any notice or hearing contained  
26 in any other provision of law.~~

~~27 (c) Whenever a district attorney has received the notice described in  
28 this subdivision, and the defendant is in the custody of the commis-  
29 sioner pursuant to a final order of observation or an order of commitment,  
30 he may apply within three days of receipt of such notice to a superior  
31 court, for an order directing a hearing to be held to determine whether  
32 such committed person is a danger to himself or others. Such hearing  
33 shall be held within ten days following the issuance of such order. Such  
34 order may provide that there shall be no further change in the committed  
35 person's facility or status until the hearing. Upon a finding that the  
36 committed person is a danger to himself or others, the court shall issue  
37 an order to the commissioner authorizing retention of the committed  
38 person in the status existing at the time notice was given hereunder,  
39 for a specified period, not to exceed six months. The district attorney  
40 and the committed person's attorney shall be entitled to the committed  
41 person's clinical records in the commissioner's custody, upon the iss-  
42 uance of an order directing a hearing to be held.~~

~~43 (d) Nothing in this subdivision shall be construed to impair any other  
44 right or duty regarding any notice or hearing contained in any other  
45 provision of law.]~~

46 § 9. Section 730.70 of the criminal procedure law, as amended by chap-  
47 ter 629 of the laws of 1974, is amended to read as follows:

48 § 730.70 Fitness to proceed; procedure following termination of custody  
49 by commissioner.

50 When a defendant is in the custody of the commissioner on the expira-  
51 tion date of a final or temporary order of observation or an order of  
52 commitment, or on the expiration date of the last order of retention, or  
53 on the date an order dismissing an indictment is served upon the commis-  
54 sioner, the superintendent of the institution in which the defendant is  
55 confined may retain [~~him~~] such defendant for care and treatment for a  
56 period of no more than thirty days from such date. If [~~the~~] during such

1 time two psychiatric examiners engaged by the superintendent [~~deter-~~  
2 ~~mines~~] determine that the defendant is so mentally ill or mentally  
3 defective as to require continued care and treatment in an institution,  
4 [~~he~~] the superintendent may, before the expiration of such thirty day  
5 period, apply for an order of [~~certification~~] retention in the manner  
6 prescribed in section [~~31.33~~] 9.33 or 15.33 of the mental hygiene law.

7 § 10. Subdivision (a) of section 9.33 of the mental hygiene law, as  
8 amended by chapter 789 of the laws of 1985, is amended to read as  
9 follows:

10 (a) If the director shall determine that a patient admitted upon an  
11 application supported by medical certification, for whom there is no  
12 court order authorizing retention for a specified period, is in need of  
13 retention and if such patient does not agree to remain in such hospital  
14 as a voluntary patient, the director shall apply to the supreme court or  
15 the county court in the county where the hospital is located for an  
16 order authorizing continued retention. A court order issued pursuant to  
17 article seven hundred thirty of the criminal procedure law shall be  
18 deemed an order of retention under this section. Such application shall  
19 be made no later than sixty days from the date of involuntary admission  
20 on application supported by medical certification or thirty days from  
21 the date of an order denying an application for patient's release pursu-  
22 ant to section 9.31, whichever is later; and the hospital is authorized  
23 to retain the patient for such further period during which the hospital  
24 is authorized to make such application or during which the application  
25 may be pending. The director shall cause written notice of such applica-  
26 tion to be given the patient and a copy thereof shall be given  
27 personally or by mail to the persons required by this article to be  
28 served with notice of such patient's initial admission and to the mental  
29 hygiene legal service. Such notice shall state that a hearing may be  
30 requested and that failure to make such a request within five days,  
31 excluding Sunday and holidays, from the date that the notice was given  
32 to the patient will permit the entry without a hearing of an order  
33 authorizing retention.

34 § 11. Subdivision (a) of section 15.33 of the mental hygiene law, as  
35 amended by chapter 789 of the laws of 1985, is amended to read as  
36 follows:

37 (a) If the director shall determine that a resident admitted upon an  
38 application supported by medical certification, for whom there is no  
39 court order authorizing retention for a specified period, is in need of  
40 retention and if such resident does not agree to remain in such school  
41 as a voluntary resident, the director shall apply to the supreme court  
42 or the county court in the county where the school is located for an  
43 order authorizing continued retention. A court order issued pursuant to  
44 article seven hundred thirty of the criminal procedure law shall be  
45 deemed an order of retention under this section. Such application shall  
46 be made no later than sixty days from the date of involuntary admission  
47 on application supported by medical certification or thirty days from  
48 the date of an order denying an application for resident's release  
49 pursuant to section 15.31, whichever is later; and the school is author-  
50 ized to retain the resident for such further period during which the  
51 school is authorized to make such application or during which the appli-  
52 cation may be pending. The director shall cause written notice of such  
53 application to be given the resident and a copy thereof shall be given  
54 personally or by mail to the persons required by this article to be  
55 served with notice of such resident's initial admission and to the  
56 mental hygiene legal service. Such notice shall state that a hearing may

1 be requested and that failure to make such a request within five days,  
 2 excluding Sunday and holidays, from the date that the notice was given  
 3 to the resident will permit the entry without a hearing of an order  
 4 authorizing retention.

5 § 12. Subdivision (c) of section 43.03 of the mental hygiene law, as  
 6 amended by chapter 7 of the laws of 2007, is amended to read as follows:

7 (c) Patients receiving services while being held in the custody of the  
 8 commissioner pursuant to order of a criminal court, other than patients  
 9 committed to the department pursuant to section 330.20 of the criminal  
 10 procedure law, or for examination pursuant to an order of the family  
 11 court shall not be liable to the department for such services. Fees due  
 12 the department for such services shall be paid by the county in which  
 13 such court is located unless such services are or could be eligible for  
 14 payment pursuant to the federal medical care assistance program and  
 15 except that counties shall not be responsible for the cost of services  
 16 rendered patients committed to the department pursuant to section 330.20  
 17 of the criminal procedure law, section five hundred eight of the  
 18 correction law or patients committed to the department pursuant to arti-  
 19 cle nine, ten or fifteen of this chapter.

20 § 13. In the event that any county or any city with a population of  
 21 one million or more in any one year reduces payments made to the state  
 22 for restoration services pursuant to article 730 of the criminal proce-  
 23 dure law by an amount which is less than the average of such expendi-  
 24 tures for the previous three years, then such county or such city shall  
 25 utilize such savings for needed services which are identified as needed  
 26 in the local services plan, as defined in section 41.03 of the mental  
 27 hygiene law, of such county or such city.

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

30 PART UU

31 Section 1. Subdivision 11 of section 835 of the executive law, as  
 32 amended by chapter 69 of the laws of 2024, is amended to read as  
 33 follows:

34 11. "Mass shooting" means an incident in which at least four people  
 35 are murdered or injured with a firearm, rifle, or shotgun.

36 § 2. Subparagraph (vi) of paragraph (b) of subdivision 2 of section  
 37 631-a of the executive law, as added by chapter 69 of the laws of 2024,  
 38 is amended to read as follows:

39 (vi) services to victims of a mass shooting as defined in subdivision  
 40 eleven of section eight hundred thirty-five of this chapter [~~or of a~~  
 41 ~~shooting incident in which four or more people are injured~~].

42 § 3. This act shall take effect immediately.

43 PART VV

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

46 § 837-y. New York state office of gun violence prevention and the gun  
 47 violence advisory council. 1. Definitions. For the purposes of this  
 48 section:

49 (a) "Advisory council" means the gun violence advisory council estab-  
 50 lished under subdivision three of this section.

51 (b) "Director" means the director of the New York state office of gun  
 52 violence prevention.

1 (c) "Gun violence" includes but is not limited to any attempted crime,  
2 crime, attempted suicide, suicide, and unintentional injury or death  
3 involving a firearm.

4 (d) "Office" means the New York state office of gun violence  
5 prevention established under subdivision two of this section.

6 2. Office of gun violence prevention. (a) The office of gun violence  
7 prevention created under Executive Order 211 of 2021 is hereby reestab-  
8 lished within the division. The office shall:

9 (i) direct the coordination of state, local, and federal government  
10 stakeholders and the advisory council to align and advance efforts to  
11 prevent and address gun violence impacting state residents.

12 (ii) centralize and coordinate grantmaking opportunities and allo-  
13 cations to government and community stakeholders regarding gun violence  
14 and gun violence prevention.

15 (iii) direct and enhance the state's health systems capacity to  
16 prevent and respond to gun violence, including but not limited to state  
17 hospital violence prevention initiatives. State and local community  
18 violence intervention initiatives and programs.

19 (iv) direct and strengthen timely data collection and data infrastruc-  
20 ture and research regarding firearm-related injuries, fatalities, and  
21 incidents by focusing on data informed surveillance, prevention, and  
22 intervention of gun violence statewide including but not limited to the  
23 coordination with the state gun violence research institute.

24 (v) increase public awareness of gun violence and gun violence  
25 prevention by conducting public education campaigns and utilizing other  
26 strategies to increase knowledge and adoption of best practices related  
27 to gun violence prevention, the various types of gun violence that  
28 impact New York state, and resources available to individuals at risk of  
29 or who have been impacted by gun violence. These campaigns and strate-  
30 gies shall be designed in collaboration with government and community  
31 stakeholders including but not limited to agencies and offices refer-  
32 enced in paragraph (c) of subdivision three of this section.

33 (vi) direct and provide technical assistance, resources, and training  
34 to professionals focused on violence intervention and prevention strate-  
35 gies and best practices.

36 (vii) communicate regularly with members of the New York state legis-  
37 lature and the governor to provide and receive recommendations regarding  
38 effective gun violence prevention policy and programs.

39 (b) The head of the office shall be the director who shall be  
40 appointed by the commissioner. The director shall oversee the develop-  
41 ment and execution of the objectives of the office as established under  
42 this section. The director shall hire staff to execute the office's  
43 functions, as sufficient government funding permits, including but not  
44 limited to three units:

45 (i) administration unit to manage budget, human resources, grant and  
46 contract management and coordination;

47 (ii) planning and special projects unit; and

48 (iii) research and evaluation unit.

49 (c) The office shall issue an annual report including, but not limited  
50 to, information on the state of gun violence in the state, recommenda-  
51 tions for policy and programmatic initiatives to reduce gun violence in  
52 the state, and a description of the efforts of the office to carry out  
53 the duties and objectives of the office under this subdivision. Such  
54 report shall be delivered to the governor, the temporary president of  
55 the senate and the speaker of the assembly no later than one year after

1 the effective date of this section, and annually thereafter. Such report  
2 shall be published on the division's website.

3 3. Gun Violence Advisory Council. (a) Within one hundred eighty days  
4 of the effective date of this section, the commissioner shall convene  
5 the gun violence advisory council to share information and resources to  
6 provide support and guidance to the office of gun violence prevention  
7 and make recommendations regarding the development and execution of the  
8 office's responsibilities, strategies, and functions. Such advisory  
9 council shall be chaired by the director and shall include no fewer than  
10 twelve additional members selected by the director, including but not  
11 limited to state, community, and national policy and public health  
12 experts as well as a broad range of stakeholders including:

13 (i) a survivor of gun violence.

14 (ii) a senior-level representative from a community violence inter-  
15 vention service provider.

16 (iii) a local public health official.

17 (iv) a medical professional who provides trauma care.

18 (v) a mental health clinician.

19 (vi) a district attorney or a representative designee.

20 (vii) a public school teacher who works in a school district dispro-  
21 portionately impacted by gun violence.

22 (viii) a a young person age eighteen or under who has held a community  
23 or advocacy leadership role.

24 (ix) a veteran.

25 (x) representatives from relevant state and local government agencies  
26 involved and engaged in gun violence prevention initiatives or policy-  
27 making.

28 (xi) public safety/law enforcement professionals.

29 (xii) a senior-level representative of a victim service provider.

30 (b) The office shall convene and consult the advisory council on a  
31 quarterly basis for the purpose of discussing any of the council's  
32 recommendations regarding the development and execution of the office's  
33 responsibilities, strategies, and functions. At the discretion of the  
34 director, the office may convene and communicate with the advisory coun-  
35 sel as determined to be necessary.

36 (c) To comprehensively address gun violence in New York state, the  
37 following state executive agencies shall collaborate with the office to  
38 support prevention, intervention, and policy implementation strategies  
39 including but not limited to the department of health, department of  
40 education, department of labor, office of mental health, office of chil-  
41 dren and family services, office of victim services, office of temporary  
42 and disability assistance, office for the prevention of domestic  
43 violence, office of the New York state attorney general, division of  
44 homeland security, state police, and all other divisions and offices  
45 within the division of criminal justice services.

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

51

PART WW

52 Section 1. Short title. This act shall be known and may be cited as  
53 the "Renewable Capitol Act".

1 § 2. The executive law is amended by adding a new section 204 to read  
2 as follows:

3 § 204. Renewable capitol project. 1. For the purpose of this section,  
4 the following terms shall have the following meanings:

5 (a) The "advisory committee" shall mean the committee established  
6 pursuant to paragraph (a) of subdivision three of this section.

7 (b) The "CLCPA" shall mean the New York state climate leadership and  
8 community protection act enacted as chapter one hundred six of the laws  
9 of two thousand nineteen, as it shall from time to time be amended.

10 (c) "Co-pollutants" shall have the same meaning as set forth in subdi-  
11 vision three of section 75-0101 of the environmental conservation law.

12 (d) "Emergency generator" shall mean the set of diesel generators  
13 located on Sheridan Avenue in Albany, New York as of the effective date  
14 of this section, that are intended to power the empire state plaza  
15 complex during an emergency fault condition causing an interruption to  
16 normal electricity service from the grid.

17 (e) "Empire state plaza complex" or the "complex" shall mean the  
18 complex of state-owned buildings and the land thereon in Albany, New  
19 York that utilize the steam distribution network of the Sheridan Avenue  
20 steam plant, including what are popularly known as Empire State Plaza,  
21 the State Capitol Building, the State Museum, the Alfred E. Smith Build-  
22 ing, the State Education Building, the Sheridan Avenue steam plant, and  
23 the former Albany New York Solid Waste Energy Recovery System incinera-  
24 tor building.

25 (f) "Greenhouse gas" shall have the same meaning as set forth in  
26 subdivision seven of section 75-0101 of the environmental conservation  
27 law.

28 (g) The "local community" shall mean the portion of Albany, New York  
29 designated as the local community under the plan, which shall include,  
30 at a minimum, the Albany Sheridan Hollow, Arbor Hill, Center Square,  
31 Mansion, Washington Park, West Hill and South End neighborhoods.

32 (h) "NYSERDA" shall mean the New York state energy research and devel-  
33 opment authority created under section eighteen hundred fifty-two of the  
34 public authorities law.

35 (i) The "office of general services" or the "office" shall mean the  
36 agency created under section two hundred of this article.

37 (j) The "empire state plaza decarbonization plan" or "plan" shall mean  
38 the plan set forth in subdivision three of this section, and mandated by  
39 this section and section ninety-one of the public buildings law.

40 (k) The "project" shall mean the work on the empire state plaza  
41 complex mandated by this section and section ninety-one of the public  
42 buildings law.

43 (l) A "power purchase agreement" shall mean an agreement between two  
44 parties, the seller and the buyer, to enter into a contractual obli-  
45 gation for the purchase of electricity.

46 (m) "Renewable energy systems" means systems that entirely generate  
47 electricity or thermal energy through use of the following technologies:  
48 solar thermal, photovoltaics, on land and offshore wind, hydroelectric,  
49 geothermal electric, geothermal ground source heat, tidal energy, wave  
50 energy, ocean thermal, and fuel cells which do not utilize a fossil fuel  
51 resource in the process of generating electricity or thermal energy.

52 (n) "Sheridan Avenue steam plant" shall mean the steam plant facility  
53 owned by New York state located as of the time of the effective date of  
54 this section at 79 Sheridan Avenue in Albany, New York.

55 2. (a) Within three years after the effective date of this section,  
56 the office of general services, in consultation with the power authority

1 of the state of New York, shall ensure that all operations that power,  
2 heat or cool the empire state plaza complex shall entirely use renewable  
3 energy systems. In satisfying this requirement, the office may demon-  
4 strate that the amount of electrical energy credited to the complex  
5 annually from renewable sources through a power purchase agreement or  
6 similar instrument is not less than the amount of electrical energy  
7 consumed annually by the complex. Notwithstanding this mandate, the  
8 emergency generator shall be permitted to utilize non-renewable energy,  
9 but the office shall be empowered to retire or convert the emergency  
10 generator to wholly or entirely utilize renewables if possible.

11 (b) The project and the empire state plaza complex shall comply with  
12 the CLCPA, and any rules and regulations issued thereunder, and, in  
13 particular, section seven of such law; the statewide greenhouse gas  
14 emissions limits set forth in section 75-0107 of the environmental  
15 conservation law; and the targets established in subdivision two of  
16 section sixty-six-p of the public service law. Nothing in this paragraph  
17 shall preclude the office from mandating lower greenhouse gas emissions  
18 limits or compliance with greenhouse gas emissions limits in a shorter  
19 timeframe than set forth in section 75-0107 of the environmental conser-  
20 vation law, or in mandating a higher percentage of renewables or in a  
21 shorter timeframe than in subdivision two of section sixty-six-p of the  
22 public service law. Except in regard to the provision regarding to the  
23 emergency generator as set forth in paragraph (a) of this subdivision,  
24 any action taken in furtherance of the project that leads to any  
25 increase in the emissions of greenhouse gases shall be deemed inconsis-  
26 tent with and in interference with the attainment of the statewide green-  
27 house gas emissions limits established in article seventy-five of the  
28 environmental conservation law and therefore shall trigger the process  
29 set forth in subdivision two of section seven of the CLCPA.

30 3. (a) Within sixty days of the effective date of this section, the  
31 office shall establish an advisory committee to advise it on the prepa-  
32 ration, design and content of the plan. Such plan shall be completed no  
33 later than January thirty-first, two thousand twenty-six. The advisory  
34 committee shall consist of the commissioner of the department of envi-  
35 ronmental conservation and the chief executive officer of NYSERDA, or  
36 their designees, and additional members which shall be appointed by such  
37 commissioner in consultation with such chief executive officer, as  
38 follows: three representatives of Albany community organizations, at  
39 least two of which are from organizations whose mission, in whole or in  
40 part, is to represent the interests of the Arbor Hill and/or Sheridan  
41 Hollow neighborhoods in Albany; two additional representatives of local  
42 environmental justice organizations; one individual not employed by New  
43 York state with recognized expertise in renewable energy; a represen-  
44 tative of labor organizations; a scientist with expertise in energy and  
45 climate policy; an engineer with expertise in energy (including geother-  
46 mal) and climate policy; and the mayor of Albany or their designee. The  
47 advisory committee shall meet at least three times annually, or addi-  
48 tional times as the committee shall by majority vote determine. At such  
49 meetings, which shall be open to the public, the office, among other  
50 things, shall report on the progress made in completing the project and  
51 otherwise implementing this section. The advisory committee members  
52 shall receive no compensation for their services but shall be reimbursed  
53 for their actual and necessary expenses incurred in the performance of  
54 their duties. All agencies of the state or subdivisions thereof may, at  
55 the request of the advisory panel or the office, provide the advisory

1 panel with such facilities, assistance and data as will enable the advisory  
2 panel to carry out its powers and duties.

3 (b) Each member of the advisory committee shall be entitled to one  
4 vote. No action may be taken by the advisory committee unless there is  
5 a quorum, which shall at all times be a majority of the members of the  
6 committee.

7 (c) The office shall retain a third party to perform an engineering  
8 study to be completed within one hundred eighty days after the effective  
9 date of this section, which shall consider the matters set forth in  
10 paragraph (f) of this subdivision and any other matters consistent with  
11 this section that the office shall direct. For the purposes of this  
12 paragraph, the term "third party" shall mean a professional engineer,  
13 not employed by the state of New York, or an engineering firm, provided  
14 that none of the engineers employed by such firm shall also be employed  
15 by the state of New York.

16 (d) The office shall be transparent in its work to develop the plan  
17 and shall maintain a website where a draft plan and other documents  
18 relevant to its development shall be posted for public review at least  
19 fourteen days prior to the first of the public hearings mandated by this  
20 paragraph. The advisory committee shall hold at least two public hear-  
21 ings at least sixty days prior to the release of the final plan, of  
22 which one shall be held in the Arbor Hill or Sheridan Hollow neighbor-  
23 hoods and one shall be held during the evening or weekend hours. The  
24 advisory committee shall make provisions for online and telephonic  
25 attendance and participation. At such public hearings, the draft plan  
26 shall be made available in written form for those physically attending.  
27 Provisions shall also be made for written comments on the draft plan.

28 (e) The plan shall contain recommendations on regulatory measures and  
29 other state actions to ensure that the mandates in subdivisions two and  
30 three of this section and section ninety-one of the public buildings law  
31 are met. The measures and actions set forth in the plan shall include:

32 i. a timeline for planned steps toward the completion of the project,  
33 including, but not limited to construction of the project and obtaining  
34 the necessary permits to begin operation. The timeline should maximize  
35 the potential for achieving, and if feasible making greater emissions  
36 reductions than the statewide greenhouse gas emissions limits set forth  
37 in section 75-0107 of the environmental conservation law and meeting the  
38 other mandates of the CLCPA;

39 ii. measures to maximize the benefits to the local community, includ-  
40 ing prioritizing the reduction of greenhouse gases and co-pollutants and  
41 improving public health in the local community;

42 iii. measures to optimize thermal load sharing, energy efficiency,  
43 demand response, and energy conservation;

44 iv. comprehensive consideration of renewable heat exchange systems or  
45 a combination of such systems to meet the heating and cooling needs of  
46 the empire state plaza complex, including but not limited to: geothermal  
47 heat exchange with the earth, geothermal heat exchange with the Hudson  
48 River, open-loop and closed-loop geothermal heat exchange with the aqui-  
49 fer, heat exchange with potable water supplies, heat recovery from  
50 wastewater sources, air-source heat pump technology, and thermal stor-  
51 age, provided that such systems do not use combustion-based or fossil  
52 fuel energy;

53 v. prioritization of electricity procurement from renewable sources  
54 within New York Independent System Operator (NYISO) Zone F, especially  
55 sources most capable of providing electricity serving real-time load  
56 conditions of the empire state plaza complex. This shall include, but

1 not be limited to, consideration of projects that expand electricity  
2 generation from ecologically-responsible, run-of-the-river hydroelectric  
3 facilities within the region; and

4 vi. electricity service upgrades for the empire state plaza complex  
5 necessary to support measures identified in this section.

6 (f) In designing the plan, the office shall be guided by any recommen-  
7 dations contained in the engineering study mandated by paragraph (c) of  
8 this subdivision, and any comments or recommendations made by the advi-  
9 sory committee, including as to such engineering study. Such advisory  
10 committee shall also be entitled to reject or modify any recommendation  
11 upon a finding that such recommendation would be inconsistent with or  
12 will interfere with the attainment of the statewide greenhouse gas emis-  
13 sions limits established in article seventy-five of the environmental  
14 conservation law, the climate justice provisions of the CLCPA, any rules  
15 or regulations issued thereunder, or this section. If the advisory  
16 committee rejects or modifies any recommendation, the original version  
17 of the recommendations as set forth in the engineering study shall  
18 presumptively not be considered by the office, unless substantial  
19 evidence exists to support the study's initial recommendations.

20 (g) The plan shall designate the geographic boundaries of the local  
21 community. In designating such boundaries, which shall include the Alba-  
22 ny Sheridan Hollow, Arbor Hill, Center Square, Mansion, Washington Park,  
23 West Hill, and South End neighborhoods, the office shall consider  
24 including in its designation any other communities that experience  
25 impacts on their water, air quality, noise and traffic from the empire  
26 state plaza complex.

27 (h)(i) Any project that may be funded as a result of the renewable  
28 capitol project completed pursuant to this section shall: (A) be deemed  
29 a public work project subject to article eight of the labor law; (B)  
30 require that the component parts of any renewable capitol project are  
31 produced or made in whole or substantial part in the United States, its  
32 territories or possessions, subject to a waiver provision similar to the  
33 one contained in subdivision two of section sixty-six-s of the public  
34 service law; (C) contain a requirement that any public owner or third  
35 party acting on behalf of a public owner enter into a project labor  
36 agreement as defined by section two hundred twenty-two of the labor law  
37 for all construction work; and (D) require the payment of prevailing  
38 wage standards consistent with article nine of the labor law for build-  
39 ing services work.

40 (ii) Notwithstanding any provision of law to the contrary, all rights  
41 or benefits, including terms and conditions of employment, and  
42 protection of civil service and collective bargaining status of all  
43 existing public employees and the work jurisdiction, covered job  
44 titles, and work assignments, set forth in the civil service law and  
45 collective bargaining agreements with labor organizations represen-  
46 ting public employees shall be preserved and protected. Any such project  
47 shall not result in the: (A) displacement of any currently employed  
48 worker or loss of position (including partial displacement as such a  
49 reduction in the hours of non-overtime work, wages, or employment bene-  
50 fits) or result in the impairment of existing collective bargaining  
51 agreements; (B) transfer of existing duties and functions related to  
52 maintenance and operations currently performed by existing employees of  
53 authorized entities to a contracting entity; or (C) transfer of future  
54 duties and functions ordinarily performed by employees of authorized  
55 entities to a contracting entity.

1 (i) In the case of any conflict as to the requirements of this section  
2 and section ninety-one of the public buildings law in regard to the  
3 project, this section shall prevail.

4 § 3. The tenth undesignated paragraph of section 1005 of the public  
5 authorities law, as added by chapter 55 of the laws of 1992, is amended  
6 to read as follows:

7 The authority is further authorized, as deemed feasible and advisable  
8 by the trustees, to acquire, maintain, manage, operate, improve and  
9 reconstruct as a project or projects of the authority one or both of the  
10 steam generation facilities owned by the state known as the Sheridan  
11 [~~avenue~~] Avenue steam [~~generating~~] plant [~~on Sheridan avenue in the city~~  
12 ~~of Albany and used to supply steam to state facilities~~], together with  
13 any properties, buildings and equipment at the sites thereof or ancil-  
14 lary thereto, for the generation and sale of thermal energy and the  
15 cogeneration and sale of electricity for use by facilities of the state  
16 within the county of Albany. All the authority's costs, including its  
17 acquisition, capital, operating and maintenance costs, shall be recov-  
18 ered fully from the customers receiving service from such project or  
19 projects. Thermal energy and electricity not required by the state may  
20 be sold by the authority to others. The authority is not authorized to  
21 use refuse or refuse-derived fuel in operating the project or projects.

22 As of the time period specified in paragraph (a) of subdivision two of  
23 section two hundred four of the executive law, all of the energy,  
24 including but not limited to heat, cooling and electricity, produced at  
25 the Sheridan Avenue steam plant shall utilize renewable energy systems.

26 Any agreement for such acquisition shall insure that the authority is  
27 not liable or otherwise responsible for circumstances arising from the  
28 prior operation of such facilities. The acquisition and purchase of such  
29 land, buildings and equipment by the authority, and any actions taken to  
30 effect such acquisition and purchase, are hereby exempt from the  
31 provisions of article eight of the environmental conservation law. The  
32 application of such exemption shall be strictly limited to the acquisi-  
33 tion and purchase of such land, buildings and equipment by the authority  
34 and such agreements with the state. Nothing herein shall exempt the  
35 authority from otherwise applicable laws respecting the expansion,  
36 conversion, operation and maintenance of such land, buildings and equip-  
37 ment. For the purposes of this subdivision, the terms "renewable energy  
38 systems" and "Sheridan Avenue steam plant" shall have the same meanings  
39 as in subdivision one of section two hundred four of the executive law.

40 § 4. Subdivisions 2 and 3 of section 90 of the public buildings law,  
41 as added by section 5 of part RR of chapter 56 of the laws of 2023, are  
42 amended to read as follows:

43 2. "Decarbonization" and "decarbonize" means eliminating all on-site  
44 combustion of fossil-fuels and associated co-pollutants with the excep-  
45 tion of back-up emergency generators and redundant systems needed to  
46 address public health, safety and security, providing heating and cool-  
47 ing through thermal energy, and thermal energy networks, from non-com-  
48 bustion sources, and to the greatest extent feasible producing on-site  
49 electricity that is one hundred percent renewable. Notwithstanding the  
50 provisions of this subdivision, for purposes of the empire state plaza  
51 complex, such term shall mean meeting the requirements of subdivisions  
52 two and three of section two hundred four of the executive law, and  
53 section ninety-one of this article, as such requirements are applicable  
54 to the empire state plaza complex.

55 3. "Highest-emitting facilities" means state-owned facilities that are  
56 among the highest producers of greenhouse gas emissions and collectively

1 account for at least thirty percent of the greenhouse gas emissions as  
2 recorded by the authority's Build Smart NY program established pursuant  
3 to Executive Order 88 of 2012. Notwithstanding the provisions of this  
4 subdivision, one of such facilities shall be the empire state plaza  
5 complex. For purposes of this article, the "empire state plaza complex"  
6 shall have the same meaning as defined in paragraph (e) of subdivision  
7 one of section two hundred four of the executive law.

8 § 5. The opening paragraph and paragraph (g) of subdivision 1 and  
9 subdivision 2 of section 91 of the public buildings law, as added by  
10 section 5 of part RR of chapter 56 of the laws of 2023, are amended and  
11 a new paragraph (l) is added to subdivision 1 to read as follows:

12 The authority is hereby authorized and directed to establish decarbon-  
13 ization action plans for fifteen of the highest-emitting facilities that  
14 will serve as a basis for decarbonizing the facilities to the maximum  
15 extent practicable, and subject to any needed redundant systems and  
16 back-up systems needed for public safety and security. [~~Decarboniza-~~  
17 ~~tion~~] Except as provided in paragraph (h) of subdivision three of  
18 section two hundred four of the executive law, decarbonization action  
19 plans shall address the following matters at a minimum:

20 (g) [~~Identification~~] Except for the empire state plaza decarbonization  
21 plan, identification of any parts of the facilities that cannot be  
22 decarbonized, with explanations.

23 (l) In the case of the empire state plaza complex decarbonization  
24 action plan, the items listed in paragraph (f) of subdivision three of  
25 section two hundred four of the executive law.

26 2. [~~The~~] Except for the decarbonization plan for the empire state  
27 plaza complex, the authority shall complete the decarbonization action  
28 plans no later than January thirty-first, two thousand twenty-six,  
29 provided that such date shall be extended for justifiable delay outside  
30 the control of the authority, including, but not limited to, previously  
31 planned or current major renovations or replacements to the facilities,  
32 delayed permitting or approval by building owners, local authorities, or  
33 other essential parties, external resource bottlenecks, pending or unre-  
34 solved investigations into utility grid capacity or similar circum-  
35 stances where crucial information is not yet available or determined.  
36 Such extension shall be limited to the time necessary to address the  
37 factors causing such delay. The empire state decarbonization plan shall  
38 be completed by January thirty-first, two thousand twenty-six, and no  
39 exclusions for justifiable delays shall be permitted.

40 § 6. Subdivisions 5, 6 and 7 of section 91 of the public buildings law  
41 are renumbered subdivisions 6, 7 and 8, and a new subdivision 5 is added  
42 to read as follows:

43 5. The authority shall be authorized to use the funding provided in  
44 subdivision four of this section to prepare the decarbonization action  
45 plan for the empire state plaza complex, to update or modify any study  
46 or plan undertaken, with the goal, in whole or in part of reducing  
47 greenhouse gas emissions applicable to such complex, or to perform the  
48 engineering study mandated by paragraph (d) of subdivision three of  
49 section two hundred four of the executive law, provided that such plan  
50 or study in the view of the authority would provide information useful  
51 for achieving the purposes of such section.

52 § 7. This act shall take effect immediately.

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

3 ARTICLE 15-D

4 OFFICE OF NATIVE AMERICAN AFFAIRS

5 Section 328-d. Office of Native American affairs.

6 328-e. General functions, powers and duties.

7 § 328-d. Office of Native American affairs. 1. There is hereby created  
8 in the executive department an office of Native American affairs. The  
9 head of the office shall be the commissioner of Native American affairs  
10 who shall be appointed by the governor and who shall hold office at the  
11 pleasure of the governor.

12 2. The commissioner shall receive an annual salary to be fixed by the  
13 governor within the amount made available therefor by an appropriation  
14 and shall be allowed such commissioner's actual and necessary expenses  
15 in the performance of such commissioner's duties.

16 3. The commissioner shall direct the work of the office and shall be  
17 the chief executive officer of the office. The commissioner may appoint  
18 such officers and employees as such commissioner may deem necessary,  
19 prescribe their duties, fix their compensation, and provide for the  
20 reimbursement of their expenses, all within amounts made available  
21 therefor by appropriation.

22 § 328-e. General functions, powers and duties. The office of Native  
23 American affairs by and through the commissioner or such commissioner's  
24 duly authorized officers and employees, shall:

25 1. Act as a centralized office for Native American nations to access  
26 information on state programs that are provided to Native Americans.

27 2. Develop and maintain cooperative relationships between New York  
28 state's Native nations, Native organizations, Native American citizens,  
29 and the state.

30 3. Establish, manage, coordinate, and facilitate Native American-re-  
31 lated policies, positions, and programs.

32 4. Advise and assist state agencies in developing policies, plans, and  
33 programs for Native Americans.

34 5. Serve as a connector for New York state's Native nations to other  
35 state agencies and programs.

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

38 PART YY

39 Section 1. Section 101 of the state technology law is amended by  
40 adding two new subdivisions 7 and 8 to read as follows:

41 7. "Artificial intelligence" or "AI" shall mean: (a) a machine-based  
42 system that operates with varying levels of autonomy and that may exhib-  
43 it adaptiveness after deployment and that, for explicit or implicit  
44 objectives, infers, from the input the system receives, how to generate  
45 outputs such as predictions, content, recommendations, or decisions that  
46 may influence physical or virtual environments. This includes, but is  
47 not limited to, systems, applications, software, or devices designed to:

48 (i) Sense, interpret, process, analyze, or otherwise comprehend data,  
49 text, speech, voice, images, video, sensor inputs, or other forms of  
50 information from physical and virtual environments.

51 (ii) Abstract concepts, detect patterns, extract features, develop  
52 explanatory and predictive data models, or otherwise derive higher-order  
53 insights through analysis of data and information.

1 (iii) Apply reasoning, decision logic, knowledge representation,  
2 prediction models, data model inferences, or other structured and  
3 unstructured techniques and capabilities to generate options, recommen-  
4 dations, forecasts, determinations, conclusions, actions, or other  
5 outputs that influence physical or virtual environments, systems, appli-  
6 cations, devices, or decision-making.

7 (iv) Operate autonomously once deployed, regardless of whether  
8 designed to allow human monitoring, oversight, intervention, or over-  
9 ride.

10 (b) This definition shall not include any software used primarily for  
11 basic computerized processes, such as calculators, spell check tools,  
12 autocorrect functions, spreadsheets, electronic communications, or any  
13 tool that relates only to internal management affairs such as ordering  
14 office supplies or processing payments, and that do not materially  
15 affect the rights, liberties, safety or welfare of any human.

16 8. "Automated decision-making system" shall mean any software that  
17 uses algorithms, computational models, or artificial intelligence, or a  
18 combination thereof, to automate, support, or replace human decision-  
19 making and shall include, without limitation, systems that process data,  
20 and apply predefined rules or machine learning algorithms to analyze  
21 such data, and generate conclusions, recommendations, outcomes, assump-  
22 tions, projections, or predictions. "Automated decision-making system"  
23 shall not include any software used primarily for basic computerized  
24 processes, such as calculators, spell check tools, autocorrect func-  
25 tions, spreadsheets, electronic communications, or any tool that relates  
26 only to internal management affairs such as ordering office supplies or  
27 processing payments, and that do not materially affect the rights,  
28 liberties, safety or welfare of any human.

29 § 2. The state technology law is amended by adding a new section 102-a  
30 to read as follows:

31 § 102-a. Chief artificial intelligence officer; functions, powers and  
32 duties. 1. There is hereby established the office of artificial intelli-  
33 gence within the office. The head of such office shall be the chief  
34 artificial intelligence officer and shall be appointed by the governor  
35 with the advice and consent of the senate. The chief artificial intelli-  
36 gence officer shall be in sole charge of the administration of the  
37 office, and shall report to the executive department. The chief artifi-  
38 cial intelligence officer shall be designated as management confidential  
39 in the noncompetitive class in accordance with the civil service law.  
40 The chief artificial intelligence officer shall have expertise in arti-  
41 ficial intelligence, data privacy, and the technology industry.

42 2. The office of artificial intelligence shall have the following  
43 functions, powers and duties:

44 (a) Develop statewide artificial intelligence policies and governance,  
45 including but not limited to:

46 (i) Developing and updating state policy and guidelines on the use,  
47 procurement, development, and deployment of artificial intelligence and  
48 automated decision-making systems in a manner consistent with state  
49 laws;

50 (ii) Developing and updating a handbook regarding the use, study,  
51 development, evaluation, and procurement of systems that use artificial  
52 intelligence, in a manner consistent with state and federal laws, and  
53 national and international standards for use by the state's departments,  
54 boards, commissions, agencies and authorities;

55 (iii) Developing a risk management plan, including procedures for  
56 assessing and classifying risk levels, including, but not limited to,

1 pertaining to the operations of the state, data security and privacy,  
2 and the rights, liberties, safety and welfare of any human for use of  
3 artificial intelligence and automated decision-making systems by the  
4 state's departments, boards, commissions, agencies and authorities; and

5 (iv) Setting governance standards for human oversight of artificial  
6 intelligence and automated systems, and determining resource require-  
7 ments for responsible adoption, including, but not limited to developing  
8 and deploying employee training programs for safe and responsible use of  
9 artificial intelligence; and

10 (v) Ensuring public access requirements are established for the publi-  
11 cation of information related to each state agency use of automated  
12 decision-making systems and artificial intelligence;

13 (b) Coordinate the activities of any and all state departments,  
14 boards, commissions, agencies and authorities performing any functions  
15 using artificial intelligence tools;

16 (c) Coordinate and track state department, board, commission, agency  
17 and authority procurement and planning in state programs;

18 (d) Investigate and assess what resources, monetary or otherwise, if  
19 any, a department, board, commission, authority or agency requires to  
20 adapt to the changes that artificial intelligence will bring to the  
21 regulatory landscape and to adequately adopt and oversee the use of  
22 artificial intelligence across its operations;

23 (e) Provide guidance to governmental entities in developing, designing  
24 and deploying standards, mission, regulations, investments, practices,  
25 systems pertaining to the use of artificial intelligence tools and auto-  
26 mated decision-making systems, in a manner that protects the rights and  
27 safety of individuals, including but not limited to employee training,  
28 protecting privacy and data security, safeguarding against discrimi-  
29 nation based on race, gender, ethnicity, religion, disability, sexual  
30 orientation, or socioeconomic status, mitigating risks of misinformation  
31 and manipulation, and impact on the human workforce;

32 (f) Recommend the replacement, disconnection or deactivation of any  
33 application that utilizes artificial intelligence or any automated deci-  
34 sion-making system and that demonstrates that deployment and use is  
35 inconsistent with provisions of law or is otherwise harmful to the oper-  
36 ations of the state, data security and privacy, or the rights, liber-  
37 ties, safety, and welfare of any human;

38 (g) Study the implications of the usage of artificial intelligence for  
39 data collection to inform testing and evaluation, verification and vali-  
40 ation of artificial intelligence to ensure that artificial intelligence  
41 will perform as intended, including when interacting with humans and  
42 other systems, develop common metrics to assess trustworthiness that  
43 artificial intelligence systems will perform as intended, and minimize  
44 performance problems and unanticipated outcomes, protect against risks  
45 to data security and privacy, and address the possibility of intentional  
46 misuse of an artificial intelligence system;

47 (h) Submit a report annually to the temporary president of the senate  
48 and the speaker of the assembly on progress, findings, studies and  
49 recommendations regarding the use of artificial intelligence and auto-  
50 mated decision-making systems in the various government agencies. Such  
51 report shall also be made publicly available on the office of informa-  
52 tion technology website. Where the chief artificial intelligence officer  
53 makes a determination that such disclosure would result in a substantial  
54 negative impact on health or safety of the public, infringe upon the  
55 privacy rights of individuals, or significantly impair the state's abil-  
56 ity to protect its information technology or operational assets, the

1 officer may redact such information, provided an explanatory statement  
2 by which such determination was made is published along with the redact-  
3 ed report. The provisions of this subdivision shall not be deemed to  
4 require or authorize the disclosure of confidential information or trade  
5 secrets; and

6 (i) Investigate and conduct periodic audits of any department's,  
7 board's, commission's, agency's or authority's use of artificial intel-  
8 ligence tools or automated decision-making systems to ensure:

9 (i) departments, boards, commissions, agencies and authorities devel-  
10 op, acquire and use such tools or systems that comply with the constitu-  
11 tion, state and federal laws;

12 (ii) ensure that any benefit a department, board, commission, agency  
13 or authority receives by using such tools or systems outweighs any risk  
14 in using that automated system;

15 (iii) ensure that each such tool or system is secure, protected and  
16 resistant to circumstances in which that automated system faces any  
17 systematic vulnerability, manipulation or malicious exploitation; and

18 (iv) nothing in this section shall be construed as restricting the  
19 artificial intelligence officer's or any state department's, board's,  
20 commission's, authority's or agency's access to:

21 (1) conduct any internal investigation aimed at developing, improving  
22 or repairing any product, service or technology,

23 (2) prevent, detect, protect, respond, investigate, report to any  
24 person responsible for any security incident, identity theft, fraud,  
25 harassment, malicious or misleading activity or illegal activity, or

26 (3) preserve the integrity or security of any system.

27 3. To effectuate the purposes of this section, the chief artificial  
28 intelligence officer may request and receive from any department, divi-  
29 sion, board, bureau, commission or other agency of the state or any  
30 political subdivision thereof or any public authority, staff and other  
31 assistance, information, and resources as will enable the office of  
32 artificial intelligence to properly carry out its functions, powers and  
33 duties.

34 § 3. The state technology law is amended by adding a new section 104-a  
35 to read as follows:

36 § 104-a. Advisory committee for state artificial intelligence policy.

37 1. There is hereby created in the office an advisory committee for state  
38 artificial intelligence policy. The chief artificial intelligence offi-  
39 cer shall serve as chair of the committee. The committee shall be  
40 composed of a minimum of seven representatives or their equivalent  
41 selected from state agencies and appointed by the governor, provided  
42 that no more than one member shall be appointed from a single agency,  
43 and provided further that the director shall serve as an ex-officio  
44 member of the committee. In addition, one member shall be appointed by  
45 the speaker of the assembly, one by the temporary president of the  
46 senate, and two members to be appointed by the governor at the recommen-  
47 dation of the two largest organizations in the state representing munic-  
48 ipal leadership.

49 2. All members of the advisory committee shall serve at the pleasure  
50 of their appointing authority. The members of the committee shall  
51 receive no compensation for their services, but shall be allowed their  
52 actual and necessary expenses incurred in the performance of their  
53 duties.

54 3. No member of the advisory committee shall be disqualified from  
55 holding any other public office, nor forfeit any such office by reason  
56 of appointment hereunder, notwithstanding the provisions of any general,

1 special or local law, ordinance or city charter, provided however that  
2 members appointed by the governor, speaker of the assembly, or temporary  
3 president of the senate shall be considered state officers and subject  
4 to the provisions of paragraph (a) of subdivision eight of section  
5 seventy-three of the public officers law.

6 4. The advisory committee shall, at minimum, meet twice in each calen-  
7 dar year, provided that additional meetings of the advisory committee  
8 may be called by the chairperson at any time.

9 5. The advisory committee shall:

10 (a) Advise the chief artificial intelligence officer on best practices  
11 for the use of artificial intelligence and automated decision-making  
12 systems in agencies;

13 (b) Advise the chief artificial intelligence officer on state policy  
14 for artificial intelligence and automated decision-making systems;

15 (c) Advise the chief artificial intelligence officer on the current  
16 state of the state in relation to competitiveness in artificial intelli-  
17 gence, including the scope and scale of New York's investments in arti-  
18 ficial intelligence research and development;

19 (d) Advise the chief artificial intelligence officer on improving the  
20 workforce, including use in training, education and worker assistance in  
21 relation to the use of artificial intelligence;

22 (e) Advise the chief artificial intelligence officer on leveraging  
23 local resources to optimize and improve operations in various areas of  
24 government operations, including but not limited to medical services,  
25 cyber security, infrastructure, and recovery from natural disasters;

26 (f) Advise the chief artificial intelligence officer on opportunities  
27 for local, regional, interstate, federal, and international cooperation  
28 in artificial intelligence research activities, standards development  
29 and regulations;

30 (g) Advise the chief artificial intelligence officer on strategies to  
31 prevent and mitigate artificial intelligence-assisted misinformation  
32 campaigns and the potentially harmful effects of artificial intelli-  
33 gence;

34 (h) Advise the chief artificial intelligence officer on how the state  
35 can leverage the substantial and growing expertise of the emerging tech-  
36 nologies, such as artificial intelligence, in the long-term development  
37 of public policies that affect the privacy, rights, and the use of arti-  
38 ficial intelligence online;

39 (i) Advise the chief artificial intelligence officer on strategies for  
40 the development of inter-governmental cooperation among agencies of the  
41 federal, state, and local governments and cooperation; and

42 (j) Make periodic recommendations to the legislature on legislative or  
43 regulatory changes.

44 § 4. Subdivisions 2 and 3 of section 102 of the state technology law,  
45 as added by chapter 430 of the laws of 1997 and such section as renum-  
46 bered by chapter 437 of the laws of 2004, are amended to read as  
47 follows:

48 2. The head of the office shall be the director of the office, who  
49 shall serve as the chief technology officer for the state of New York  
50 and shall be designated as management confidential in the noncompetitive  
51 class in accordance with the civil service law. The director shall be  
52 the chief executive officer of and in sole charge of the administration  
53 of the office, with exception to the office established pursuant to  
54 section one hundred two-a of this article and the committee established  
55 pursuant to section one hundred four-a of this article. The director  
56 shall be entitled to receive reimbursement for expenses actually and

1 necessarily incurred by [~~him or her~~] such director in the performance of  
 2 [~~his or her~~] such director's duties.  
 3 3. The director may, from time to time, create, abolish, transfer and  
 4 consolidate bureaus and other units within the office not expressly  
 5 established by law as [~~he or she~~] such director may determine necessary  
 6 for the efficient operation of the office, subject to the approval of  
 7 the director of the budget, with exception to the office established  
 8 pursuant to section one hundred two-a of this article and the committee  
 9 established pursuant to section one hundred four-a of this article.  
 10 § 5. This act shall take effect on the ninetieth day after it shall  
 11 have become a law.

PART ZZ

13 Section 1. Section 604-b of the retirement and social security law is  
 14 amended by adding a new subdivision f to read as follows:  
 15 f. Death benefits. Notwithstanding any provision of law to the contra-  
 16 ry, where a New York city transit authority member would have been enti-  
 17 tled to a service retirement benefit at the time of their death but had  
 18 not yet filed for such service retirement pursuant to subparagraph (iv)  
 19 of paragraph one of subdivision c of this section, and where such death  
 20 occurs on or after the effective date of this subdivision, the benefici-  
 21 ary or beneficiaries of such member may elect to receive, in a lump sum  
 22 or on an annuitized basis, an amount payable which shall be equal to the  
 23 pension reserve that would have been established had such member retired  
 24 on the date of their death.  
 25 § 2. Notwithstanding any other provision of law to the contrary, none  
 26 of the provisions of this act shall be subject to section 25 of the  
 27 retirement and social security law.  
 28 § 3. This act shall take effect immediately.  
 FISCAL NOTE.--Pursuant to Legislative Law, Section 50:  
 SUMMARY: This proposed legislation would provide an alternative death  
 benefit for Transit Tier 4 and Tier 6 Special Plan members of the New  
 York City Employees' Retirement System (NYCERS) who die on or after the  
 effective date.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS  
 by Fiscal Year for the first 25 years (\$ in Millions)

Year	NYCERS
2026	4.2
2027	4.2
2028	4.3
2029	4.3
2030	4.3
2031	4.3
2032	4.3
2033	4.3
2034	4.3
2035	4.3
2036	4.3
2037	4.3
2038	1.0
2039	1.0
2040	1.0
2041	1.0

2042	1.0
2043	1.1
2044	1.1
2045	1.1
2046	1.1
2047	1.1
2048	1.1
2049	1.1
2050	1.1

Projected contributions include future new hires that may be impacted. For Fiscal Year 2051 and beyond, the expected increase in normal cost as a level percent of pay for impacted new entrants is approximately 0.01%.

The increase in employer contributions will be allocated to the New York City Transit Authority.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES  
as of June 30, 2024 (\$ in Millions)

Present Value (PV)	NYCERS
(1) PV of Employer Contributions:	34.3
(2) PV of Employee Contributions:	<u>0.0</u>
Total PV of Benefits (1) + (2):	34.3

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL were amortized over the expected remaining working lifetime of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	NYCERS
Increase (Decrease) in UAL:	25.2 M
Number of Payments:	12
Amortization Payment:	3.3 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the impacted population is summarized below.

	NYCERS
Active Members	
- Number Count:	37,476
- Average Age:	48.2
- Average Service:	11.4
- Average Salary:	93,100

IMPACT ON MEMBER BENEFITS: Currently, NYCERS Transit members are generally entitled to a lump sum ordinary death benefit equal to a multiple of salary plus the return of member accumulated contributions, if any. These death benefits are generally calculated as three times the final year's salary and may be subject to salary caps and other reductions.

Under the proposed legislation, the ordinary death benefit for Transit Tier 4 and Tier 6 Special Plan members who are eligible to receive a service retirement benefit would be the greater of their current death benefit or the value of the pension reserve that would have been established had they retired on the date of their death.

The pension reserve is the actuarial present value of all pension payments expected to be made had the member retired for service. This type of lump sum pension reserve death benefit is sometimes referred to as a Death Gamble, and is afforded, in a similar form, to Tier 1 NYCERS members.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

- o New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2025-27 dated March 6, 2025 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2025 Legislative Session.

1 PART AAA

2 Section 1. Section 506 of the retirement and social security law is  
3 amended by adding a new subdivision c-2 to read as follows:

4 c-2. Notwithstanding any inconsistent provision of subdivision a, b or  
5 c-1 of this section, the ordinary disability benefit for a New York city  
6 enhanced plan member in the New York city fire department shall not be  
7 conditioned upon eligibility for, or upon receipt of, primary social  
8 security disability benefits.

9 § 2. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY: This proposed legislation modifies Ordinary Disability Retirement (ODR) eligibility for Tier 3 members of FIRE by removing the

requirement of being eligible for primary Social Security disability benefits (SSDI).

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS  
by Fiscal Year for the first 25 years (\$ in Millions)

Year	FIRE
2026	0.4
2027	0.4
2028	0.5
2029	0.5
2030	0.6
2031	0.6
2032	0.7
2033	0.7
2034	0.8
2035	0.9
2036	0.9
2037	1.0
2038	1.0
2039	1.1
2040	1.2
2041	1.3
2042	1.3
2043	1.4
2044	1.4
2045	1.5
2046	1.6
2047	1.7
2048	1.7
2049	1.8
2050	1.9

Projected contributions include future new hires that may be impacted. For Fiscal Year 2051 and beyond, the increase in normal cost for new entrants will remain level as a percent of pay for the impacted population (approximately 0.06%).

The entire increase in employer contributions will be allocated to New York City.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES  
as of June 30, 2024 (\$ in Millions)

Present Value (PV)	FIRE
(1) PV of Employer Contributions:	5.8
(2) PV of Employee Contributions:	<u>0.0</u>
Total PV of Benefits (1) + (2):	5.8

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service.

Changes in UAL were amortized over the expected remaining working lifetime of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	FIRE
Increase (Decrease) in UAL:	0.5 M
Number of Payments:	17
Amortization Payment:	0.1 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the impacted population is summarized below.

	FIRE
Active Members	
- Number Count:	5,571
- Average Age:	34.1
- Average Service:	6.2
- Average Salary:	118,600

IMPACT ON ELIGIBILITY: Currently, active Tier 3 FIRE enhanced plan members with at least five years of credited service are only eligible for an ODR benefit if they are approved for primary Social Security disability benefits (SSDI).

Under the proposed legislation, Tier 3 FIRE enhanced plan members with at least five years of credited service would be eligible for an ODR benefit, irrespective of SSDI eligibility.

The formula for calculating Enhanced Plan ODR benefits would remain unchanged

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

\* New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

\* For purposes of this Fiscal Note, it has been assumed that 100% of members exiting for ODR under current ODR rates would be ineligible for SSDI.

\* It is assumed that the Medical Board will be responsible for determining the eligibility for ODR benefits in place of the SSDI requirement.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2025-06 dated February 4, 2025 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2025 Legislative Session.

1

## PART BBB

2 Section 1. Subdivision 2 of section 13-252.1 of the administrative  
3 code of the city of New York, as amended by chapter 489 of the laws of  
4 2013, is amended to read as follows:

5 2. (a) Notwithstanding the provisions of this chapter or of any gener-  
6 al, special or local law, charter, administrative code or rule or regu-  
7 lation to the contrary, if a member who [~~participated~~] filed a timely  
8 notice of participation in World Trade Center rescue, recovery or clean-  
9 up operations as defined in section two of the retirement and social  
10 security law[, and] subsequently retired [~~on a service retirement, an~~  
11 ~~ordinary disability retirement, an accidental disability retirement, a~~  
12 ~~performance of duty disability retirement, or was separated from service~~  
13 ~~with a vested right to deferred payability of a retirement allowance]~~  
14 and subsequent to such retirement or separation is determined by the  
15 [~~NYCPPF~~] police pension fund board of trustees to have a qualifying  
16 World Trade Center condition, as defined in section two of the retire-  
17 ment and social security law, upon such determination by the [~~NYCPPF~~]  
18 police pension fund board of trustees, it shall be presumed that such  
19 disability was incurred in the performance and discharge of duty as the  
20 natural and proximate result of an accident not caused by such member's  
21 own willful negligence, and that the member would have been physically  
22 or mentally incapacitated for the performance and discharge of duty of  
23 the position from which he or she retired or vested had the condition  
24 been known and fully developed at the time of the member's retirement or  
25 separation from service with vested rights, unless the contrary is prov-  
26 en by competent evidence.

27 (b) The [~~NYCPPF~~] police pension fund board of trustees shall consider  
28 a reclassification of the member's retirement or vesting as an acci-  
29 dental disability retirement effective as of the date of such reclassi-  
30 fication.

31 (c) Such member's retirement option shall not be changed as a result  
32 of such reclassification.

33 (d) [~~The member's former employer at the time of the member's retire-~~  
34 ~~ment shall have an opportunity to be heard on the member's application~~  
35 ~~for reclassification by the NYCPPF board of trustees according to proce-~~  
36 ~~dures developed by the NYCPPF board of trustees]~~ Notwithstanding the  
37 provisions of any general, special or local law, or administrative code  
38 to the contrary, but except for the purposes of determining eligibility  
39 for World Trade Center benefits, it shall be considered presumptive  
40 evidence that upon the timely filing of a fully sworn notice of partic-  
41 ipation, such member shall have a qualifying World Trade Center condi-

1 tion, as defined by subdivision thirty-six of section two of the retire-  
2 ment and social security law, unless the contrary be proved by competent  
3 evidence and adopted by a quorum of the board of trustees.

4 (e) The [~~NYCPPF~~] police pension fund board of trustees is hereby  
5 authorized to promulgate rules and regulations to implement the  
6 provisions of this paragraph.

7 § 2. This act shall take effect immediately.

8 PART CCC

9 Section 1. Section 14-114 of the administrative code of the city of  
10 New York is amended by adding a new subdivision d to read as follows:

11 d. (1) Notwithstanding any provision of law to the contrary, when a  
12 detective, sergeant, or lieutenant shall have accrued twenty-five years  
13 of uniformed service with the New York city police department, and  
14 retires in any such rank, they shall have five per centum of the highest  
15 grade of pay under the applicable collective bargaining agreement of  
16 such rank in which they retire, added to the applicable salary, used for  
17 the purposes of computing pension benefits under the plan in which they  
18 are enrolled with the New York city police pension fund. A member who  
19 receives an increase to their pension benefit under this paragraph shall  
20 not receive an additional increase under section 14-111 of this chapter;  
21 or

22 (2) Notwithstanding any provision of law to the contrary, when a  
23 detective, sergeant, or lieutenant shall have accrued thirty years of  
24 uniformed service with the New York city police department, and retires  
25 in any such rank, they shall have ten per centum of the highest grade of  
26 pay under the applicable collective bargaining agreement of such rank in  
27 which they retire, added to the applicable salary, used for the purposes  
28 of computing pension benefits under the plan in which they are enrolled  
29 with the New York city police pension fund. A member who receives an  
30 increase to their pension benefit under this paragraph shall not receive  
31 an additional increase under section 14-111 of this chapter; or

32 (3) Notwithstanding any provision of law to the contrary, when a  
33 detective, sergeant, or lieutenant shall have accrued thirty-five years  
34 of uniformed service with the New York city police department, and  
35 retires in any such rank, they shall have fifteen per centum of the  
36 highest grade of pay under the applicable collective bargaining agree-  
37 ment of such rank in which they retire, added to the applicable salary,  
38 used for the purposes of computing pension benefits under the plan in  
39 which they are enrolled with the New York city police pension fund. A  
40 member who receives an increase to their pension benefit under this  
41 paragraph shall not receive an additional increase under section 14-111  
42 of this chapter.

43 § 2. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY: This proposed legislation, as it relates to the New York City Police Pension Fund (POLICE), would increase the salary used for determining pension benefits for Detectives, Sergeants, and Lieutenants who retire with at least 25 years of uniformed NYPD service.

EXPECTED INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS  
by Fiscal Year for the first 25 years (\$ in Millions)

Year	POLICE
2026	0.0
2027	2.8

2028	5.6
2029	8.5
2030	11.5
2031	14.6
2032	17.8
2033	21.2
2034	24.7
2035	28.4
2036	32.4
2037	36.5
2038	41.1
2039	45.9
2040	51.0
2041	53.6
2042	56.2
2043	59.0
2044	61.9
2045	64.9
2046	68.0
2047	71.1
2048	74.3
2049	77.5
2050	80.7

Projected contributions are based on historical experience for Tier 2 members. Future retirement patterns may differ due to a larger impacted Tier 3 population (e.g., Tier 2 is expected to retire at 20 years of service whereas Tier 3 is expected to retire at 25 years of service).

The entire increase in employer contributions will be allocated to New York City.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits (PVFB) is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases.

The enactment of this proposed legislation is expected to increase the PVFB by approximately \$23.3 million in the first year and every year thereafter. Each year's PVFB increase will depend on the actual experience of benefiting retirees and will be recognized in the year benefits are first payable.

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. For purposes of this Fiscal Note, changes in UAL were amortized as an ongoing gain/loss using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	POLICE
Increase (Decrease) in UAL:	23.3 M
Number of Payments:	14
First-year Amortization Payment:	2.8 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for POLICE active members is summarized below.

POLICE

Active Members	
- Number Count:	33,803
- Average Age:	37.5
- Average Service:	11.1
- Average Salary:	134,900

The salaries used in this analysis were provided by the Lieutenants Benevolent Association and are summarized below.

- o Detectives would use a highest grade of pay of \$149,518
- o Sergeants would use a highest grade of pay of \$149,519 based on the salary provided and adjusted to reflect outstanding wage contracts
- o Lieutenants would use a highest grade of pay of \$164,476

Data from the prior ten years of actuarial valuations was used to estimate the number of retirees who could potentially benefit from this proposed legislation each year and is summarized below.

Average Number Retired per Year	Detectives	Sergeants	Lieutenants
At least 25 but less than 30 years of service	129	73	51
At least 30 but less than 35 years of service	38	23	20
At least 35 years of service	12	7	7

**IMPACT ON MEMBER BENEFITS:** The proposed legislation would increase the applicable salary used for computing pension benefits (Final Salary for Tier 2 members or Final Average Salary for Tier 3 members) who retire as a detective, sergeant, or lieutenant with at least 25 years of uniformed NYPD service.

The increase in applicable salary would be equal to:

- o 5% for members with at least 25 years of service, 10% for members with at least 30 years of service, or 15% for members with at least 35 years of service, multiplied by

o The highest grade of pay under the applicable collective bargaining agreement of the rank in which the member retires.

For example, a Detective who retires with 32 years of uniformed NYPD service would receive an increase in their annual pension of approximately \$7,476 (a 50% annual benefit of 10% multiplied by the highest-grade detective pay of \$149,518). This additional benefit would then be subject to applicable Cost-of-Living or Escalation increases.

Based on an estimate of the number of POLICE members who are expected to be impacted by this proposed legislation, the annual increase in POLICE pension benefits paid will be approximately \$1.9 million in the first year and increase in every year thereafter.

With respect to an individual member, the impact on benefits due to this proposed legislation could vary greatly depending on the member's age, years of service, retirement cause, and Tier.

**ASSUMPTIONS AND METHODS:** The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

- o New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

o Future contribution impacts have been developed assuming a homogeneous population and consistent retirement pattern.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2025-04 dated January 31, 2025 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2025 Legislative Session.

1

## PART DDD

2 Section 1. Subdivision 17 of section 501 of the retirement and social  
3 security law, as amended by chapter 18 of the laws of 2012, is amended  
4 to read as follows:

5 17. "Normal retirement age" shall be age sixty-two, for general  
6 members, and the age at which a member completes or would have completed  
7 twenty-two years of service, for police/fire members, New York city  
8 uniformed correction/sanitation revised plan members and investigator  
9 revised plan members, except that for police/fire members of the New  
10 York city police pension fund, normal retirement age shall be the age at  
11 which a member completes or would have completed twenty years of  
12 service.

13 § 2. Subdivision d of section 503 of the retirement and social securi-  
14 ty law, as amended by chapter 18 of the laws of 2012, is amended to read  
15 as follows:

16 d. The normal service retirement benefit specified in section five  
17 hundred five of this article shall be paid to police/fire members, New  
18 York city uniformed correction/sanitation revised plan members and  
19 investigator revised plan members without regard to age upon retirement  
20 after twenty-two years of service, except that the normal service  
21 retirement benefit specified in section five hundred five of this arti-  
22 cle shall be paid to police/fire members of the New York city police  
23 pension fund, after twenty years of service. Early service retirement  
24 shall be permitted upon retirement after twenty years of credited  
25 service or attainment of age sixty-two, provided, however, that New York  
26 city police/fire revised plan members, New York city uniformed  
27 correction/sanitation revised plan members and investigator revised plan

1 members shall not be eligible to retire for service prior to the attain-  
2 ment of twenty years of credited service.

3 § 3. Section 505 of the retirement and social security law is amended  
4 by adding a new subdivision d to read as follows:

5 d. Notwithstanding anything to the contrary in any other law,  
6 police/fire members of the New York city police pension fund shall be  
7 eligible for a normal service retirement benefit in lieu of an early  
8 service retirement benefit upon completing twenty years of service  
9 pursuant to subdivision d of section five hundred three of this article.

10 § 4. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

SUMMARY: This proposed legislation would reduce the Normal Retirement Age for Tier 3 members of the New York City Police Pension Fund (POLICE) to be the age at which a member completes or would have completed twenty years of service.

EXPECTED IMPACT ON EMPLOYER CONTRIBUTIONS  
(\$ in Millions)

Year	POLICE
2026	16.3
2027	17.4
2028	18.7
2029	20.0
2030	21.3
2031	22.5
2032	23.5
2033	24.5
2034	25.5
2035	26.4
2036	27.3
2037	28.2
2038	29.1
2039	29.9
2040	30.8
2041	31.7
2042	25.8
2043	26.7
2044	27.6
2045	28.5
2046	29.4
2047	30.3
2048	31.2
2049	32.1
2050	33.1

Projected contributions include future new hires that may be impacted. For Fiscal Year 2051 and beyond, the increase in normal cost for new entrants will remain level as a percent of pay for the impacted population (approximately 0.33%).

The entire increase in employer contributions will be allocated to New York City.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES  
as of June 30, 2024 (\$ in Millions)

Present Value (PV)	POLICE
(1) PV of Employer Contributions:	122.9
(2) PV of Employee Contributions:	<u>(10.6)</u>
Total PV of Benefits (1) + (2):	112.3

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL were amortized over the expected remaining working lifetime of those impacted using level dollar payments.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

	POLICE
Increase (Decrease) in UAL:	61.6 M
Number of Payments:	16
Amortization Payment:	6.8 M

CENSUS DATA: The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the impacted population is summarized below.

	POLICE
Active Members	
- Number Count:	21,782
- Average Age:	33.2
- Average Service:	6.5
- Average Salary:	116,200

IMPACT ON MEMBER BENEFITS: Currently, Tier 3 POLICE members who retire with at least 20 years of service are eligible to receive an annual benefit that is equal to 42% of Final Average Salary (FAS), increasing to a maximum benefit of 50% of FAS after 22 years of service.

Under the proposed legislation, Tier 3 POLICE members who retire with at least 20 years of service would be eligible to receive an annual benefit that is equal to 50% of FAS.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems. In addition:

- o Retirement rates were adjusted to reflect the earlier payability of the service retirement benefit associated with the proposed legislation.
- o New entrants were assumed to replace exiting members so that total payroll increases by 3% each year for impacted groups. New entrant demographics were developed based on data for recent new hires and actuarial judgement.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other

Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2025-02 dated January 17, 2025 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2025 Legislative Session.

1

## PART EEE

2 Section 1. The criminal procedure law is amended by adding two new  
3 sections 440.00 and 440.11 to read as follows:

4 § 440.00 Definition.

5 As used in this article, the term "applicant" means a person previous-  
6 ly convicted of a crime who is applying for relief under this article.

7 § 440.11 Motion to vacate judgment; change in the law.

8 1. At any time after the entry of a judgment obtained at trial or by  
9 plea, the court in which it was entered may, upon motion of the appli-  
10 cant, vacate such conviction upon the ground that the applicant was  
11 convicted of any offense in the state of New York which has been subse-  
12 quently decriminalized and is thus a legal nullity.

13 2. If the court grants a motion under this section, it shall vacate  
14 the conviction on the merits, dismiss the accusatory instrument, seal  
15 the conviction, and may take such additional action as is appropriate in  
16 the circumstances.

17 § 2. Section 440.10 of the criminal procedure law, paragraph (g-1) of  
18 subdivision 1 as added by chapter 19 of the laws of 2012, paragraph (h)  
19 of subdivision 1, paragraph (a) of subdivision 3 and subdivision 4 as  
20 amended and subdivisions 7 and 8 as renumbered by chapter 332 of the  
21 laws of 2010, paragraph (i) of subdivision 1 and subdivision 6 as  
22 amended by chapter 629 of the laws of 2021, paragraph (j) of subdivision  
23 1 as amended by chapter 131 of the laws of 2019, paragraph (k) of subdi-  
24 vision 1 as amended by chapter 92 of the laws of 2021, paragraphs (b)  
25 and (c) of subdivision 2 as amended by chapter 501 of the laws of 2021,  
26 and subdivision 9 as added by section 4 of part 00 of chapter 55 of the  
27 laws of 2019, is amended to read as follows:

28 § 440.10 Motion to vacate judgment.

29 1. At any time after the entry of a judgment obtained at trial or by  
30 plea, the court in which it was entered may, upon motion of the [~~defend-~~  
31 ~~ant~~] applicant, vacate such judgment upon the ground that:

32 (a) The court did not have jurisdiction of the action or of the person  
33 of the [~~defendant~~] applicant; or

34 (b) The judgment was procured by duress, misrepresentation or fraud on  
35 the part of the court or a prosecutor or a person acting for or in  
36 behalf of a court or a prosecutor; or

37 (c) [~~Material evidence adduced at a trial~~] Evidence that was likely  
38 relied upon by a fact finder resulting in the judgment at trial or that  
39 was likely relied upon by any party as a basis for a plea agreement was

1 false [~~and was, prior to the entry of the judgment, known by the prose-~~  
2 ~~cuter or by the court to be false~~]; or

3 (d) [~~Material evidence adduced by the people at a trial~~] Evidence that  
4 was likely relied upon by a fact finder resulting in the judgment at  
5 trial or that was likely relied upon by any party as a basis for a plea  
6 agreement was procured in violation of the [~~defendant's~~] applicant's  
7 rights under the constitution of this state or of the United States; or

8 (e) During the proceedings resulting in the judgment, the [~~defendant~~]  
9 applicant, by reason of mental disease or defect, was incapable of  
10 understanding or participating in such proceedings; or

11 (f) Improper [~~and prejudicial~~] conduct not appearing in the record  
12 occurred during a trial resulting in the judgment which conduct, if it  
13 had appeared in the record, would have [~~required~~] made possible a  
14 reversal of the judgment upon an appeal therefrom; or

15 (g) New evidence has been discovered [~~since the entry of a judgment~~  
16 ~~based upon a verdict of guilty after trial, which could not have been~~  
17 ~~produced by the defendant at the trial even with due diligence on his~~  
18 ~~part and which~~] or become available that, when viewed alone or with  
19 other evidence, is of such character as to create a reasonable probabil-  
20 ity that had such evidence been received at the trial or discovered  
21 prior to trial or plea agreement that the verdict or plea would have  
22 been more favorable to the [~~defendant; provided that a motion based upon~~  
23 ~~such ground must be made with due diligence after the discovery of such~~  
24 ~~alleged new evidence~~] applicant. Types of new evidence shall include,  
25 but not be limited to newly available forensic evidence or evidence that  
26 has either been repudiated by the expert who originally provided the  
27 opinion at a hearing or trial or that has been undermined by later  
28 scientific research or technological advances; or

29 (g-1) [~~Forensic DNA~~] In cases involving the forensic testing of  
30 evidence performed since the entry of a judgment, [~~(1) in the case of a~~  
31 ~~defendant convicted after a guilty plea, the court has determined that~~  
32 ~~the defendant has demonstrated a substantial probability that the~~  
33 ~~defendant was actually innocent of the offense of which he or she was~~  
34 ~~convicted, or (2) in the case of a defendant convicted after a trial,~~]  
35 the court has determined that there exists a reasonable probability that  
36 the verdict or plea offer would have been more favorable to the [~~defend-~~  
37 ~~ant~~] applicant, or the applicant would have rejected the plea offer.

38 (h) The judgment was obtained in violation of a right of the [~~defend-~~  
39 ~~ant~~] applicant under the constitution of this state or of the United  
40 States, including, but not limited to, a judgment entered, whether upon  
41 trial or guilty plea, against an applicant who is actually innocent. An  
42 applicant is actually innocent where the applicant proves by a prepon-  
43 derance of the evidence that no reasonable jury of the applicant's peers  
44 would have found the applicant guilty beyond a reasonable doubt; or

45 (i) The judgment is a conviction where the [~~defendant's~~] applicant's  
46 participation in the offense was a result of having been a victim of sex  
47 trafficking under section 230.34 of the penal law, sex trafficking of a  
48 child under section 230.34-a of the penal law, labor trafficking under  
49 section 135.35 of the penal law, aggravated labor trafficking under  
50 section 135.37 of the penal law, compelling prostitution under section  
51 230.33 of the penal law, or trafficking in persons under the Trafficking  
52 Victims Protection Act (United States Code, title 22, chapter 78);  
53 provided that

54 (i) official documentation of the [~~defendant's~~] applicant's status as  
55 a victim of sex trafficking, labor trafficking, aggravated labor traf-  
56 ficking, compelling prostitution, or trafficking in persons at the time

1 of the offense from a federal, state or local government agency shall  
2 create a presumption that the [~~defendant's~~] applicant's participation in  
3 the offense was a result of having been a victim of sex trafficking,  
4 labor trafficking, aggravated labor trafficking, compelling prostitution  
5 or trafficking in persons, but shall not be required for granting a  
6 motion under this paragraph;

7 (ii) a motion under this paragraph, and all pertinent papers and docu-  
8 ments, shall be confidential and may not be made available to any person  
9 or public or private [~~entity~~] agency except [~~where~~] when specifically  
10 authorized by the court; and

11 (iii) when a motion is filed under this paragraph, the court may, upon  
12 the consent of the petitioner and all of the involved state [~~and~~] or  
13 local prosecutorial agencies [~~that prosecuted each matter~~], consolidate  
14 into one proceeding a motion to vacate judgments imposed by distinct or  
15 multiple criminal courts; or

16 (j) The judgment is a conviction for [~~a class A or unclassified~~] any  
17 misdemeanor entered prior to the effective date of this paragraph and  
18 satisfies the ground prescribed in paragraph (h) of this subdivision.  
19 There shall be a rebuttable presumption that a conviction by plea to  
20 such an offense was not knowing, voluntary and intelligent, based on  
21 ongoing collateral consequences, including potential or actual immi-  
22 gration consequences, and there shall be a rebuttable presumption that a  
23 conviction by verdict constitutes cruel and unusual punishment under  
24 section five of article one of the state constitution based on such  
25 consequences; or

26 (k) The judgment occurred prior to the effective date of the laws of  
27 two thousand [~~twenty-one~~] twenty-three that amended this paragraph and  
28 is a conviction for an offense as defined in [~~subparagraphs~~] subpara-  
29 graph (i), (ii), (iii) or (iv) of paragraph (k) of subdivision three of  
30 section 160.50 of this part, or a misdemeanor under the former article  
31 two hundred twenty-one of the penal law, in which case the court shall  
32 presume that a conviction by plea for the aforementioned offenses was  
33 not knowing, voluntary and intelligent if it has severe or ongoing  
34 consequences, including but not limited to potential or actual immi-  
35 gration consequences, and shall presume that a conviction by verdict for  
36 the aforementioned offenses constitutes cruel and unusual punishment  
37 under section five of article one of the state constitution, based on  
38 those consequences. The people may rebut these presumptions[~~+~~]; or

39 (l) Any offense in the state of New York that an intermediate appel-  
40 late court, court of appeals, or United States federal court with juris-  
41 isdiction over New York state law issues has deemed in violation of the  
42 constitution of this state or of the United States, or any other right  
43 under state or federal law.

44 2. Notwithstanding the provisions of subdivision one, the court [~~must~~]  
45 may deny a motion to vacate a judgment when:

46 (a) The ground or issue raised upon the motion was previously deter-  
47 mined on the merits upon an appeal from the judgment, unless since the  
48 time of such appellate determination there has been a retroactively  
49 effective change in the law controlling such issue. However, if all of  
50 the evidence currently before the court was not duly considered previ-  
51 ously by the court, the court shall grant the motion or order the hear-  
52 ing; or

53 (b) The judgment is, at the time of the motion, appealable or pending  
54 on appeal, and sufficient facts appear on the record with respect to the  
55 ground or issue raised upon the motion to permit adequate review thereof  
56 upon such an appeal unless the issue raised upon such motion is ineffec-

1 tive assistance of counsel. This paragraph shall not apply to a motion  
2 under paragraph (i), (j), (k) or (l) of subdivision one of this section;  
3 or

4 (c) [~~Although sufficient facts appear on the record of the proceedings~~  
5 ~~underlying the judgment to have permitted, upon appeal from such judg-~~  
6 ~~ment, adequate review of the ground or issue raised upon the motion, no~~  
7 ~~such appellate review or determination occurred owing to the defendant's~~  
8 ~~unjustifiable failure to take or perfect an appeal during the prescribed~~  
9 ~~period or to his or her unjustifiable failure to raise such ground or~~  
10 ~~issue upon an appeal actually perfected by him or her unless the issue~~  
11 ~~raised upon such motion is ineffective assistance of counsel; or~~

12 (d)] The ground or issue raised relates solely to the validity of the  
13 sentence and not to the validity of the conviction. In such case, the  
14 court shall deem the motion to have been made pursuant to section 440.20  
15 of this article.

16 [~~3. Notwithstanding the provisions of subdivision one, the court may~~  
17 ~~deny a motion to vacate a judgment when:~~

18 ~~(a) Although facts in support of the ground or issue raised upon the~~  
19 ~~motion could with due diligence by the defendant have readily been made~~  
20 ~~to appear on the record in a manner providing adequate basis for review~~  
21 ~~of such ground or issue upon an appeal from the judgment, the defendant~~  
22 ~~unjustifiably failed to adduce such matter prior to sentence and the~~  
23 ~~ground or issue in question was not subsequently determined upon appeal.~~  
24 ~~This paragraph does not apply to a motion based upon deprivation of the~~  
25 ~~right to counsel at the trial or upon failure of the trial court to~~  
26 ~~advise the defendant of such right, or to a motion under paragraph (i)~~  
27 ~~of subdivision one of this section; or~~

28 ~~(b) The ground or issue raised upon the motion was previously deter-~~  
29 ~~mined on the merits upon a prior motion or proceeding in a court of this~~  
30 ~~state, other than an appeal from the judgment, or upon a motion or~~  
31 ~~proceeding in a federal court, unless since the time of such determi-~~  
32 ~~nation there has been a retroactively effective change in the law~~  
33 ~~controlling such issue; or~~

34 ~~(c) Upon a previous motion made pursuant to this section, the defend-~~  
35 ~~ant was in a position adequately to raise the ground or issue underlying~~  
36 ~~the present motion but did not do so.]~~

37 (d) Although the court may deny the motion under any of the circum-  
38 stances specified in this subdivision, in the interest of justice and  
39 for good cause shown it may in its discretion grant the motion if it is  
40 otherwise meritorious and vacate the judgment.

41 [~~4.~~] 3. If the court grants the motion, it must, except as provided in  
42 subdivision [~~five~~] four or [~~six~~] five of this section, vacate the judg-  
43 ment, and must either:

44 (a) dismiss and seal the accusatory instrument, or

45 (b) order a new trial, or

46 (c) take such other action as is appropriate in the circumstances.

47 [~~5.~~] 4. Upon granting the motion upon the ground, as prescribed in  
48 paragraph (g) of subdivision one, that newly discovered evidence creates  
49 a probability that had such evidence been received at the trial the  
50 verdict would have been more favorable to the [~~defendant~~] applicant in  
51 that the conviction would have been for a lesser offense than the one  
52 contained in the verdict, the court may either:

53 (a) Vacate the judgment and order a new trial; or

54 (b) With the consent of the people, modify the judgment by reducing it  
55 to one of conviction for such lesser offense. In such case, the court  
56 must re-sentence the [~~defendant~~] applicant accordingly.

1 ~~[6.]~~ 5. If the court grants a motion under [~~paragraph (i) or~~] para-  
 2 graph [~~(k)~~] (h), (i), (j), (k) or (l) of subdivision one of this  
 3 section, it must vacate the judgment [~~and~~] on the merits, dismiss the  
 4 accusatory instrument, seal the judgment, and may take such additional  
 5 action as is appropriate in the circumstances. [~~In the case of a motion~~  
 6 ~~granted under paragraph (i) of subdivision one of this section, the~~  
 7 ~~court must vacate the judgment on the merits because the defendant's~~  
 8 ~~participation in the offense was a result of having been a victim of~~  
 9 ~~trafficking.~~

10 ~~7.]~~ 6. Upon a new trial resulting from an order vacating a judgment  
 11 pursuant to this section, the indictment is deemed to contain all the  
 12 counts and to charge all the offenses which it contained and charged at  
 13 the time the previous trial was commenced, regardless of whether any  
 14 count was dismissed by the court in the course of such trial, except (a)  
 15 those upon or of which the [~~defendant~~] applicant was acquitted or deemed  
 16 to have been acquitted, and (b) those dismissed by the order vacating  
 17 the judgment, and (c) those previously dismissed by an appellate court  
 18 upon an appeal from the judgment, or by any court upon a previous post-  
 19 judgment motion.

20 ~~[8.]~~ 7. Upon an order which vacates a judgment based upon a plea of  
 21 guilty to an accusatory instrument or a part thereof, but which does not  
 22 dismiss the entire accusatory instrument, the criminal action is, in the  
 23 absence of an express direction to the contrary, restored to its  
 24 [~~prepleading~~] pre-pleading status and the accusatory instrument is  
 25 deemed to contain all the counts and to charge all the offenses which it  
 26 contained and charged at the time of the entry of the plea, except those  
 27 subsequently dismissed under circumstances specified in paragraphs (b)  
 28 and (c) of subdivision six. Where the plea of guilty was entered and  
 29 accepted, pursuant to subdivision three of section 220.30, upon the  
 30 condition that it constituted a complete disposition not only of the  
 31 accusatory instrument underlying the judgment vacated but also of one or  
 32 more other accusatory instruments against the [~~defendant~~] applicant then  
 33 pending in the same court, the order of vacation completely restores  
 34 such other accusatory instruments; and such is the case even though such  
 35 order dismisses the main accusatory instrument underlying the judgment.

36 ~~[9.]~~ 8. Upon granting of a motion pursuant to paragraph (j) of subdivi-  
 37 sion one of this section, the court may either:

38 (a) With the consent of the people, vacate the judgment or modify the  
 39 judgment by reducing it to one of conviction for a lesser offense; or

40 (b) Vacate the judgment and order a new trial wherein the [~~defendant~~]  
 41 applicant enters a plea to the same offense in order to permit the court  
 42 to resentence the [~~defendant~~] applicant in accordance with the amendato-  
 43 ry provisions of subdivision one-a of section 70.15 of the penal law.

44 § 3. Section 440.20 of the criminal procedure law, subdivision 1 as  
 45 amended by chapter 1 of the laws of 1995, is amended to read as follows:  
 46 § 440.20 Motion to set aside sentence; by [~~defendant~~] applicant.

47 1. At any time after the entry of a judgment, the court in which the  
 48 judgment was entered may, upon motion of the [~~defendant~~] applicant, set  
 49 aside the sentence upon the ground that it was unauthorized, illegally  
 50 imposed, exceeded the maximum allowed by law, obtained or imposed in  
 51 violation of the defendant's constitutional rights, or was otherwise  
 52 invalid as a matter of law. Where the judgment includes a sentence of  
 53 death, the court may also set aside the sentence upon any of the grounds  
 54 set forth in paragraph (b), (c), (f), (g) or (h) of subdivision one of  
 55 section 440.10 as applied to a separate sentencing proceeding under  
 56 section 400.27, provided, however, that to the extent the ground or

1 grounds asserted include one or more of the aforesaid paragraphs of  
 2 subdivision one of section 440.10, the court must also apply [~~subdivi-~~  
 3 ~~sions~~] subdivision two [~~and three~~] of section 440.10, other than para-  
 4 graph [~~(d)~~] (c) of [~~subdivision two of~~] such [~~section~~] subdivision, in  
 5 determining the motion. In the event the court enters an order granting  
 6 a motion to set aside a sentence of death under this section, the court  
 7 must either direct a new sentencing proceeding in accordance with  
 8 section 400.27 or, to the extent that the defendant cannot be resen-  
 9 tenced to death consistent with the laws of this state or the constitu-  
 10 tion of this state or of the United States, resentence the defendant to  
 11 life imprisonment without parole or to a sentence of imprisonment for  
 12 the class A-I felony of murder in the first degree other than a sentence  
 13 of life imprisonment without parole. Upon granting the motion upon any  
 14 of the grounds set forth in the aforesaid paragraphs of subdivision one  
 15 of section 440.10 and setting aside the sentence, the court must afford  
 16 the people a reasonable period of time, which shall not be less than ten  
 17 days, to determine whether to take an appeal from the order setting  
 18 aside the sentence of death. The taking of an appeal by the people stays  
 19 the effectiveness of that portion of the court's order that directs a  
 20 new sentencing proceeding.

21 2. Notwithstanding the provisions of subdivision one, the court  
 22 [~~must~~] may deny such a motion when the ground or issue raised thereupon  
 23 was previously determined on the merits upon an appeal from the judgment  
 24 or sentence, unless since the time of such appellate determination there  
 25 has been a retroactively effective change in the law controlling such  
 26 issue. However, if all of the evidence currently before the court was  
 27 not duly considered previously by the court, the court shall not deny  
 28 the motion to vacate and instead shall order a hearing or grant the  
 29 motion. Even if the court has already considered all of the evidence  
 30 currently before the court, the court in the interest of justice and for  
 31 good cause shown may grant the motion if it is otherwise meritorious.

32 3. [~~Notwithstanding the provisions of subdivision one, the court may~~  
 33 ~~deny such a motion when the ground or issue raised thereupon was previ-~~  
 34 ~~ously determined on the merits upon a prior motion or proceeding in a~~  
 35 ~~court of this state, other than an appeal from the judgment, or upon a~~  
 36 ~~prior motion or proceeding in a federal court, unless since the time of~~  
 37 ~~such determination there has been a retroactively effective change in~~  
 38 ~~the law controlling such issue. Despite such determination, however,~~  
 39 ~~the court in the interest of justice and for good cause shown, may in~~  
 40 ~~its discretion grant the motion if it is otherwise meritorious.~~

41 4.] An order setting aside a sentence pursuant to this section does  
 42 not affect the validity or status of the underlying conviction, and  
 43 after entering such an order the court must resentence the [~~defendant~~]  
 44 applicant in accordance with the law.

45 § 4. Section 440.30 of the criminal procedure law, subdivisions 1 and  
 46 1-a as amended by chapter 19 of the laws of 2012 and the opening para-  
 47 graph of paragraph (b) of subdivision 1 as amended by section 10 of part  
 48 LLL of chapter 59 of the laws of 2019, is amended to read as follows:

49 § 440.30 Motion to vacate judgment and to set aside sentence; procedure.

50 1. [~~(a)~~] A An application for assignment of counsel for a motion to  
 51 vacate a judgment pursuant to section 440.10 or 440.11 of this article  
 52 and a motion to set aside a sentence pursuant to section 440.20 of this  
 53 article must be made in writing by a pro se applicant to the judge or  
 54 justice who imposed the original sentence and upon reasonable notice to  
 55 the people. [~~Upon the motion, a defendant~~]

1 (a) The court shall assign defense counsel in cases where there is a  
2 colorable claim of relief according to this article, in accordance with  
3 section seven hundred twenty-two of the county law. For the purpose of  
4 this section, a colorable claim is a claim that, taking the facts  
5 alleged in the application as true and viewed in a light most favorable  
6 to the applicant, would entitle the applicant to relief.

7 (b) If the judge decides not to assign counsel, they shall state the  
8 reasons for denying the request for assignment of counsel in writing.

9 (c) If, at the time of such applicant's request for assignment of  
10 counsel, the original sentencing judge or justice no longer works in the  
11 court in which the original sentence was imposed, then the request shall  
12 be randomly assigned to another judge or justice of the court in which  
13 the original sentence was imposed.

14 (d) Applicants already represented by counsel, either appointed pursu-  
15 ant to section seven hundred twenty-two of the county law or otherwise  
16 retained, are not required to file an application for assignment of  
17 counsel.

18 2. Upon the request of the applicant or their defense counsel, the  
19 court shall order:

20 (a) the people to make available a copy of its file of the case,  
21 including any physical evidence in the people's possession and grand  
22 jury minutes;

23 (b) the applicant's prior trial and appellate defense counsel to make  
24 available their complete files relating to the case;

25 (c) court clerks and probation departments to make available the court  
26 files or probation records relating to the case; and

27 (d) any law enforcement agency involved with the case to turn over its  
28 files of the case, including police reports, witness statements,  
29 evidence vouchers, or any other relevant records or evidence at its  
30 disposal.

31 The court shall further ensure that any disclosure of evidence or  
32 property ordered pursuant to this subdivision may be subject to a  
33 protective order as defined in section 245.70 of this part, where appro-  
34 priate.

35 Nothing in this section shall preclude the court from conducting an in  
36 camera inspection of evidence and issuing a protective order pursuant to  
37 section 245.70 of this part at the request of the prosecution or  
38 defense.

39 3. (a) An applicant who is in a position adequately to raise more than  
40 one ground should raise every such ground upon which [~~he or she intends~~  
41 they intend to challenge the judgment or sentence. If the motion is  
42 based upon the existence or occurrence of facts, the motion papers  
43 [~~must~~ may contain sworn allegations thereof, whether by the [~~defendant~~  
44 applicant or by another person or persons. Such sworn allegations may be  
45 based upon personal knowledge of the affiant or upon information and  
46 belief, provided that in the latter event the affiant must state the  
47 sources of such information and the grounds of such belief. The [~~defend-~~  
48 ant] applicant may further submit documentary evidence or information  
49 supporting or tending to support the allegations of the moving papers.

50 (b) The people may file with the court, and in such case must serve a  
51 copy thereof upon the [~~defendant~~] applicant or [~~his or her~~] their coun-  
52 sel, if any, an answer denying or admitting any or all of the allega-  
53 tions of the motion papers, and may further submit documentary evidence  
54 or information refuting or tending to refute such allegations.

55 (c) After all papers of both parties have been filed, and after all  
56 documentary evidence or information, if any, has been submitted, the

1 court must consider the same for the purpose of ascertaining whether the  
2 motion is determinable without a hearing to resolve questions of fact.

3 ~~[(b) In conjunction with the filing or consideration of a motion to  
4 vacate a judgment pursuant to section 440.10 of this article by a  
5 defendant convicted after a trial, in cases where the court has ordered  
6 an evidentiary hearing upon such motion, the court may order that the  
7 people produce or make available for inspection property in its  
8 possession, custody, or control that was secured in connection with the  
9 investigation or prosecution of the defendant upon credible allegations  
10 by the defendant and a finding by the court that such property, if  
11 obtained, would be probative to the determination of defendant's actual  
12 innocence, and that the request is reasonable. The court shall deny or  
13 limit such a request upon a finding that such a request, if granted,  
14 would threaten the integrity or chain of custody of property or the  
15 integrity of the processes or functions of a laboratory conducting DNA  
16 testing, pose a risk of harm, intimidation, embarrassment, reprisal, or  
17 other substantially negative consequences to any person, undermine the  
18 proper functions of law enforcement including the confidentiality of  
19 informants, or on the basis of any other factor identified by the court  
20 in the interests of justice or public safety. The court shall further  
21 ensure that any property produced pursuant to this paragraph is subject  
22 to a protective order, where appropriate. The court shall deny any  
23 request made pursuant to this paragraph where:~~

24 ~~(i) (1) the defendant's motion pursuant to section 440.10 of this  
25 article does not seek to demonstrate his or her actual innocence of the  
26 offense or offenses of which he or she was convicted that are the  
27 subject of the motion, or (2) the defendant has not presented credible  
28 allegations and the court has not found that such property, if obtained,  
29 would be probative to the determination of the defendant's actual inno-  
30 cence and that the request is reasonable;~~

31 ~~(ii) the defendant has made his or her motion after five years from  
32 the date of the judgment of conviction, provided, however, that this  
33 limitation period shall be tolled for five years if the defendant is in  
34 custody in connection with the conviction that is the subject of his or  
35 her motion, and provided further that, notwithstanding such limitation  
36 periods, the court may consider the motion if the defendant has shown:  
37 (A) that he or she has been pursuing his or her rights diligently and  
38 that some extraordinary circumstance prevented the timely filing of the  
39 motion; (B) that the facts upon which the motion is predicated were  
40 unknown to the defendant or his or her attorney and could not have been  
41 ascertained by the exercise of due diligence prior to the expiration of  
42 the statute of limitations; or (C) considering all circumstances of the  
43 case including but not limited to evidence of the defendant's guilt, the  
44 impact of granting or denying such motion upon public confidence in the  
45 criminal justice system, or upon the safety or welfare of the community,  
46 and the defendant's diligence in seeking to obtain the requested proper-  
47 ty or related relief, the interests of justice would be served by  
48 considering the motion;~~

49 ~~(iii) the defendant is challenging a judgment convicting him or her of  
50 an offense that is not a felony defined in section 10.00 of the penal  
51 law; or~~

52 ~~(iv) upon a finding by the court that the property requested in this  
53 motion would be available through other means through reasonable efforts  
54 by the defendant to obtain such property.~~

55 ~~1-a.] 4. (a) [(1)] Where the [defendant's] applicant's motion requests  
56 the performance of a forensic DNA test on specified evidence, and upon~~

1 the court's determination that any evidence containing deoxyribonucleic  
2 acid ("DNA") was secured in connection with the trial or the plea  
3 resulting in the judgment, the court shall grant the application for  
4 forensic DNA testing of such evidence upon its determination that [~~if a~~]  
5 had the DNA test [~~had~~] results been [~~conducted on such evidence, and if~~]  
6 the results had been admitted in the trial resulting in the judgment,  
7 available at the time of trial or plea, there [~~exists~~] is a reasonable  
8 probability that the verdict would have been more favorable to the  
9 [~~defendant~~] applicant.

10 [~~(2) Where the defendant's motion for forensic DNA testing of speci-~~  
11 ~~fied evidence is made following a plea of guilty and entry of judgment~~  
12 ~~thereon convicting him or her of: (A) a homicide offense defined in~~  
13 ~~article one hundred twenty five of the penal law, any felony sex offense~~  
14 ~~defined in article one hundred thirty of the penal law, a violent felony~~  
15 ~~offense as defined in paragraph (a) of subdivision one of section 70.02~~  
16 ~~of the penal law, or (B) any other felony offense to which he or she~~  
17 ~~pled guilty after being charged in an indictment or information in supe-~~  
18 ~~rior court with one or more of the offenses listed in clause (A) of this~~  
19 ~~subparagraph, then the court shall grant such a motion upon its determi-~~  
20 ~~nation that evidence containing DNA was secured in connection with the~~  
21 ~~investigation or prosecution of the defendant, and if a DNA test had~~  
22 ~~been conducted on such evidence and the results had been known to the~~  
23 ~~parties prior to the entry of the defendant's plea and judgment thereon,~~  
24 ~~there exists a substantial probability that the evidence would have~~  
25 ~~established the defendant's actual innocence of the offense or offenses~~  
26 ~~that are the subject of the defendant's motion; provided, however, that:~~

27 (i) ~~the court shall consider whether the defendant had the opportunity~~  
28 ~~to request such testing prior to entering a guilty plea, and, where it~~  
29 ~~finds that the defendant had such opportunity and unjustifiably failed~~  
30 ~~to do so, the court may deny such motion; and~~

31 (ii) ~~a court shall deny the defendant's motion for forensic DNA test-~~  
32 ~~ing where the defendant has made his or her motion more than five years~~  
33 ~~after entry of the judgment of conviction, except that the limitation~~  
34 ~~period may be tolled if the defendant has shown: (A) that he or she has~~  
35 ~~been pursuing his or her rights diligently and that some extraordinary~~  
36 ~~circumstance prevented the timely filing of the motion for forensic DNA~~  
37 ~~testing; (B) that the facts upon which the motion is predicated were~~  
38 ~~unknown to the defendant or his or her attorney and could not have been~~  
39 ~~ascertained by the exercise of due diligence prior to the expiration of~~  
40 ~~this statute of limitations; or (C) considering all circumstances of the~~  
41 ~~case including but not limited to evidence of the defendant's guilt, the~~  
42 ~~impact of granting or denying such motion upon public confidence in the~~  
43 ~~criminal justice system, or upon the safety or welfare of the community,~~  
44 ~~and the defendant's diligence in seeking to obtain the requested proper-~~  
45 ~~ty or related relief, the interests of justice would be served by toll-~~  
46 ~~ing such limitation period.]~~

47 (b) Where the applicant's motion for relief requests the performance  
48 of any other testing of forensic evidence or any physical evidence  
49 secured in the case, the court shall grant the application for testing  
50 of such evidence, upon its determination that had the results of testing  
51 of forensic or other physical evidence been available at the time of  
52 trial or plea, there is a reasonable probability that the verdict would  
53 have been more favorable to the applicant.

54 (c) (i) In conjunction with the filing of a motion under this subdivi-  
55 sion, the court may direct the people to provide the [~~defendant~~] appli-  
56 cant and their counsel with information in the possession of the people

1 concerning the current physical location of the specified evidence and  
2 if the specified evidence no longer exists or the physical location of  
3 the specified evidence is unknown, a representation to that effect and  
4 information and documentary evidence in the possession of the people  
5 concerning the last known physical location of such specified evidence.

6 (ii) If there is a finding by the court that the specified evidence no  
7 longer exists or the physical location of such specified evidence is  
8 unknown, [~~such information in and of itself shall not be a factor from  
9 which any inference unfavorable to the people may be drawn by the court  
10 in deciding a motion under this section~~] the court may grant the appli-  
11 cant's motion and vacate the judgment upon a finding by the court that  
12 such evidence is unavailable due to malfeasance or neglect.

13 (iii) The court, on motion of the [~~defendant~~] applicant, may also  
14 issue a subpoena duces tecum directing a public or private hospital,  
15 laboratory or other entity to produce such specified evidence in its  
16 possession and/or information and documentary evidence in its possession  
17 concerning the location and status of such specified evidence.

18 [~~(e)~~] (d) In response to a motion under this paragraph, upon notice to  
19 the parties and to the entity required to perform the search the court  
20 may order an entity that has access to the combined DNA index system  
21 ("CODIS") or its successor system to compare a DNA profile obtained from  
22 probative biological material gathered in connection with the investi-  
23 gation or prosecution of the [~~defendant~~] applicant against DNA databanks  
24 by keyboard searches, or a similar method that does not involve upload-  
25 ing, upon a court's determination that (1) such profile complies with  
26 federal bureau of investigation or state requirements, whichever are  
27 applicable and as such requirements are applied to law enforcement agen-  
28 cies seeking such a comparison, and that the data meet state DNA index  
29 system and/or national DNA index system criteria as such criteria are  
30 applied to law enforcement agencies seeking such a comparison and (2) if  
31 such comparison had been conducted, [~~and if the results had been admit-  
32 ted in the trial resulting in the judgment,~~] a reasonable probability  
33 exists that the verdict would have been more favorable to the [~~defend-  
34 ant, or in a case involving a plea of guilty, if the results had been  
35 available to the defendant prior to the plea, a reasonable probability  
36 exists that the conviction would not have resulted~~] applicant. For  
37 purposes of this subdivision, a "keyboard search" shall mean a search of  
38 a DNA profile against the databank in which the profile that is searched  
39 is not uploaded to or maintained in the databank.

40 [~~2. If it appears by conceded or uncontradicted allegations of the  
41 moving papers or of the answer, or by unquestionable documentary proof,  
42 that there are circumstances which require denial thereof pursuant to  
43 subdivision two of section 440.10 or subdivision two of section 440.20,  
44 the court must summarily deny the motion. If it appears that there are  
45 circumstances authorizing, though not requiring, denial thereof pursuant  
46 to subdivision three of section 440.10 or subdivision three of section  
47 440.20, the court may in its discretion either (a) summarily deny the  
48 motion, or (b) proceed to consider the merits thereof.~~]

49 [~~3-~~] 5. Upon considering the merits of the motion, the court must  
50 grant it without conducting a hearing and vacate the judgment or set  
51 aside the sentence, as the case may be, if:

52 (a) The moving papers allege a ground constituting legal basis for the  
53 motion; and

54 (b) Such ground, if based upon the existence or occurrence of facts,  
55 is supported by sworn allegations thereof; and

1 (c) The sworn allegations of fact essential to support the motion are  
2 either conceded by the people to be true or are conclusively substanti-  
3 ated by unquestionable documentary proof.

4 ~~[4.]~~ 6. Upon considering the merits of the motion, the court may deny  
5 it without conducting a hearing if:

6 (a) The moving papers do not allege any ground constituting legal  
7 basis for the motion; or

8 ~~(b) [The motion is based upon the existence or occurrence of facts and  
9 the moving papers do not contain sworn allegations substantiating or  
10 tending to substantiate all the essential facts, as required by subdivi-  
11 sion one, or~~

12 ~~(c)]~~ An allegation of fact essential to support the motion is conclu-  
13 sively refuted by unquestionable documentary proof; or

14 ~~[(d)]~~ (c) An allegation of fact essential to support the motion (i) is  
15 contradicted by a court record or other official document~~[, or is made  
16 solely by the defendant and is unsupported by any other affidavit or  
17 evidence,]~~ and (ii) under these and all the other circumstances attend-  
18 ing the case, there is no reasonable possibility that such allegation is  
19 true.

20 ~~[5.]~~ 7. If the court does not determine the motion pursuant to ~~[subdi-  
21 visions two, three or four]~~ subdivision five or six of this section, it  
22 must conduct a hearing and make findings of fact essential to the deter-  
23 mination thereof. The ~~[defendant]~~ applicant has a right to be present at  
24 such hearing but may waive such right in writing. If ~~[he]~~ the applicant  
25 does not so waive it and if ~~[he is]~~ they are confined in a prison or  
26 other institution of this state, the court must cause ~~[him]~~ them to be  
27 produced at such hearing.

28 ~~[6.]~~ 8. At such a hearing, the ~~[defendant]~~ applicant has the burden of  
29 proving by a preponderance of the evidence every fact essential to  
30 support the motion. At the hearing, either party shall receive a daily  
31 copy of the hearing minutes, upon request.

32 ~~[7.]~~ 9. Notwithstanding any other provision of this section, when the  
33 applicant raises a colorable claim of relief pursuant to this article,  
34 the court shall not summarily deny the motion on the ground that the  
35 applicant previously moved for relief under this article.

36 10. Regardless of whether a hearing was conducted, the court, upon  
37 determining the motion, must set forth on the record its findings of  
38 fact, its conclusions of law and the reasons for its determination.

39 § 5. Subdivision 4 of section 450.10 of the criminal procedure law, as  
40 amended by chapter 671 of the laws of 1971 and as renumbered by chapter  
41 516 of the laws of 1986, is amended to read as follows:

42 4. An order, entered pursuant to ~~[section 440.40, setting aside a  
43 sentence other than one of death, upon motion of the People]~~ article  
44 four hundred forty of this title, shall be authorized to an intermediate  
45 appellate court as a matter of right.

46 § 6. Subdivision 5 of section 450.10 of the criminal procedure law is  
47 REPEALED.

48 § 7. Section 216 of the judiciary law is amended by adding a new  
49 subdivision 7 to read as follows:

50 7. The chief administrator of the courts shall collect data and report  
51 every year in relation to applications and motions filed pursuant to  
52 article four hundred forty of the criminal procedure law, broken down by  
53 each section of such article to include motions filed pursuant to  
54 sections 440.10, 440.20, 440.40, 440.46, 440.46-a, and 440.47 of the  
55 criminal procedure law. Information to be collected and disclosed shall  
56 include the raw number of both applications and/or motions filed in each

1 county and on appeal in each judicial department. Information shall  
2 include the top conviction charge for each application or motion; when  
3 pro se applicants request assignment of counsel pursuant to subdivision  
4 two of section 440.30 of the criminal procedure law, whether or not  
5 counsel was assigned; the outcome of each motion filed, whether denied  
6 without hearing, denied with hearing, vacatur granted, or other; and the  
7 average length of time motion under article four hundred forty of the  
8 criminal procedure law remains pending for each county. Such report  
9 shall aggregate the data collected by county and judicial department.  
10 The data shall be aggregated in order to protect the identity of indi-  
11 vidual applicants. The report shall be released publicly and published  
12 on the websites of the office of court administration and the division  
13 of criminal justice services. The first report shall be published twelve  
14 months after this subdivision shall have become a law, and shall include  
15 data from the first six months following the effective date of this  
16 subdivision. Reports for subsequent periods shall be published annually  
17 thereafter.

18 § 8. Severability. If any provision of this act, or any application of  
19 any provision of this act, is held to be invalid, that shall not affect  
20 the validity or effectiveness of any other provision of this act, or of  
21 any other application of any provision of this act, which can be given  
22 effect without that provision or application; and to that end, the  
23 provisions and applications of this act are severable.

24 § 9. This act shall take effect one year after it shall have become a  
25 law.

26 PART FFF

27 Section 1. The retirement and social security law is amended by adding  
28 a new section 89-y to read as follows:

29 § 89-y. Twenty-five year retirement plan for firefighters employed by  
30 the division of military and naval affairs. a. A member who serves as an  
31 airport firefighter apprentice, airport firefighter I, airport fire-  
32 fighter II, airport firefighter III, or training and safety officer and  
33 is employed by the division of military and naval affairs shall be  
34 eligible to retire pursuant to the provisions of this section. Such  
35 eligibility shall be an alternative to the eligibility provisions avail-  
36 able under any other plan of this article to which such member is  
37 subject.

38 b. Such member shall be entitled to retire upon the completion of  
39 twenty-five years of total creditable service by filing an application  
40 therefor in the manner provided for in section seventy of this article.

41 c. Upon completion of twenty-five years of such service and upon  
42 retirement, each such member shall receive a pension which, together  
43 with an annuity which shall be the actuarial equivalent of their accumu-  
44 lated contributions at the time of their retirement and an additional  
45 pension which is the actuarial equivalent of the reserved-for-in-  
46 creased-take-home-pay to which they may then be entitled shall be suffi-  
47 cient to provide them with a retirement allowance equal to one-half of  
48 their final average salary.

49 d. As used in this section, "creditable service" shall include any and  
50 all services performed as a firefighter apprentice, airport firefighter  
51 I, airport firefighter II, airport firefighter III, or training and  
52 safety officer employed by the division of military and naval affairs.

53 e. Credit for service as a paid firefighter or officer of any organ-  
54 ized fire department shall also be deemed to be creditable service and

1 shall be included in computing years of total service for retirement  
2 pursuant to this section.

3 f. A member contributing on the basis of this section at the time of  
4 retirement, may retire after the completion of twenty-five years of  
5 total creditable service. Application therefor may be filed in a manner  
6 similar to that provided in section seventy of this article. Upon  
7 completion of twenty-five years of such service and upon retirement,  
8 each such member shall receive a pension which, together with an annuity  
9 which shall be the actuarial equivalent of their accumulated contribu-  
10 tions at the time of their retirement and an additional pension which  
11 is the actuarial equivalent of the reserved-for-increased-take-home-pay  
12 to which they may then be entitled shall be sufficient to provide them  
13 with a retirement allowance equal to one-half of their final average  
14 salary; for service beyond twenty-five years and for non-firefighter  
15 service the benefit is increased by one-sixtieth of final average salary  
16 for each year of additional service credit.

17 g. In computing the twenty-five years of total service of a member  
18 pursuant to this section full credit shall be given and full allowance  
19 shall be made for service of such member in time of war after World War  
20 I as defined in section two of this article, provided such member at the  
21 time of their entrance into the armed forces was in the service of the  
22 state.

23 h. Nothing in this section shall be construed to prevent a member, who  
24 does not retire pursuant to the provisions of this section, from utiliz-  
25 ing service which is creditable service pursuant to the provisions of  
26 this section for service credit pursuant to the provisions of any other  
27 plan of this article to which such member is subject.

28 i. The provisions of this section shall be controlling notwithstanding  
29 any other provision in this article to the contrary.

30 j. Any member who, on or before the effective date of this section, is  
31 a firefighter apprentice, airport firefighter I, airport firefighter II,  
32 airport firefighter III, or training and safety officer employed by the  
33 division of military and naval affairs may, by filing an election within  
34 one year after the effective date of this section, elect to be subject  
35 to the provisions of this section. Such election shall be in writing,  
36 shall be duly executed and filed with the comptroller and shall be irre-  
37 vocable.

38 § 2. Subdivision a of section 445 of the retirement and social securi-  
39 ty law, as amended by chapter 714 of the laws of 2023, is amended to  
40 read as follows:

41 a. No member of a retirement system who is subject to the provisions  
42 of this article shall retire without regard to age, exclusive of retire-  
43 ment for disability, unless [~~he or she is~~] they are a police officer, an  
44 investigator member of the New York city employees' retirement system,  
45 firefighter, correction officer, a qualifying member as defined in  
46 section eighty-nine-t, as added by chapter six hundred fifty-seven of  
47 the laws of nineteen hundred ninety-eight, of this chapter, sanitation  
48 worker, a special officer (including persons employed by the city of New  
49 York in the title urban park ranger or associate urban park ranger),  
50 school safety agent, campus peace officer or a taxi and limousine  
51 commission inspector member of the New York city employees' retirement  
52 system or the New York city board of education retirement system, a  
53 dispatcher member of the New York city employees' retirement system, a  
54 police communications member of the New York city employees' retirement  
55 system, an EMT member of the New York city employees' retirement system,  
56 a deputy sheriff member of the New York city employees' retirement

1 system, a correction officer of the Westchester county correction  
2 department as defined in section eighty-nine-e of this chapter or  
3 employed in Suffolk county as a peace officer, as defined in section  
4 eighty-nine-s, as added by chapter five hundred eighty-eight of the laws  
5 of nineteen hundred ninety-seven, of this chapter, employed in Suffolk  
6 county as a correction officer, as defined in section eighty-nine-f of  
7 this chapter, or employed in Nassau county as a correction officer,  
8 uniformed correction division personnel, sheriff, undersheriff or deputy  
9 sheriff, as defined in section eighty-nine-g of this chapter, or  
10 employed in Nassau county as an ambulance medical technician, an ambu-  
11 lance medical technician/supervisor or a member who performs ambulance  
12 medical technician related services, or a police medic, police medic  
13 supervisor or a member who performs police medic related services, as  
14 defined in section eighty-nine-s, as amended by chapter five hundred  
15 seventy-eight of the laws of nineteen hundred ninety-eight, of this  
16 chapter, or employed in Nassau county as a peace officer, as defined in  
17 section eighty-nine-s, as added by chapter five hundred ninety-five of  
18 the laws of nineteen hundred ninety-seven, of this chapter, or employed  
19 in Albany county as a sheriff, undersheriff, deputy sheriff, correction  
20 officer or identification officer, as defined in section eighty-nine-h  
21 of this chapter or is employed in St. Lawrence county as a sheriff,  
22 undersheriff, deputy sheriff or correction officer, as defined in  
23 section eighty-nine-i of this chapter or is employed in Orleans county  
24 as a sheriff, undersheriff, deputy sheriff or correction officer, as  
25 defined in section eighty-nine-l of this chapter or is employed in  
26 Jefferson county as a sheriff, undersheriff, deputy sheriff or  
27 correction officer, as defined in section eighty-nine-j of this chapter  
28 or is employed in Onondaga county as a deputy sheriff-jail division  
29 competitively appointed or as a correction officer, as defined in  
30 section eighty-nine-k of this chapter or is employed in a county which  
31 makes an election under subdivision j of section eighty-nine-p of this  
32 chapter as a sheriff, undersheriff, deputy sheriff or correction officer  
33 as defined in such section eighty-nine-p or is employed in Broome County  
34 as a sheriff, undersheriff, deputy sheriff or correction officer, as  
35 defined in section eighty-nine-m of this chapter or is a Monroe county  
36 deputy sheriff-court security, or deputy sheriff-jailor as defined in  
37 section eighty-nine-n, as added by chapter five hundred ninety-seven of  
38 the laws of nineteen hundred ninety-one, of this chapter or is employed  
39 in Greene county as a sheriff, undersheriff, deputy sheriff or  
40 correction officer, as defined in section eighty-nine-o of this chapter  
41 or is a traffic officer with the town of Elmira as defined in section  
42 eighty-nine-q of this chapter or is employed by Suffolk county as a park  
43 police officer, as defined in section eighty-nine-r of this chapter or  
44 is a peace officer employed by a county probation department as defined  
45 in section eighty-nine-t, as added by chapter six hundred three of the  
46 laws of nineteen hundred ninety-eight, of this chapter or is employed in  
47 Rockland county as a deputy sheriff-civil as defined in section eighty-  
48 nine-v of this chapter as added by chapter four hundred forty-one of the  
49 laws of two thousand one, or is employed in Rockland county as a superi-  
50 or correction officer as defined in section eighty-nine-v of this chap-  
51 ter as added by chapter five hundred fifty-six of the laws of two thou-  
52 sand one or is a paramedic employed by the police department in the town  
53 of Tonawanda and retires under the provisions of section eighty-nine-v  
54 of this chapter, as added by chapter four hundred seventy-two of the  
55 laws of two thousand one, or is a county fire marshal, supervising fire  
56 marshal, fire marshal, assistant fire marshal, assistant chief fire

1 marshal, chief fire marshal, division supervising fire marshal or fire  
2 marshal trainee employed by the county of Nassau as defined in section  
3 eighty-nine-w of this chapter or is employed in Monroe county as a depu-  
4 ty sheriff-civil as defined in section eighty-nine-x of this chapter,  
5 employed as an emergency medical technician, critical care technician,  
6 advanced emergency medical technician, paramedic or supervisor of such  
7 titles in a participating Suffolk county fire district as defined in  
8 section eighty-nine-ss of this chapter, or is a firefighter apprentice,  
9 airport firefighter I, airport firefighter II, airport firefighter III,  
10 or training and safety officer employed by the division of military and  
11 naval affairs as defined in section eighty-nine-y of this chapter and is  
12 in a plan which permits immediate retirement upon completion of a speci-  
13 fied period of service without regard to age. Except as provided in  
14 subdivision c of section four hundred forty-five-a of this article,  
15 subdivision c of section four hundred forty-five-b of this article,  
16 subdivision c of section four hundred forty-five-c of this article,  
17 subdivision c of section four hundred forty-five-d of this article,  
18 subdivision c of section four hundred forty-five-e of this article,  
19 subdivision c of section four hundred forty-five-f of this article and  
20 subdivision c of section four hundred forty-five-h of this article, a  
21 member in such a plan and such an occupation, other than a police offi-  
22 cer or investigator member of the New York city employees' retirement  
23 system or a firefighter, shall not be permitted to retire prior to the  
24 completion of twenty-five years of credited service; provided, however,  
25 if such a member in such an occupation is in a plan which permits  
26 retirement upon completion of twenty years of service regardless of age,  
27 ~~[he or she]~~ they may retire upon completion of twenty years of credited  
28 service and prior to the completion of twenty-five years of service, but  
29 in such event the benefit provided from funds other than those based on  
30 such a member's own contributions shall not exceed two per centum of  
31 final average salary per each year of credited service.

32 § 3. Section 603 of the retirement and social security law is amended  
33 by adding a new subdivision w to read as follows:

34 w. The service retirement benefit specified in section six hundred  
35 four of this article shall be payable to members with twenty-five years  
36 of creditable service, without regard to age, who are employed by the  
37 division of military and naval affairs as a firefighter apprentice,  
38 airport firefighter I, airport firefighter II, airport firefighter III,  
39 or training and safety officer as defined in section eighty-nine-y of  
40 this chapter if: (i) such members have met the minimum service require-  
41 ments upon retirement; and (ii) in the case of a member subject to the  
42 provisions of article fourteen of this chapter, such member files an  
43 election therefor which provides that they will be subject to the  
44 provisions of this article and to none of the provisions of such article  
45 fourteen. Such election, which shall be irrevocable, shall be in writ-  
46 ing, duly executed and shall be filed with the comptroller within one  
47 year of the effective date of this subdivision or within one year after  
48 entering the employment with the division of military and naval affairs  
49 upon which eligibility is based, whichever comes later. For the purposes  
50 of this subdivision, the term "creditable service" shall have the mean-  
51 ing as so defined in both sections eighty-nine-y and six hundred one of  
52 this chapter.

53 § 4. Section 604 of the retirement and social security law is amended  
54 by adding a new subdivision w to read as follows:

55 w. The early service retirement benefit for a member who is employed  
56 in the division of military and naval affairs as a firefighter appren-

tice, airport firefighter I, airport firefighter II, airport firefighter III, or training and safety officer employed as defined in section eighty-nine-y of this chapter shall be a pension equal to one-fiftieth of final average salary times years of credited service at the completion of twenty-five years of service as such division of military and naval affairs firefighter apprentice, airport firefighter I, airport firefighter II, airport firefighter III, or training and safety officer, but not exceeding one-half of their final average salary.

§ 5. This act shall take effect January 1, 2026.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would permit members of the New York State and Local Employees' Retirement System employed by the Division of Military and Naval Affairs in certain airport firefighter titles to retire upon completion of twenty-five years of creditable service with a benefit of one-half final average salary. Affected members in Tiers 1 or 2 would be awarded additional sixtieths for all service, including non-firefighter service, in excess of twenty-five years. Additionally, members covered under Article 14 would be permitted one year to make an irrevocable election to switch to the twenty-five-year plan.

If this bill is enacted during the 2025 Legislative Session, we anticipate that there will be an increase of approximately \$280,000 in the annual contributions of the State of New York for the fiscal year ending March 31, 2026. In future years this cost will vary but is expected to average 4.2% of salary annually.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$2.17 million which will be borne by the State of New York as a one-time payment. This estimate assumes that payment will be made on March 1, 2026.

These estimated costs are based on 55 affected members employed by the Division of Military and Naval Affairs, with annual salary of approximately \$5.3 million as of March 31, 2024.

Summary of relevant resources:

Membership data as of March 31, 2024 was used in measuring the impact of the proposed change, the same data used in the April 1, 2024 actuarial valuation. Distributions and other statistics can be found in the 2024 Report of the Actuary and the 2024 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2024 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The Market Assets and GASB Disclosures are found in the March 31, 2024 New York State and Local Retirement System Financial Statements and Supplementary Information.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated January 23, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-12. As Chief Actuary of the New York State and Local Retirement System, I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member.

1 Section 1. The retirement and social security law is amended by adding  
2 a new section 63-j to read as follows:

3 § 63-j. Death benefits for state-paid judges and justices. a. As used  
4 in this section, the term "judge or justice" shall mean a state-paid  
5 judge or justice of the unified court system including a retired judge  
6 of the court of appeals or retired justice of the supreme court who is  
7 serving as a justice of the supreme court pursuant to certification by  
8 the administrative board of the courts in accordance with section one  
9 hundred fourteen or one hundred fifteen of the judiciary law, or a hous-  
10 ing judge of the civil court of the city of New York.

11 b. Notwithstanding any provision of law to the contrary, where a judge  
12 or justice would have been entitled to a service retirement benefit at  
13 the time of such judge or justice's death and where such death occurs on  
14 or after the effective date of this section, the beneficiary or benefi-  
15 ciaries may elect to receive, in a lump sum, an amount payable which  
16 shall be equal to the pension reserve that would have been established  
17 had the member retired on the date of such judge or justice's death, or  
18 the value of the death benefit and the reserve-for-increased-take-home-  
19 pay, if any, whichever is greater.

20 § 2. The retirement and social security law is amended by adding a new  
21 section 508-d to read as follows:

22 § 508-d. Death benefits for state-paid judges and justices. a. As  
23 used in this section, the term "judge or justice" shall mean a state-  
24 paid judge or justice of the unified court system including a retired  
25 judge of the court of appeals or retired justice of the supreme court  
26 who is serving as a justice of the supreme court pursuant to certif-  
27 ication by the administrative board of the courts in accordance with  
28 section one hundred fourteen or one hundred fifteen of the judiciary  
29 law, or a housing judge of the civil court of the city of New York.

30 b. Notwithstanding any provision of law to the contrary, where a judge  
31 or justice would have been entitled to a service retirement benefit at  
32 the time of such judge or justice's death and where such death occurs on  
33 or after the effective date of this section, the beneficiary or benefi-  
34 ciaries may elect to receive, in a lump sum, an amount payable which  
35 shall be equal to the pension reserve that would have been established  
36 had the member retired on the date of such judge or justice's death, or  
37 the value of the death benefit and the reserve-for-increased-take-home-  
38 pay, if any, whichever is greater.

39 § 3. The retirement and social security law is amended by adding a new  
40 section 606-d to read as follows:

41 § 606-d. Death benefits for state-paid judges and justices. a. As  
42 used in this section, the term "judge or justice" shall mean a state-  
43 paid judge or justice of the unified court system including a retired  
44 judge of the court of appeals or retired justice of the supreme court  
45 who is serving as a justice of the supreme court pursuant to certif-  
46 ication by the administrative board of the courts in accordance with  
47 section one hundred fourteen or one hundred fifteen of the judiciary  
48 law, or a housing judge of the civil court of the city of New York.

49 b. Notwithstanding any provision of law to the contrary, where a judge  
50 or justice would have been entitled to a service retirement benefit at  
51 the time of such judge or justice's death and where such death occurs on  
52 or after the effective date of this section, the beneficiary or benefi-  
53 ciaries may elect to receive, in a lump sum, an amount payable which  
54 shall be equal to the pension reserve that would have been established  
55 had the member retired on the date of such judge or justice's death, or

1 the value of the death benefit and the reserve-for-increased-take-home-  
2 pay, if any, whichever is greater.

3 § 4. All past service costs associated with implementing the  
4 provisions of this act shall be borne by the state of New York and may  
5 be amortized over a period of ten years.

6 § 5. Notwithstanding any other provision of law to the contrary, none  
7 of the provisions of this act shall be subject to the appropriation  
8 requirement of section 25 of the retirement and social security law.

9 § 6. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would modify the in-service death benefit for retirement eligible members of the New York State and Local Employees' Retirement System who are employed as state-paid judges or justices of the Unified Court System. The in-service death benefit will be the value of the pension reserve as if the member had retired on their date of death.

If this bill is enacted during the 2025 Legislative Session, we anticipate that there will be an increase of approximately \$287,000 in the annual contributions of the State of New York for the fiscal year ending March 31, 2026. In future years this cost will vary but is expected to average 0.1% of salary annually.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$4.85 million which will be borne by the State of New York as a one-time payment. This estimate assumes that payment will be made on March 1, 2026. If the State of New York elects to amortize this cost over a 10-year period, the cost for each year including interest would be \$619,000.

These estimated costs are based on 1,153 affected members employed by the State of New York, with annual salary of approximately \$228 million as of March 31, 2024.

Summary of relevant resources:

Membership data as of March 31, 2024 was used in measuring the impact of the proposed change, the same data used in the April 1, 2024 actuarial valuation. Distributions and other statistics can be found in the 2024 Report of the Actuary and the 2024 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2024 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The Market Assets and GASB Disclosures are found in the March 31, 2024 New York State and Local Retirement System Financial Statements and Supplementary Information.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 13, 2025, and intended for use only during the 2025 Legislative Session, is Fiscal Note No. 2025-24. As Chief Actuary of the New York State and Local Retirement System, I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member.

10

#### PART HHH

11 Section 1. Section 106 of the alcoholic beverage control law is  
12 amended by adding a new subdivision 2-b to read as follows:

1 2-b. Notwithstanding any provision of this chapter to the contrary, a  
2 retail licensee for on-premises consumption shall be authorized to  
3 purchase up to twelve bottles of wine and liquor per week from an off-  
4 premises retail licensee, and may resell any wine and liquor so  
5 licensed for consumption on the premises licensed therefor.

6 § 2. Section 105 of the alcoholic beverage control law is amended by  
7 adding a new subdivision 2 to read as follows:

8 2. (a) Notwithstanding any provision of this chapter to the contrary,  
9 a retail licensee to sell liquor and/or wine for consumption off the  
10 premises shall be authorized to sell up to twelve bottles of wine and  
11 liquor per week to a retail licensee for on-premises consumption.

12 (b) A retail licensee for on-premises consumption shall retain  
13 evidence of each purchase of wine and liquor from a retailer licensed to  
14 sell liquor and/or wine for consumption off the premises in the form of  
15 a purchase receipt showing the name of the retailer, the date of  
16 purchase, a description of the alcohol beverages purchased, and the  
17 price paid for the alcohol beverages. The retail licensee for on-premises  
18 consumption shall retain the receipt and make it available for  
19 inspection by the state liquor authority and its duly authorized agents  
20 and employees.

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

26 PART III

27 Section 1. Subdivision 3 of section 99-ii of the state finance law is  
28 amended by adding a new paragraph (i) to read as follows:

29 (i) Necessary and reasonable costs incurred by the office of cannabis  
30 management to relieve licensed cultivators of the expenses of implement-  
31 ing a seed to sale track and trace system.

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

34 PART JJJ

35 Section 1. Subdivision c of section 3 of chapter 729 of the laws of  
36 2023 acknowledging the fundamental injustice, cruelty, brutality and  
37 inhumanity of slavery in the City of New York and the State of New York,  
38 is amended to read as follows:

39 c. Report to the legislature. The commission shall submit a written  
40 report of its findings and recommendations to the temporary president of  
41 the senate, the speaker of the assembly, the minority leaders of the  
42 senate and the assembly and the governor not later than [~~one-year~~] two  
43 years after the date of the first meeting of the commission held pursu-  
44 ant to subdivision c of section four of this act.

45 § 2. This act shall take effect immediately; provided however, that  
46 the amendments to chapter 729 of the laws of 2023 made by section one of  
47 this act shall not affect the expiration of such chapter and shall  
48 expire and be deemed repealed therewith.

49 PART KKK

1 Section 1. Section 212 of the retirement and social security law is  
2 amended by adding a new subdivision 2-a to read as follows:

3 2-a. Notwithstanding the provisions of subdivision two of this  
4 section, the earning limitations for retired persons in positions of  
5 public service shall be increased to sixty-five thousand dollars from  
6 the year two thousand twenty-five and thereafter.

7 § 2. This act shall take effect immediately.

8 PART LLL

9 Section 1. The retirement and social security law is amended by  
10 adding two new sections 383-e and 383-f to read as follows:

11 § 383-e. Retirement of officers of state law enforcement; twenty year  
12 retirement plan. a. Membership. Every non-seasonally appointed sworn  
13 member or officer of the division of law enforcement in the department  
14 of environmental conservation, a forest ranger in the service of the  
15 department of environmental conservation, which shall mean a person who  
16 serves on a full-time basis in the title of forest ranger I, forest  
17 ranger II, forest ranger III, assistant superintendent of forest fire  
18 control, superintendent of forest fire control or any successor titles  
19 or new titles in the forest ranger title series in the department of  
20 environmental conservation, a police officer in the department of envi-  
21 ronmental conservation, the regional state park police, and university  
22 police officers who enter or re-enter service in any such title whose  
23 date of membership is on or after January first, two thousand ten shall  
24 be covered by the provisions of this section, and every member described  
25 in this subdivision in such service on or before one year prior to the  
26 effective date of this section may elect to be covered by the provisions  
27 of this section by filing an election therefor with the comptroller. To  
28 be effective, such election must be duly executed and acknowledged on a  
29 form prepared by the comptroller for that purpose.

30 b. Retirement allowance. A member, covered by the provisions of this  
31 section at the time of retirement, shall be entitled to retire upon  
32 completion of twenty years of total creditable service in such titles,  
33 and shall retire upon the attainment of the mandatory retirement age  
34 prescribed by this section, by filing an application therefor in a  
35 manner similar to that provided in section three hundred seventy of this  
36 article.

37 1. Upon completion of twenty years of such service and upon retire-  
38 ment, each such member shall receive a pension which, together with an  
39 annuity for such years of service as provided in paragraph four of this  
40 subdivision, shall be sufficient to provide such member with a retire-  
41 ment allowance of one-half of such member's final average salary.

42 2. Upon completion of more than twenty years of such service and upon  
43 retirement, each such member shall receive, for each year of service in  
44 excess of twenty, an additional pension which, together with an annuity  
45 for each such year as provided in paragraph four of this subdivision,  
46 shall be equal to one-sixtieth of such member's final average salary,  
47 provided, however, that the pension payable pursuant to this section  
48 shall not exceed three-quarters of final average salary.

49 3. Upon attainment of the mandatory retirement age without completion  
50 of twenty years of such service, each such member shall receive a  
51 pension which, together with an annuity for such years of service as  
52 provided in paragraph four of this subdivision, shall be equal to one-  
53 fortieth of such member's final average salary for each year of credita-  
54 ble service in such titles. Every such member shall also be entitled to

1 an additional pension equal to the pension for any creditable service  
2 rendered while not an employee in such titles as provided under para-  
3 graphs three and four of subdivision a of section three hundred seven-  
4 ty-five of this article. This latter pension shall not increase the  
5 total allowance to more than one-half of such member's final average  
6 salary.

7 4. The annuity provided under paragraphs one, two and three of this  
8 subdivision shall be the actuarial equivalent, at the time of retire-  
9 ment, of the member's accumulated contributions based upon the rate of  
10 contribution fixed under section three hundred eighty-three of this  
11 title and upon the salaries earned while in such service. Such annuity  
12 shall be computed as it would be if it were not reduced by the actuarial  
13 equivalent of any outstanding loan nor by reason of the member's  
14 election to decrease such member's contributions toward retirement in  
15 order to apply the resulting amount toward payment of contributions for  
16 old age and survivor's insurance. Any accumulated contributions in  
17 excess of the amount required to provide the annuity computed pursuant  
18 to this paragraph shall be used to increase the member's retirement  
19 allowance.

20 c. Credit for previous service. In computing the years of total cred-  
21 itable service for each member described herein, full credit shall be  
22 given and full allowance shall be made for service rendered as a police  
23 officer or state university peace officer or member of a police force or  
24 department of a state park authority or commission or an organized  
25 police force or department of a county, city, town, village, police  
26 district, authority or other participating employer or member of the  
27 capital police force in the office of general services while a member of  
28 the New York state and local police and fire retirement system, of the  
29 New York state and local employees' retirement system or of the New York  
30 city police pension fund and for all service for which full credit has  
31 been given and full allowance made pursuant to the provisions of section  
32 three hundred seventy-five-h of this article provided, however, that  
33 full credit pursuant to the provisions of such section shall mean only  
34 such service as would be creditable service pursuant to the provisions  
35 of section three hundred eighty-three, three hundred eighty-three-a,  
36 three hundred eighty-three-b, as added by chapter six hundred seventy-  
37 four of the laws of nineteen hundred eighty-six, three hundred eighty-  
38 three-b, as added by chapter six hundred seventy-seven of the laws of  
39 nineteen hundred eighty-six, three hundred eighty-three-c or three  
40 hundred eighty-three-d of this title or pursuant to the provisions of  
41 title thirteen of the administrative code of the city of New York for  
42 any member contributing pursuant to this section who transferred to the  
43 jurisdiction of the department of environmental conservation including  
44 but not limited to environmental conservation officers and forest  
45 rangers, regional state park police or state university of New York  
46 peace officers.

47 d. Retirement for cause. Upon receipt of a certificate from the head  
48 of the entity where such member is employed or such member's designee, a  
49 member as described in subdivision a of this section, who has accrued  
50 twenty-five or more years of service credit under this section shall be  
51 retired on the first day of the second month next succeeding the date  
52 such certificate was filed with the comptroller.

53 e. Credit for military service. In computing the years of total cred-  
54 itable service full credit shall be given and full allowance shall be  
55 made for service of such member in war after world war I as defined in  
56 section three hundred two of this article, provided such member at the

1 time of such member's entrance into the armed forces was in police  
2 service as defined in subdivision eleven of section three hundred two of  
3 this article.

4 f. Transfer of membership to employees' retirement system. Any member  
5 currently enrolled pursuant to this section and who previously trans-  
6 ferred service credit from the New York state and local employees'  
7 retirement system to the New York state and local police and fire  
8 retirement system, may elect to transfer such previously transferred  
9 service credit back to the New York state and local employees' retire-  
10 ment system, and such member shall have the option to retroactively  
11 transfer such member's membership into such employees' retirement  
12 system.

13 g. The provisions of this section shall be controlling, notwithstand-  
14 ing any provision of this article to the contrary.

15 § 383-f. Retirement of officers of state law enforcement; alternative  
16 twenty-five year retirement plan. a. Membership. Every non-seasonally  
17 appointed sworn member or officer of the division of law enforcement in  
18 the department of environmental conservation, a forest ranger in the  
19 service of the department of environmental conservation, which shall  
20 mean a person who serves on a full-time basis in the title of forest  
21 ranger I, forest ranger II, forest ranger III, assistant superintendent  
22 of forest fire control, or any successor titles or new titles in the  
23 forest ranger title series in the department of environmental conserva-  
24 tion, a police officer in the department of environmental conservation,  
25 the regional state park police, and university police officers whose  
26 date of membership is prior to January first, two thousand ten shall be  
27 covered by the provisions of this section, and every member described in  
28 this subdivision in such service within one year of the effective date  
29 of this section or within one year of employment in an eligible title,  
30 whichever is later, may elect to be covered by the provisions of this  
31 section by filing an election therefor with the comptroller. Upon  
32 completion of twenty-five years of such service and upon retirement,  
33 each such member shall receive a pension which, together with an annui-  
34 ty, if any, which shall be the actuarial equivalent of such member's  
35 accumulated contributions at the time of their retirement and an addi-  
36 tional pension which is the actuarial equivalent of the reserve-for-in-  
37 creased-take-home-pay to which such member may then be entitled, if any,  
38 shall be sufficient to provide such member with a retirement allowance  
39 equal to fifty-eight percent of their final average salary. To be  
40 effective, such election must be duly executed and acknowledged on a  
41 form prepared by the comptroller for such purpose.

42 b. Retirement allowance. 1. A member, covered by the provisions of  
43 this section at the time of retirement, shall be entitled to retire upon  
44 completion of twenty-five years of total creditable service in such  
45 titles by filing an application therefor in a manner similar to that  
46 provided in section three hundred seventy of this article.

47 2. Upon completion of more than twenty-five years of such service and  
48 upon retirement, each such member shall receive, for each year of  
49 service in excess of twenty-five, an additional pension which, together  
50 with an annuity for each such year as provided in paragraph three of  
51 this subdivision, shall be equal to one-sixtieth of their final average  
52 salary, provided, however, that the pension payable pursuant to this  
53 section shall not exceed three-quarters of such member's final average  
54 salary.

55 3. The annuity provided under paragraph two of this subdivision shall  
56 be the actuarial equivalent, at the time of retirement, of the member's

1 accumulated contributions based upon the rate of contributions fixed  
 2 under section three hundred eighty-three of this title and upon the  
 3 salaries earned while in such service. Such annuity shall be computed as  
 4 it would be if it were not reduced by the actuarial equivalent of any  
 5 outstanding loan nor by reason of the member's election to decrease such  
 6 member's contributions for old age and survivor's insurance. Any accumu-  
 7 lated contributions in excess of the amount required to provide the  
 8 annuity computed pursuant to this paragraph shall be used to increase  
 9 the member's retirement allowance.

10 c. Credit for previous service. In computing the years of total cred-  
 11 itable service for each member described herein, full credit shall be  
 12 given and full allowance shall be made for service rendered as a police  
 13 officer or state university peace officer or member of a police force or  
 14 department of a state park authority or commission or an organized  
 15 police force or department of a county, city, town, village, police  
 16 district, authority or other participating employer or member of the  
 17 capital police force in the office of general services while a member of  
 18 the New York state and local police and fire retirement system, of the  
 19 New York state and local employees' retirement system or of the New York  
 20 city police pension fund and for all service for which full credit has  
 21 been given and full allowance made pursuant to the provisions of section  
 22 three hundred seventy-five-h of this article provided, however, that  
 23 full credit pursuant to the provisions of such section shall mean only  
 24 such service as would be creditable service pursuant to the provisions  
 25 of section three hundred eighty-three, three hundred eighty-three-a,  
 26 three hundred eighty-three-b, as added by chapter six hundred seventy-  
 27 four of the laws of nineteen hundred eighty-six, three hundred eighty-  
 28 three-b, as added by chapter six hundred seventy-seven of the laws of  
 29 nineteen hundred eighty-six, three hundred eighty-three-c or three  
 30 hundred eighty-three-d of this title or pursuant to the provisions of  
 31 title thirteen of the administrative code of the city of New York for  
 32 any member contributing pursuant to this section who transferred to the  
 33 jurisdiction of the department of environmental conservation including  
 34 but not limited to environmental conservation officers and forest  
 35 rangers, regional state park police or state university of New York  
 36 peace officers.

37 § 2. This act shall take effect on the first of January next succeed-  
 38 ing the date on which it shall have become a law.

39 PART MMM

40 Section 1. Subdivision 1, paragraphs (c), (d) and (e) of subdivision 6  
 41 and subdivisions 10 and 13 of section 5-900 of the election law, as  
 42 amended by chapter 37 of the laws of 2021, are amended to read as  
 43 follows:

44 1. In addition to any other method of voter registration provided for  
 45 by this chapter, state and local agencies designated in subdivisions  
 46 thirteen and fourteen of this section shall provide to the state board  
 47 of elections voter registration qualification information associated  
 48 with each person who submits an application for services or assistance  
 49 at such agency, including a renewal, recertification, or reexamination  
 50 transaction at such agency, and each person who submits a change of  
 51 address or name form. ~~For the purposes of the department of motor vehi-~~  
 52 ~~cles, "application for services or assistance at such agency" refers~~  
 53 ~~only to an application for a motor vehicle driver's license, a driver's~~  
 54 ~~license renewal or an identification card if such card is issued by the~~

1 ~~department of motor vehicles in its normal course of business.~~ For  
2 purposes of the New York city housing authority "application for  
3 services or assistance at such agency" refers only to applications that  
4 reach an eligibility interview and reexamination transactions. Such  
5 designated agencies shall ensure agency applications substantially  
6 include all of the elements required by section 5-210 of this article,  
7 including the appropriate attestation, so that persons completing such  
8 applications shall be able to also submit an application to register to  
9 vote through the electronic voter registration transmittal system. For  
10 purposes of this section, "agency" shall mean any state or local agency,  
11 department, division, office, institution or other entity designated in  
12 subdivision thirteen of this section or designated by the governor  
13 pursuant to subdivision fourteen of this section. For purposes of this  
14 section, registration shall also include pre-registration pursuant to  
15 section 5-507 of this article.

16 (c) include a box for the applicant to check to indicate whether the  
17 applicant would like to decline to register to vote along with the  
18 following statement, or its substantial equivalent, in prominent type,  
19 "IF YOU DO NOT CHECK THIS BOX, AND YOU PROVIDE YOUR SIGNATURE ON THE  
20 SPACE BELOW, YOU WILL HAVE APPLIED TO REGISTER OR PRE-REGISTER TO VOTE,  
21 AND YOU WILL HAVE ATTESTED TO YOUR ELIGIBILITY TO REGISTER OR PRE-REGIS-  
22 TER TO VOTE."

23 (d) include the following warning statement, or its substantial equiv-  
24 alent, in prominent type, "IF YOU ARE NOT A CITIZEN OF THE UNITED  
25 STATES, YOU MUST CHECK THE BOX BELOW. NON-CITIZENS WHO REGISTER OR  
26 PRE-REGISTER TO VOTE MAY BE SUBJECT TO CRIMINAL PENALTIES AND SUCH VOTER  
27 REGISTRATION OR PRE-REGISTRATION MAY RESULT IN DEPORTATION OR REMOVAL,  
28 EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF NATURALIZA-  
29 TION.";

30 (e) include a space for the applicant to indicate the applicant's  
31 choice of party enrollment, with a clear alternative provided for the  
32 applicant to decline to affiliate with any party and the following  
33 statement, or its substantial equivalent, in prominent type "ONLY  
34 ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMA-  
35 RIES".

36 10. A voter shall be able to decline to register to vote using an  
37 integrated application by selecting a single check box, or equivalent,  
38 which shall include the following statement, or its substantial equiv-  
39 alent: "I DECLINE USE OF THIS FORM FOR VOTER REGISTRATION AND PRE-REGIS-  
40 TRATION PURPOSES. DO NOT FORWARD MY INFORMATION TO THE BOARD OF  
41 ELECTIONS."

42 13. [~~Beginning January first, two thousand twenty three, designated~~  
43 ~~agencies for purposes of this section shall include the department of~~  
44 ~~motor vehicles.~~] Beginning January first, two thousand twenty-four,  
45 designated agencies for the purposes of this section shall [~~also~~]  
46 include the department of health, the office of temporary and disability  
47 assistance, the department of labor, the office of adult career and  
48 continuing education services - vocational rehabilitation, county and  
49 city departments of social services, and the New York city housing  
50 authority, as well as any other agency designated by the governor.  
51 Provided that, any transactions with the department of health or county  
52 and city departments of social services involving Medicaid enrollment  
53 shall be processed pursuant to section 5-901-a of this title, in place  
54 of this section. Beginning January first, two thousand twenty-five,  
55 designated agencies for the purposes of this section shall also include  
56 the state university of New York. Each designated agency shall enter

1 into an agreement with the state board of elections finalizing the  
2 format and content of electronic transmissions required by this section.  
3 The state board of elections shall prepare and distribute to designated  
4 agencies written instructions as to the implementation of the program  
5 and shall be responsible for establishing training programs for employ-  
6 ees of designated agencies listed in this section. Such instructions and  
7 such training shall ensure usability of the integrated application for  
8 low English proficiency voters. Any such designated agency shall take  
9 all actions that are necessary and proper for the implementation of this  
10 section, including facilitating technological capabilities to allow  
11 transmission of data through an interface with the electronic voter  
12 registration transmittal system in a secure manner.

13 § 2. The election law is amended by adding a new section 5-901 to read  
14 as follows:

15 § 5-901. Procedures specific to the department of motor vehicles. 1.  
16 Beginning January first, two thousand twenty-eight, the department of  
17 motor vehicles shall utilize the automatic voter registration procedures  
18 established by this section for each person who conducts any of the  
19 following REAL ID or Enhanced license transactions: an application for  
20 a motor vehicle driver's license or an identification card, or any  
21 renewal, recertification, or reexamination transaction for such docu-  
22 ments, or any change of address or name form for such documents. Prior  
23 to January first, two thousand twenty-eight, the department of motor  
24 vehicles shall utilize the procedures required under section 5-900 of  
25 this title for such transactions. Beginning January first, two thousand  
26 twenty-nine, the department of motor vehicles shall utilize the automat-  
27 ic voter registration procedures established by this section for each  
28 person who conducts any of the following standard license transactions:  
29 an application for a motor vehicle driver's license or an identification  
30 card, or any renewal, recertification, or reexamination transaction for  
31 such documents, or any change of address or name form for such docu-  
32 ments. Prior to January first, two thousand twenty-nine, the department  
33 of motor vehicles shall utilize the procedures required under section  
34 5-900 of this title for such standard license transactions.

35 2. (a) Except as provided in paragraph (c) of this subdivision, where  
36 a person conducts a department of motor vehicles transaction pursuant to  
37 subdivision one of this section and such person has provided documenta-  
38 tion to the department of motor vehicles conclusively demonstrating  
39 United States citizenship and is of sufficient age to register or pre-  
40 register to vote, the department of motor vehicles shall promptly trans-  
41 mit electronically to the state board of elections the following infor-  
42 mation regarding such person:

43 (i) such person's name;  
44 (ii) such person's date of birth;  
45 (iii) such person's driver's license or state ID number;  
46 (iv) such person's residence address, and mailing address if different  
47 from such residence address;  
48 (v) such person's county of residence;  
49 (vi) such person's citizenship status;  
50 (vii) an electronic copy of such person's manual signature that is in  
51 the custody of the department of motor vehicles;  
52 (viii) the date of such person's transaction with the department of  
53 motor vehicles;  
54 (ix) such person's gender, if available;  
55 (x) such person's telephone number, if available; and  
56 (xi) such person's e-mail address, if available.

1 (b) The department of motor vehicles and the state board of elections  
2 shall jointly determine which documents acceptable for transactions  
3 pursuant to subdivision one of this section conclusively demonstrate  
4 United States citizenship.

5 (c) The department of motor vehicles shall not transmit information  
6 pursuant to paragraph (a) of this subdivision for any person who is a  
7 program participant in the address confidentiality program pursuant to  
8 section one hundred eight of the executive law.

9 (d) Upon receiving information pursuant to paragraph (a) of this  
10 subdivision for a person who is not registered to vote in New York state  
11 and who is of sufficient age to register or pre-register to vote, unless  
12 the state board of elections has evidence that such person is a program  
13 participant in the address confidentiality program pursuant to section  
14 one hundred eight of the executive law, the state board of elections  
15 shall electronically forward such information to the board of elections  
16 of the county or the city of the person's residence address for regis-  
17 tration or pre-registration consistent with this chapter.

18 (e) (i) Upon receiving information pursuant to paragraph (d) of this  
19 subdivision, a county or city board of elections shall register or pre-  
20 register the person to vote pursuant to section 5-210 of this article  
21 effective as of the date of such person's transaction with the depart-  
22 ment of motor vehicles. The county or city board of elections shall  
23 promptly send to such person's mailing address, by non-forwardable mail,  
24 a notice that such person has been registered to vote, or pre-registered  
25 to vote, if applicable, that contains a postage paid preaddressed return  
26 form by which such person may decline to be registered or pre-regis-  
27 tered. Such notice shall be combined with the notice required pursuant  
28 to subdivision one of section 5-308 of this article and shall also offer  
29 such person the opportunity to enroll with a party. Such notice shall  
30 also include a statement that, if such person declines to register or  
31 pre-register to vote, the fact that such person has declined registra-  
32 tion or pre-registration will remain confidential and will be used only  
33 for election administration purposes, and a statement that, if such  
34 person does not decline registration or pre-registration, the office at  
35 which such person was registered or pre-registered will remain confiden-  
36 tial and will be used only for election administration purposes. Such  
37 notice shall also provide information and procedures for anyone wishing  
38 to prevent disclosure of their residence address, including information  
39 regarding the address confidentiality program for victims of domestic  
40 violence under section 5-508 of this article. The notice required by  
41 this subparagraph may be combined with the notice provided to newly  
42 registered voters pursuant to subdivision nine of section 5-210 of this  
43 article.

44 (ii) Notwithstanding any other provision of this article, a person of  
45 sufficient age to register to vote whose information is transmitted to a  
46 county or city board pursuant to subparagraph (i) of this paragraph  
47 shall be registered to vote for an election if the date of such person's  
48 transaction with the department of motor vehicles pursuant to subdivi-  
49 sion one of this section occurs by the twelfth day before such election  
50 and such person's information is transmitted to the county or city board  
51 by the tenth day before such election. A person whose transaction with  
52 the department of motor vehicles occurs within thirty days of an  
53 election shall be required to affirm before voting that such person has  
54 resided in such person's county, city, or village for at least thirty  
55 days before such election. Such affirmation shall be available at the  
56 time of voting and at the time of requesting an early mail or absentee

1 ballot. A voter who signs an affirmation pursuant to this subparagraph  
2 shall not be challenged or required to vote an affidavit ballot on the  
3 grounds that such voter signed such affirmation.

4 (f) (i) If a person returns the notice provided under subparagraph (i)  
5 of paragraph (e) of this subdivision and declines to be registered or  
6 pre-registered to vote, such person's registration or pre-registration  
7 shall be canceled, and such person shall be deemed to have not regis-  
8 tered or pre-registered. However, if such person has voted in an  
9 election after the transmission of such person's information but before  
10 the notice is returned, the returned form shall be of no effect and such  
11 person shall remain registered as of the date of such person's trans-  
12 action with the department of motor vehicles. Information relating to  
13 the return of a notice form declining to be registered or pre-registered  
14 shall not be used for any purpose other than election administration.

15 (ii) Notwithstanding subdivision two of section 5-304 of this article,  
16 if a person returns the notice provided under subparagraph (i) of para-  
17 graph (e) of this subdivision and elects to enroll in a party, such  
18 enrollment shall take effect immediately. However, any pre-registrant's  
19 registration shall remain classified as "pending" until the voter  
20 reaches the age of eligibility.

21 (iii) If a person returns the notice provided under subparagraph (i)  
22 of paragraph (e) of this subdivision but does not select any options,  
23 the returned notice shall be of no force and effect, and such person  
24 shall remain registered to vote, or pre-registered to vote, if applica-  
25 ble.

26 3. (a) The department of motor vehicles shall not provide an opportu-  
27 nity to register or pre-register to vote or transmit any information to  
28 the board of elections for purposes of voter registration for any person  
29 who, when conducting a department of motor vehicles transaction pursuant  
30 to subdivision one of this section, provides documentation conclusively  
31 demonstrating that such person is not a United States citizen. The  
32 department of motor vehicles and the state board of elections shall  
33 jointly determine which documents acceptable for transactions pursuant  
34 to subdivision one of this section conclusively demonstrate that a  
35 person is not a United States citizen.

36 (b) For any person who conducts a department of motor vehicles trans-  
37 action pursuant to subdivision one of this section whose information is  
38 not already subject to transmission to the state board of elections  
39 pursuant to paragraph (a) of subdivision two of this section and who  
40 does not provide documentation at the time of such person's transaction  
41 conclusively demonstrating that such person is not a United States citi-  
42 zen, the department of motor vehicles transaction shall provide an inte-  
43 grated voter registration opportunity as part of such transaction. For  
44 purposes of this paragraph, registration shall also include pre-regis-  
45 tration pursuant to section 5-507 of this article.

46 (c) The department shall ensure agency applications pursuant to para-  
47 graph (b) of this subdivision include all of the elements required by  
48 section 5-210 of this article, including the appropriate attestation, so  
49 that persons completing such applications shall be able to also submit  
50 an application to register to vote through the electronic voter regis-  
51 tration transmittal system.

52 (d) The integrated voter registration opportunity shall:

53 (i) include a statement of the eligibility requirements for voter  
54 registration and shall require an applicant to attest that such appli-  
55 cant meets such requirements under penalty of perjury;

1 (ii) inform an applicant, in print identical to that used in the  
2 attestation section, of the following:

3 (A) voter eligibility requirements;

4 (B) penalties for submission of a false registration application;

5 (C) that the office where such applicant applies for registration  
6 shall remain confidential and the voter registration information shall  
7 be used only for voter registration purposes;

8 (D) that if such applicant applies to register to vote electronically,  
9 such applicant thereby consents to the use of an electronic copy of such  
10 applicant's manual signature that is in the custody of the department of  
11 motor vehicles, as such applicant's voter registration exemplar signa-  
12 ture;

13 (E) if such applicant signs the application and affirmatively selects  
14 the voter registration option, such applicant thereby consents to the  
15 use of any information required to complete the voter registration  
16 application; and

17 (F) if such applicant declines to register, such applicant's declina-  
18 tion shall remain confidential and be used only for voter registration  
19 purposes;

20 (iii) require an applicant who attests to the eligibility requirements  
21 for voter registration to either affirmatively select or affirmatively  
22 decline voter registration as a necessary condition to complete the  
23 application pursuant to subdivision one of this section;

24 (iv) include the following warning statement, or its substantial  
25 equivalent, in prominent type, "IF YOU ARE NOT A CITIZEN OF THE UNITED  
26 STATES, DO NOT SELECT THE OPTION TO REGISTER TO VOTE. NON-CITIZENS WHO  
27 REGISTER OR PRE-REGISTER TO VOTE MAY BE SUBJECT TO CRIMINAL PENALTIES  
28 AND SUCH VOTER REGISTRATION OR PRE-REGISTRATION MAY RESULT IN DEPORTA-  
29 TION OR REMOVAL, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR  
30 DENIAL OF NATURALIZATION.";

31 (v) include a space for an applicant to indicate such applicant's  
32 choice of party enrollment, with a clear alternative provided for such  
33 applicant to decline to affiliate with any party and the following  
34 statement, or its substantial equivalent, in prominent type "ONLY  
35 ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMA-  
36 RIES."; and

37 (vi) include a statement that if an applicant is a victim of domestic  
38 violence or stalking, such applicant may contact the state board of  
39 elections before or after registering or pre-registering to vote in  
40 order to receive information regarding the address confidentiality  
41 program for victims of domestic violence under section 5-508 of this  
42 article.

43 (e) For each person who completes an application to register to vote  
44 pursuant to paragraph (d) of this subdivision, who attests to the eligi-  
45 bility requirements for voter registration, and affirmatively selects  
46 voter registration pursuant to subparagraph (iii) of paragraph (d) of  
47 this subdivision, the department of motor vehicles shall electronically  
48 transmit to the state board of elections through an interface with the  
49 electronic voter registration transmittal system established and main-  
50 tained by the state board of elections such portion of the application  
51 that includes voter registration information. If such person is not  
52 already registered to vote in New York state, the state board of  
53 elections shall electronically forward such application to the applica-  
54 ble board of elections of each county or the city of New York for regis-  
55 tration consistent with this chapter. The department shall not transmit  
56 to the state board of elections an application for registration for a

1 person who indicates on the integrated personal voter registration  
2 application that such person does not meet the eligibility requirements  
3 for registration.

4 (f) An integrated voter registration application submitted to the  
5 department of motor vehicles in an electronic format shall be transmit-  
6 ted to the state board of elections through the electronic voter regis-  
7 tration transmittal system and shall include all of the voter registra-  
8 tion data elements, including electronic signature, as applicable, and  
9 record of attestation of the accuracy of the voter registration informa-  
10 tion and any relevant document images.

11 (g) An integrated voter registration form submitted to the department  
12 of motor vehicles in paper format shall be transmitted to the state  
13 board of elections through the electronic voter registration transmittal  
14 system by converting the paper form to an image file or a portable docu-  
15 ment format file which shall thereafter be deemed the original form for  
16 voter registration and enrollment purposes. The department shall retain  
17 the complete original paper application for no less than two years. The  
18 transmittal of the converted paper application may include or be accom-  
19 panied by data elements and transmittal information as required by the  
20 rules and regulations of the state board of elections.

21 (h) The department shall redact or remove from the completed inte-  
22 grated application to be transmitted to the state board of elections any  
23 information solely applicable to the agency application.

24 (i) Information from an applicant relevant to both voter registration  
25 and the department application shall be entered by the applicant only  
26 once upon an electronic application.

27 (j) Information concerning the citizenship status of individuals, when  
28 collected and transmitted pursuant to this subdivision, shall not be  
29 retained, used, or shared for any other purpose except as may be  
30 required by law.

31 (k) For each person who attests to the eligibility requirements for  
32 voter registration, but who does not affirmatively select voter regis-  
33 tration pursuant to subparagraph (iii) of paragraph (d) of this subdivi-  
34 sion, the department of motor vehicles shall electronically transmit to  
35 the state board of elections through an interface with the electronic  
36 voter registration transmittal system established and maintained by the  
37 state board of elections such portion of the application that includes  
38 voter registration information with a clear designation that such infor-  
39 mation shall be used only for the purpose of updating existing registra-  
40 tion records.

41 4. (a) If information is received by the state board of elections from  
42 the department of motor vehicles pursuant to paragraph (a) of subdivi-  
43 sion two or paragraph (e) or (k) of subdivision three of this section  
44 for a person who is already registered or pre-registered to vote in New  
45 York state, the state board of elections shall determine whether the  
46 information provided to the department of motor vehicles indicates a  
47 different name, residence address, or mailing address from that on such  
48 person's registration record.

49 (b) If information provided to the department of motor vehicles pursu-  
50 ant to paragraph (a) of subdivision two or paragraph (e) or (k) of  
51 subdivision three of this section indicates a different name, residence  
52 address, or mailing address for a registered or pre-registered voter  
53 from that on such person's registration record, the state board of  
54 elections shall electronically transmit the updated name or address for  
55 such person to the appropriate board of elections for such person's  
56 residence. If such person has changed residence from one county to

1 another, the state board of elections shall electronically transmit such  
2 information to both the board of the previous county or city of resi-  
3 dence and the new county or city of residence. The board of elections in  
4 such person's county or city of residence shall use the information  
5 transmitted by the board to update such person's existing voter regis-  
6 tration record, transfer the person's registration, if inactive, to  
7 active status, and send to such person's address of record the notice  
8 required under subdivision five of section 5-208 of this article. The  
9 board of elections in any previous county or city of residence shall  
10 update such person's voter registration record to reflect that such  
11 person has moved to a different county.

12 (c) If a person returns the notice required under paragraph (b) of  
13 this subdivision and indicates that the change to such person's regis-  
14 tration record was in error, the appropriate boards of elections,  
15 including the board of the previous county or city of residence, shall  
16 promptly correct such person's previously updated information in the  
17 statewide voter registration list.

18 (d) Any application pursuant to subdivision one of this section shall  
19 inform the applicant that if such applicant is already registered or  
20 pre-registered to vote in New York state, the name, residence address,  
21 and mailing address provided on the application shall be used to update  
22 such person's registration record and that such person shall receive  
23 notice of any update by mail, along with information on how to correct  
24 such update, if needed.

25 5. The state board of elections shall prepare and distribute to the  
26 department of motor vehicles written instructions as to the implementa-  
27 tion of this section and shall be responsible for establishing training  
28 programs for employees of the department of motor vehicles. Such  
29 instructions and such training shall ensure usability of the integrated  
30 application in subdivision three of this section for low-English profi-  
31 ciency voters. The department of motor vehicles shall take all actions  
32 that are necessary and proper for the implementation of this section,  
33 including facilitating technological capabilities to allow transmission  
34 of data through an interface with the electronic voter registration  
35 transmittal system in a secure manner.

36 6. The state board of elections may promulgate rules and regulations  
37 for the administration of this section.

38 7. Nothing in this section shall be construed to require documentary  
39 proof of citizenship for voter registration. Nothing in this section  
40 shall be construed to authorize or require the department of motor vehi-  
41 cles to request documentation establishing an applicant's citizenship  
42 solely for the purposes of voter registration.

43 8. The state board of elections shall publicly release data reports,  
44 as described in this subdivision, on a monthly basis. Such data reports  
45 shall not include any personally identifying information, shall be  
46 subcategorized by gender and age of the individuals included, and shall  
47 include all of the following information:

48 (a) The number of individuals registered to vote or pre-registered to  
49 vote under the procedures in subdivision two of this section.

50 (b) The number of individuals registered to vote or pre-registered to  
51 vote under the procedures in subdivision three of this section.

52 (c) The number of individuals who declined voter registration or pre-  
53 registration under the procedures in subdivision two of this section.

54 (d) The number of individuals who declined voter registration or pre-  
55 registration under the procedures in subdivision three of this section.

1 (e) The number of individuals whose voter registration or pre-regis-  
2 tration was updated pursuant to the procedures in subdivision four of  
3 this section.

4 § 3. The election law is amended by adding a new section 5-901-a to  
5 read as follows:

6 § 5-901-a. Procedures specific to Medicaid enrollment. 1. Subject to  
7 any modifications necessary to comply with applicable federal laws and  
8 regulations including such modifications under subdivision two of this  
9 section, beginning January first, two thousand twenty-eight, the depart-  
10 ment of health and county and city departments of social services shall  
11 automatically and electronically transmit the following information to  
12 the state board of elections for purposes of voter registration and  
13 pre-registration for each person who applies for or re-enrolls in Medi-  
14 caid, who is of sufficient age to register or pre-register to vote, and  
15 who is externally verified as a United States citizen as part of an  
16 application for Medicaid:

17 (a) such person's name;

18 (b) such person's date of birth;

19 (c) the last four digits of such person's social security number;

20 (d) such person's residence address, and mailing address if different  
21 from the residence address;

22 (e) such person's county of residence;

23 (f) such person's citizenship status;

24 (g) an electronic copy of such person's manual signature, if avail-  
25 able;

26 (h) the date of such person's application or re-enrollment trans-  
27 action;

28 (i) such person's gender, if available;

29 (j) such person's telephone number, if available; and

30 (k) such person's e-mail address, if available.

31 2. If necessary to comply with federal law, before transmitting a  
32 person's information to the state board of elections for purposes of  
33 voter registration pursuant to subdivision one of this section, the  
34 department of health and county and city departments of social services  
35 or their designees shall, within fifteen days of such person's applica-  
36 tion or re-enrollment transaction, notify by mail such person whose data  
37 is subject to transmission pursuant to subdivision one of this section  
38 and provide such person an opportunity to decline transmission. Such  
39 notice shall be sent to such person's mailing address by non-forwardable  
40 mail, notify such person that such person's information will be shared  
41 with election officials for purposes of keeping voter registration  
42 records complete and accurate, and contain a postage paid preaddressed  
43 return form by which such person may decline transmission of such  
44 person's data to the state board of elections. If such person returns  
45 such notice within seventeen days of mailing and declines transmission  
46 of such person's information, such person's information shall not be  
47 transmitted to the state board of elections for purposes of voter regis-  
48 tration. If such person does not return the notice provided under this  
49 subdivision and declines transmission of such person's information with-  
50 in seventeen days of mailing, such person's information shall be trans-  
51 mitted to the state board of elections within three days for purposes of  
52 voter registration.

53 3. In processing information received the department of health and  
54 county and city departments of social services pursuant to subdivision  
55 one of this section, the state board of elections and boards of  
56 elections for each county or the city of New York shall comply with the

1 requirements established in subdivisions two and four of section 5-901  
 2 of this title. Provided that, a person of sufficient age to register to  
 3 vote whose information is transmitted to a county or city board pursuant  
 4 to this section shall be registered to vote for an election if the  
 5 information is transmitted to the county or city board by the tenth day  
 6 before such election.

7 4. Prior to January first, two thousand twenty-eight, the department  
 8 of health and county and city departments of social services shall  
 9 utilize the procedures required under section 5-900 of this title for  
 10 Medicaid enrollment transactions.

11 § 4. Section 5-902 of the election law, as amended by chapter 37 of  
 12 the laws of 2021, is amended to read as follows:

13 § 5-902. Failure to receive exemplar signature not to prevent regis-  
 14 tration. If a voter registration exemplar signature is not received from  
 15 an applicant who submits a voter registration or pre-registration appli-  
 16 cation or is otherwise registered or pre-registered to vote pursuant to  
 17 this title and such signature exemplar is not otherwise available from  
 18 the statewide voter registration database or a state or local agency,  
 19 the local board of elections shall, absent another reason to reject the  
 20 application, proceed to register or pre-register and, as applicable,  
 21 enroll the applicant. Within ten days of such action, the board of  
 22 elections shall send a standard form promulgated by the state board of  
 23 elections to the voter whose record lacks an exemplar signature, requir-  
 24 ing such voter to submit a signature for identification purposes. The  
 25 voter shall submit to the board of elections a voter registration exemp-  
 26 lar signature by any one of the following methods: in person, by mail  
 27 with return postage paid provided by the board of elections, by elec-  
 28 tronic mail, or by electronic upload to the board of elections through  
 29 the electronic voter registration transmittal system. If such voter does  
 30 not provide the required exemplar signature, when the voter appears to  
 31 vote the voter shall be entitled to vote by affidavit ballot.

32 § 5. The opening paragraphs of subdivisions 1 and 2 of section 5-904  
 33 of the election law, as amended by chapter 37 of the laws of 2021, are  
 34 amended to read as follows:

35 Notwithstanding subdivision six of section 5-210 of this article or  
 36 any other law to the contrary, a person who is ineligible to vote who  
 37 fails to decline to register or pre-register to vote in accordance with  
 38 the provisions of this [~~section~~] title or who is otherwise registered or  
 39 pre-registered to vote in accordance with the provisions of this title,  
 40 and who did not willfully and knowingly seek to register or pre-register  
 41 to vote knowing that the person is not eligible to do so:

42 Notwithstanding subdivision six of section 5-210 of this article or  
 43 any other law to the contrary, a person who is ineligible to vote who  
 44 fails to decline to register or pre-register to vote in accordance with  
 45 the provisions of this [~~section~~] title or who is otherwise registered or  
 46 pre-registered to vote in accordance with the provisions of this title,  
 47 and who then either votes or attempts to vote in an election held after  
 48 the effective date of that person's registration, and who did not will-  
 49 fully and knowingly seek to register or pre-register to vote knowing  
 50 that the person is not eligible to do so, and did not subsequently vote  
 51 or attempt to vote knowing that the person is not eligible to do so:

52 § 6. Subdivisions 1 and 2 of section 5-308 of the election law, as  
 53 amended by chapter 37 of the laws of 2021, are amended to read as  
 54 follows:

55 1. The board of elections shall, promptly and not later than twenty-  
 56 one days after receipt of a voter registration or pre-registration

1 application submitted pursuant to title nine of this article by a voter  
2 registering or pre-registering for the first time, send any such voter  
3 who did not enroll in a party a notice and a form to indicate party  
4 enrollment. Such notice shall offer the voter the opportunity to enroll  
5 with a party or to decline to enroll with a party and contain the  
6 following statement in prominent type "ONLY ENROLLED MEMBERS OF A POLI-  
7 TICAL PARTY MAY VOTE IN THAT PARTY'S PRIMARIES." Such form shall provide  
8 a clear alternative for the applicant to decline to affiliate with any  
9 party. If the board of elections has not received a response to the  
10 party enrollment notice and form sent pursuant to this subdivision, or  
11 to a notice sent pursuant to subparagraph (i) of paragraph (e) of subdivi-  
12 vision two of section 5-901 of this article within forty-five days of a  
13 person's registration, the board shall mail a second party enrollment  
14 notice and form to such person.

15 2. Notwithstanding subdivision two of section 5-304 of this title, if  
16 a voter who registered to vote for the first time (or pre-registered)  
17 pursuant to title nine of this article responds to either of the  
18 [~~notice~~] notices required by subdivision one of this section and elects  
19 to enroll in a party, such enrollment shall take effect immediately.  
20 However, any pre-registrant's registration shall remain classified as  
21 "pending" until the voter reaches the age of eligibility.

22 § 7. This act shall take effect January 1, 2028.

23 PART NNN

24 Section 1. Section 43 of the retirement and social security law is  
25 amended by adding a new subdivision m to read as follows:

26 m. 1. Notwithstanding any other law, rule or regulation to the contra-  
27 ry, any member in the title of deputy sheriff who provided police  
28 protection or correction officer service transferring from the New York  
29 state and local employees' retirement system to the New York state and  
30 local police and fire retirement system after the effective date of this  
31 subdivision and any member previously in the title of deputy sheriff who  
32 provided police protection or correction office service having made such  
33 transfer shall be entitled to a determination of the amount of service  
34 credit that is eligible on a twenty year or twenty-five year retirement  
35 plan if, within one year of the date on which such deputy sheriff first  
36 became a member of the New York state and local police and fire retire-  
37 ment system or within one year of the effective date of this subdivi-  
38 sion, such member elects to do so. If the member subsequently transfers  
39 back to the New York state and local employees' retirement system, the  
40 full amount of service credit earned while in the title of deputy sher-  
41 iff who provided police protection or correction officer service shall  
42 be transferred back to the New York state and local employees' retire-  
43 ment system.

44 2. The calculation of the amount of such service credit for a member  
45 will be determined by multiplying the eligible service credited while in  
46 the title of deputy sheriff who provided police protection or correction  
47 officer service in the New York state and local employees' retirement  
48 system plan by a salary multiplier, reflecting the rate of salary in the  
49 New York state and local employees' retirement system plan relative to  
50 the rate of salary in the New York state and local police and fire  
51 retirement system plan, and a billing rate multiplier, reflecting the  
52 actuarial long-term average billing rate in the New York state and local  
53 employees' retirement system plan relative to the actuarial long-term  
54 average billing rate in the New York state and local police and fire

1 retirement system plan. The determination of the salary multiplier and  
2 billing rate multiplier will be determined by the actuary of the New  
3 York state and local employees' retirement system and the New York state  
4 and local police and fire retirement system. The amount of such service  
5 credited to the member in the New York state and local police and fire  
6 retirement system plan shall not exceed the amount of service credited  
7 to the member while in the title of deputy sheriff who provided police  
8 protection or correction officer service in the New York state and local  
9 employees' retirement system plan.

10 § 2. Section 343 of the retirement and social security law is amended  
11 by adding a new subdivision j to read as follows:

12 j. 1. Notwithstanding any other law, rule or regulation to the contra-  
13 ry, any member in the title of deputy sheriff who provided police  
14 protection or correction officer service transferring from the New York  
15 state and local employees' retirement system to the New York state and  
16 local police and fire retirement system after the effective date of this  
17 subdivision and any member previously in the title of deputy sheriff who  
18 provided police protection or correction officer service having made  
19 such transfer shall be entitled to a determination of the amount of  
20 service credit that is eligible on a twenty year or twenty-five year  
21 retirement plan if, within one year of the date on which such deputy  
22 sheriff first became a member of the New York state and local police and  
23 fire retirement system or within one year of the effective date of this  
24 subdivision, such member elects to do so. If the member subsequently  
25 transfers back to the New York state and local employees' retirement  
26 system, the full amount of service credit earned while in the title of  
27 deputy sheriff who provided police protection or correction officer  
28 service shall be transferred back to the New York state and local  
29 employees' retirement system.

30 2. The calculation of the amount of such service credit for a member  
31 will be determined by multiplying the eligible service credited while in  
32 the title of deputy sheriff who provided police protection or correction  
33 officer service in the New York state and local employees' retirement  
34 system plan by a salary multiplier, reflecting the rate of salary in the  
35 New York state and local employees' retirement system plan relative to  
36 the rate of salary in the New York state and local police and fire  
37 retirement system plan, and a billing rate multiplier, reflecting the  
38 actuarial long-term average billing rate in the New York state and local  
39 employees' retirement system plan relative to the actuarial long-term  
40 average billing rate in the New York state and local police and fire  
41 retirement system plan. The determination of the salary multiplier and  
42 billing rate multiplier will be determined by the actuary of the New  
43 York state and local employees' retirement system and the New York state  
44 and local police and fire retirement system. The amount of such service  
45 credited to the member in the New York state and local police and fire  
46 retirement system plan shall not exceed the amount of service credited  
47 to the member while in the title of deputy sheriff who provided police  
48 protection or correction officer service in the New York state and local  
49 employees' retirement system plan.

50 3. If such member subsequently retires on an age based retirement plan  
51 in the New York state and local police and fire retirement system  
52 instead of a twenty year or twenty-five year plan, the full amount of  
53 service credit earned while in the title of deputy sheriff shall be  
54 granted.

55 4. No member who receives service credit pursuant to this subdivision  
56 shall be eligible to receive additional service credit pursuant to

1 subdivision b of section three hundred eighty-four-e of this article if  
2 such deputy sheriff's employer has elected to provide such service cred-  
3 it.

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

6 PART 000

7 Section 1. Section 3 of part HH of chapter 56 of the laws of 2022  
8 amending the retirement and social security law relating to waiving  
9 approval and income limitations on retirees employed in school districts  
10 and board of cooperative educational services, as amended by section 1  
11 of part GG of chapter 55 of the laws of 2024, is amended to read as  
12 follows:

13 § 3. This act shall take effect immediately and shall expire and be  
14 deemed repealed June 30, [~~2025~~] 2027.

15 § 2. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill would amend Part HH of Chapter 56 of the laws of 2022, most recently amended by Part GG of Chapter 55 of the laws of 2024, to extend the waiver of the earnings-after-retirement limitation for two more years to June 30, 2027 for retired members who return to work with a school district or a board of cooperative educational services (BOCES). The current expiration date is June 30, 2025 for the waiver of this limit. This act shall take effect immediately and shall be deemed repealed on June 30, 2027.

This waiver of the earnings-after-retirement limit is expected to have an impact on the Retirement System's patterns of retirement, and it is expected that some members will retire earlier than they otherwise would have. Earlier retirement generally increases plan costs since members will be receiving their benefits for a longer period. If retirement patterns shift more than expected, there will be additional costs.

The annual cost to the employers of members of the New York State Teachers' Retirement System for this benefit is estimated to be \$27.0 million or 0.13% of payroll if this bill is enacted. Additional costs would be expected if this change is made permanent.

Member data is from the System's most recent actuarial valuation files as of June 30, 2024, consisting of data provided by the employers to the Retirement System. The most recent data distributions and statistics can be found in the System's Annual Report for fiscal year ended June 30, 2024. System assets are as reported in the System's financial statements and can also be found in the System's Annual Report. Actuarial assumptions and methods will be provided in the System's Actuarial Valuation Report as of June 30, 2024, except rates of retirement which have been modified to reflect anticipated utilization of this benefit.

The source of this estimate is Fiscal Note 2025-14 dated March 7, 2025 prepared by the Office of the Actuary of the New York State Teachers' Retirement System and is intended for use only during the 2025 Legislative Session. I, Richard A. Young, am the Chief Actuary for the New York State Teachers' Retirement System. I am a member of the American Academy of Actuaries and I meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

1 Section 1. 1. New York state aid and incentives for municipalities  
2 redesign task force. There is hereby created the aid and incentives for  
3 municipalities redesign task force whose membership shall consist of 7  
4 members: the director of the division of the budget or such director's  
5 designee as chair; the comptroller or such comptroller's designee; the  
6 executive director of the New York State Conference of Mayors or such  
7 director's designee; the executive director of the New York State Asso-  
8 ciation of Counties or such director's designee; the executive director  
9 of the New York State Association of Towns or such director's designee;  
10 one member appointed by the temporary president of the senate; and one  
11 member appointed by the speaker of the assembly. The task force shall  
12 report to the governor, the speaker of the assembly and the temporary  
13 president of the senate no later than one year after the effective date  
14 of this act. Such report shall include, but not be limited to:

15 (a) A review and analysis of the current aid and incentives for muni-  
16 cipalities formula and allocations;

17 (b) An analysis of available alternatives to the current aid and  
18 incentives for municipalities formula and allocations, including models  
19 from other states; provided however, that such alternatives shall  
20 include the allocation of funds to any municipality which is not  
21 currently receiving aid and incentives for municipalities funding;

22 (c) Recommendations concerning such alternatives to the formula used  
23 to determine future aid and incentives to municipalities funding allo-  
24 cations; provided however, that such recommendations shall include the  
25 allocation of funds to any municipality which is not currently receiving  
26 aid and incentives for municipalities funding; and

27 (d) Any other information the task force deems necessary or relevant.

28 2. All appointments to the task force shall be made no later than  
29 sixty days after the effective date of this act. Any vacancy shall be  
30 filled by the appointing authority. The task force shall meet as  
31 frequently as it deems necessary prior to issuing its findings and  
32 recommendations. The members of the task force shall serve without  
33 compensation, except that members shall be allowed their necessary and  
34 actual expenses incurred in the performance of their duties under this  
35 section. The department of taxation and finance and the division of the  
36 budget shall provide the task force with such data as the task force may  
37 request to carry out its powers and duties. To the extent practicable,  
38 such data shall be provided in a format in accordance with the standards  
39 outlined in the New York State Open Data Handbook pursuant to executive  
40 order 95 of the laws of 2013. The task force may consult with any public  
41 or private entity it deems necessary in order to assist the task force  
42 with information gathering, analysis, and formulating its conclusions  
43 and recommendations.

44 § 2. This act shall take effect immediately and shall expire and be  
45 deemed repealed December 31, 2026.

46

#### PART QQQ

47 Section 1. Subparagraph (ii) of paragraph p of subdivision 10 of  
48 section 54 of the state finance law, as amended by section 1 of part CC  
49 of chapter 55 of the laws of 2018, is amended to read as follows:

50 (ii) Within the annual amounts appropriated therefor, surviving muni-  
51 cipalities following a consolidation or dissolution occurring on or  
52 after the state fiscal year commencing April first, two thousand seven,  
53 and any new coterminous town-village established after July first, two  
54 thousand twelve that operates principally as a town or as a village but

1 not as both a town and a village, shall be awarded additional annual  
2 aid, starting in the state fiscal year following the state fiscal year  
3 in which such reorganization took effect, equal to [~~fifteen~~] thirty  
4 percent of the combined amount of real property taxes levied by all of  
5 the municipalities participating in the reorganization in the local  
6 fiscal year prior to the local fiscal year in which such reorganization  
7 took effect. In instances of the dissolution of a village located in  
8 more than one town, such additional aid shall equal the sum of [~~fifteen~~]  
9 thirty percent of the real property taxes levied by such village in the  
10 village fiscal year prior to the village fiscal year in which such  
11 dissolution took effect plus [~~fifteen~~] thirty percent of the average  
12 amount of real property taxes levied by the towns in which the village  
13 was located in the town fiscal year prior to the town fiscal year in  
14 which such dissolution took effect, and shall be divided among such  
15 towns based on the percentage of such village's population that resided  
16 in each such town as of the most recent federal decennial census. In no  
17 case shall the additional annual aid pursuant to this paragraph exceed  
18 [~~one~~] three million dollars. For villages in which a majority of the  
19 electors voting at a referendum on a proposed dissolution pursuant to  
20 section seven hundred eighty of the general municipal law vote in favor  
21 of dissolution after December thirty-first, two thousand seventeen, in  
22 no case shall the additional annual aid pursuant to this paragraph  
23 exceed the lesser of [~~one~~] three million dollars or the amount of real  
24 property taxes levied by such village in the village fiscal year prior  
25 to the village fiscal year in which such dissolution took effect. Such  
26 additional annual aid shall be apportioned and paid to the chief fiscal  
27 officer of each eligible municipality on or before September twenty-  
28 fifth of each such state fiscal year on audit and warrant of the state  
29 comptroller out of moneys appropriated by the legislature for such  
30 purpose to the credit of the local assistance fund.

31 § 2. This act shall take effect immediately, and shall apply to tax  
32 years beginning on or after January 1, 2025.

33

## PART RRR

34 Section 1. Section 854 of the general municipal law is amended by  
35 adding a new subdivision 22 to read as follows:

36 (22) "Labor organization"--shall mean any organization which exists  
37 and is constituted for the purpose, in whole or in part, of collective  
38 bargaining, or of dealing with employers concerning grievances, terms or  
39 conditions of employment, or of other mutual aid or protection and which  
40 is not a company union.

41 § 2. Subdivision 2 of section 856 of the general municipal law, as  
42 amended by chapter 356 of the laws of 1993, is amended to read as  
43 follows:

44 2. (a) An agency shall be a corporate governmental agency, constitut-  
45 ing a public benefit corporation. Except as otherwise provided by  
46 special act of the legislature, an agency shall consist of not less than  
47 three nor more than seven members who shall be appointed by the govern-  
48 ing body of each municipality and who shall serve at the pleasure of the  
49 appointing authority. If the initial addition of the mandatory members  
50 required pursuant to paragraph (b) of this subdivision would increase  
51 the agency size to above the maximum seven-member limit, the agency may  
52 temporarily increase its size to allow for the addition of such mandato-  
53 ry members. Provided, however, that such agency size shall decrease to

1 seven or fewer members as the seats of non-mandatory members are  
2 vacated.

3 (b) Such members may include representatives of local government  
4 [~~school~~] and business, and shall at least include a representative of a  
5 local labor organization and either a school district superintendent or  
6 a representative of a school board. A member shall continue to hold  
7 office until [~~his~~] their successor is appointed and has qualified. The  
8 governing body of each municipality shall designate the first [~~chairman~~]  
9 chairperson and file with the secretary of state a certificate of  
10 appointment or reappointment of any member. Such members shall receive  
11 no compensation for their services but shall be entitled to the neces-  
12 sary expenses, including traveling expenses, incurred in the discharge  
13 of their duties.

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

16 PART SSS

17 Section 1. This act shall be known and may be cited as the "Oak  
18 Orchard wastewater project act".

19 § 2. Definitions. For the purposes of this act, the following terms  
20 shall have the following meanings:

21 1. "Oak Orchard wastewater project" or "project" shall mean, in  
22 conformity with the requirements of this act, any and all phases of  
23 planning, development, financing, design, construction, expansion,  
24 improvements, repairs which are undertaken in whole or in part by the  
25 county for the wastewater treatment plant known as the "Oak Orchard  
26 wastewater treatment plant" located at 4300 Oak Orchard Road in the Town  
27 of Clay, Onondaga county, SBL No. 031.-01-03.0, including any other  
28 necessary improvements or expansions to the county wastewater treatment  
29 and collection system within five miles of the perimeter of the plant.

30 2. "Oak Orchard wastewater treatment plant" shall mean the parcel more  
31 particularly described as follows:

32 Beginning at a point on the division line between said lands conveyed  
33 to Joseph V. Jankowski by the first above mentioned deed on the west and  
34 lands conveyed by Scott Sitterly and Lena E. Sitterly to Green Island  
35 Contracting Corporation in Parcel No. 1 of feed dated April 24, 1970 and  
36 recorded in Onondaga County Clerk's Office on April 24, 1970 in Book of  
37 Deeds 2426 at Page 210, on the east, said point also being 400 distant  
38 southerly, measured along the division line from its intersection with  
39 the division line between lands conveyed to Joseph V. Jankowski in the  
40 first above mentioned deed, on the south, and said lands conveyed to  
41 Green Island Contracting Corporation in Parcel No. 2 of the aforemen-  
42 tioned deed, on the north; running thence S 3°03'04" E along said divi-  
43 sion line and its southerly prolongation, a distance of 2587.66 feet to  
44 a point on the easterly prolongation of the southerly boundary of lands  
45 conveyed by Effie J. Bush to Scott Sitterly and Lena E. Sitterly by deed  
46 dated March 1, 1994 and recorded in Onondaga County Clerk's Office on  
47 March 2, 1944, in Book of Deeds 1089 at Page 35; thence S 86°.4'06" W, a  
48 distance of 1141.86 feet to the southeast corner of said lands conveyed  
49 to Scott Sitterly and Lena E. Sitterly in the last mentioned deed;  
50 thence N 4°04'05" W along the easterly boundary of said lands conveyed  
51 to Scott Sitterly and Lena E. Sitterly, a distance of 663.82 feet to the  
52 northeast corner thereof; thence S86°28'55" W along the northerly bound-  
53 ary of said lands conveyed by Effie J. Bush to Scott Sitterly and Lena  
54 E. Sitterly, a distance of about 119 feet to the centerline of "Mud

1 Creek"; thence northerly along the centerline of Mud Creek", as it winds  
2 and turns, a distance of about 1965 feet to its intersection with the  
3 southwest prolongation of the southeasterly boundary of lands conveyed  
4 by Owen P. Honors to Charles F. Honors and Marion F. Honors by deed  
5 dated April 8, 1972 and recorded in Onondaga County Clerk's Office on  
6 June 30, 1972 in Book of Deeds 2478 at Page 719; thence N 41°08'58" E  
7 along said prolongation and along the southeasterly boundary of said  
8 lands conveyed to Charles F. Honors and Marion F. Honors, a distance of  
9 about 595 feet to a point, said point being S 41°08'58" W, a distance of  
10 238.94 feet as measured along the southeasterly boundary from an iron  
11 pipe monument marking the most easterly corner of said lands conveyed to  
12 Charles F. Honors and Marion F. Honors; thence N 86°28'55" E, parallel  
13 to the southerly boundary of Farm Lot No. 16, a distance of 1328.39 feet  
14 to a point of beginning. Containing 74.41 acres of land more or less.

15 Subject to a Flowage Easement granted by William Lepinski and Dora  
16 Lepinske to the State of New York dated January 2, 1917 and recorded in  
17 Onondaga County Clerk's Office on January 27, 1917 in Book of Deed 455  
18 at Page 176.

19 3. "County" shall mean the county of Onondaga.

20 4. "Best value" shall mean the basis for awarding contracts for  
21 services to the proposer that optimize quality, cost and efficiency,  
22 price and performance criteria, which may include, but is not limited  
23 to:

24 (a) The quality of the contractor's performance on previous projects;  
25 (b) The timeliness of the contractor's performance on previous  
26 projects;

27 (c) The level of customer satisfaction with the contractor's perform-  
28 ance on previous projects;

29 (d) The contractor's record of performing previous projects on budget  
30 and ability to minimize cost overruns;

31 (e) The contractor's ability to limit change orders;

32 (f) The contractor's ability to prepare appropriate project plans;

33 (g) The contractor's technical capacities;

34 (h) The individual qualifications of the contractor's key personnel;

35 (i) The contractor's ability to assess and manage risk and minimize  
36 risk impact; and

37 (j) The contractor's past record of encouraging women and minority  
38 owned business enterprise participation and compliance with article 15-A  
39 of the executive law.

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

42 5. "Design-build contract" shall mean, in conformity with the require-  
43 ments of this act a contract for the design and construction of the Oak  
44 Orchard wastewater project with a single entity, which may be a team  
45 comprised of separate entities.

46 6. "Procurement record" shall mean documentation of the decisions made  
47 and the approach taken in the procurement process.

48 7. "Project labor agreement" shall mean a pre-hire collective bargain-  
49 ing agreement between a contractor and a bona fide building and  
50 construction trade labor organization establishing the labor organiza-  
51 tion as the collective bargaining representative for all persons who  
52 will perform work on a project, and which provides that only contractors  
53 and subcontractors who sign a pre-negotiated agreement with the labor  
54 organization can perform project work.

55 § 3. Notwithstanding section 103 of the general municipal law or the  
56 provisions of any other law to the contrary, in conformity with the

1 requirements of this act, and only when a project labor agreement is  
2 performed, the county may utilize the alternative delivery method  
3 referred to as a design-build contract for a project. The county shall  
4 ensure that its procurement record reflects the design-build contract  
5 process authorized by this act.

6 § 4. An entity selected by the county to enter into a design-build  
7 contract for a project shall be selected on the basis of which proposal  
8 provides the best value to the county, as follows:

9 1. The county shall issue a request for proposals for a project. The  
10 request for proposals for a project shall set forth the project's scope  
11 of work, qualifications and experience required, minimum business terms,  
12 technical requirements as well as other requirements, as determined by  
13 the county. The request for proposals shall specify the criteria to be  
14 used to evaluate the responses and the relative weight of each such  
15 criteria. Such criteria shall include the proposal's cost, the quality  
16 of the proposal's solution, the qualifications and experience of the  
17 design-build entity, adherence to minimum business terms, technical  
18 approach and other factors deemed pertinent by the county, which may  
19 include, but shall not be limited to, the proposal's project implementa-  
20 tion, ability to complete the work in a timely and satisfactory manner,  
21 operation and maintenance costs of the completed project, maintenance of  
22 traffic approach, and community impact. Any contract awarded pursuant to  
23 this act shall be awarded to a responsive and responsible entity that  
24 submits the proposal, which, in consideration of these and other speci-  
25 fied criteria deemed pertinent to the project, offers the best value to  
26 the county, as determined by the county. Nothing in this act shall be  
27 construed to prohibit the county from negotiating final contract terms  
28 and conditions including cost. As used herein, qualifications and expe-  
29 rience shall include the qualifications and experience of the design and  
30 construction team, organization, demonstrated responsibility, ability of  
31 the team or of a member or members of the team to comply with applicable  
32 requirements, including the provisions of articles 145, 147 and 148 of  
33 the education law, past record of compliance with the labor law includ-  
34 ing prevailing wage requirements under state and federal law; the past  
35 record of compliance with existing labor standards and maintaining  
36 harmonious labor relations; the record of protecting the health and  
37 safety of workers on public works projects and job sites as demonstrated  
38 by the experience modification rate for each of the last three years;  
39 the prospective proposer's ability to undertake the particular type and  
40 complexity of work; the financial capability, responsibility and reli-  
41 ability of the prospective proposer for such type and complexity of  
42 work; the prospective proposer's compliance with equal employment oppor-  
43 tunity requirements and anti-discrimination laws, and demonstrated  
44 commitment to working with minority and women-owned businesses through  
45 joint ventures or subcontractor relationships; whether or not the  
46 prospective proposer or a person or entity with an interest of at least  
47 ten per centum in the prospective proposer, is debarred for having  
48 disregarded obligations to employees under the Davis-Bacon Act pursuant  
49 to 40 U.S.C. 3144 and 29 C.F.R. 5.12 and such other qualifications the  
50 county deems appropriate which may include but are not limited to  
51 project understanding, financial capability and record of past perform-  
52 ance. To the extent consistent with applicable federal law, the county  
53 shall consider, when awarding any contract pursuant to this section, the  
54 participation of: (a) firms certified pursuant to article 15-A of the  
55 executive law as minority or women-owned businesses and the ability of  
56 other businesses under consideration to work with minority and women-

1 owned businesses so as to promote and assist participation by such busi-  
2 nesses; and (b) small business concerns identified pursuant to subdivi-  
3 sion (b) of section 139-g of the state finance law.

4 2. Notwithstanding the foregoing provisions of this section, when any  
5 person or entity is debarred for having disregarded obligations to  
6 employees under the Davis-Bacon Act pursuant to 40 U.S.C. 3144 and 29  
7 C.F.R. 5.12, such person or entity, and any firm, corporation, partner-  
8 ship or association in which the person or entity owns or controls at  
9 least ten per centum, shall be ineligible to submit a bid on or be  
10 awarded any contract authorized by this act while the name of the person  
11 or entity is published in the list of debarred contractors pursuant to  
12 40 U.S.C. 3144. The department of labor will notify the person or entity  
13 immediately of such ineligibility and such person or entity must be  
14 afforded the opportunity to appeal to the department of labor.

15 § 5. Any contract entered into pursuant to this act shall include a  
16 clause requiring that any professional services regulated by articles  
17 145, 147 and 148 of the education law shall be performed and stamped and  
18 sealed, where appropriate, by a professional licensed in accordance with  
19 such articles.

20 § 6. The construction, demolition, reconstruction, excavation, reha-  
21 bilitation, repair, renovation of a project undertaken by the county  
22 pursuant to this act shall be deemed a "public work" to be performed in  
23 accordance with the provisions of article 8 of the labor law, as well as  
24 subject to sections 200, 240, 241 and 242 of the labor law and enforce-  
25 ment of prevailing wage requirements by the New York state department of  
26 labor.

27 § 7. A project labor agreement shall be included in the request for  
28 proposals for a project, provided that, based upon a study done by or  
29 for the county, the county determines that its interest in obtaining the  
30 best work at the lowest possible price, preventing favoritism, fraud and  
31 corruption, and other considerations such as the impact of delay, the  
32 possibility of cost savings advantages, and any local history of labor  
33 unrest, are best met by requiring a project labor agreement. The county  
34 shall conduct such a study and the project labor agreement shall be  
35 performed consistent with the provisions of section 222 of the labor  
36 law. If a project labor agreement is not performed on the project: (1)  
37 the county shall not utilize a design-build contract for the project;  
38 and (2) sections 101 and 103 of the general municipal law shall apply to  
39 the project.

40 § 8. Each contract entered into by the county pursuant to this act  
41 shall comply, whenever practical, with the objectives and goals of  
42 minority and women-owned business enterprises pursuant to article 15-A  
43 of the executive law or, if a project receives federal aid, shall comply  
44 with applicable federal requirements for disadvantaged business enter-  
45 prises.

46 § 9. A project undertaken by the county pursuant to this act shall be  
47 subject to the requirements of article 8 of the environmental conserva-  
48 tion law, and, where applicable, the requirements of the national envi-  
49 ronmental policy act.

50 § 10. If otherwise applicable, a project undertaken by the county  
51 pursuant to this act shall be governed by the general municipal law.

52 § 11. The submission of a proposal or responses or the execution of a  
53 design-build contract pursuant to this act shall not be construed to be  
54 a violation of section 6512 of the education law.

55 § 12. Nothing contained in this act shall limit the right or obli-  
56 gation of the county to comply with the provisions of any existing

1 contract, including any existing contract with or for the benefit of the  
 2 holders of the obligations of the county, or to award contracts as  
 3 otherwise provided by law.

4 § 13. This act shall take effect immediately and shall expire and be  
 5 deemed repealed ten years after such date, provided that if Onondaga  
 6 county has issued requests for proposals for a project prior to such  
 7 repeal, such project shall be permitted to continue under this act  
 8 notwithstanding such repeal.

9 PART TTT

10 Section 1. Section 532 of the real property tax law is amended by  
 11 adding two new subdivisions (m) and (n) to read as follows:

12 (m) All state lands located within the boundaries of the Sojourner  
 13 Truth state park in the county of Ulster, exclusive of the improvements  
 14 thereon.

15 (n) All state lands located within the boundaries of the Franny Reese  
 16 state park in the county of Ulster, exclusive of the improvements there-  
 17 on.

18 § 2. This act shall take effect immediately and shall apply to assess-  
 19 ment rolls prepared on the basis of taxable status dates occurring on  
 20 and after the date on which this act shall have become a law.

21 PART UUU

22 Section 1. Section 4 of part KK of chapter 55 of the laws of 2022,  
 23 amending the general municipal law and the town law relating to author-  
 24 izing fees and charges for emergency medical services, is amended to  
 25 read as follows:

26 § 4. This act shall take effect on the ninetieth day after it shall  
 27 have become a law and shall apply to health care claims submitted on or  
 28 after such date[~~, provided, however, that this act shall expire and be~~  
 29 ~~deemed repealed four years after it shall have become a law].~~

30 § 2. This act shall take effect immediately.

31 PART VVV

32 Section 1. Section 862 of the general municipal law is amended by  
 33 adding a new subdivision 3 to read as follows:

34 (3) No funds, financial incentives or subsidies of the agency shall be  
 35 used in respect of any project where facilities or property are used  
 36 primarily for electronic commerce (e-commerce) storage and transfers, or  
 37 the facilitation thereof.

38 § 2. The second undesignated paragraph of section 1953 of the public  
 39 authorities law, as amended by chapter 579 of the laws of 2021, is  
 40 amended to read as follows:

41 Notwithstanding the provisions of this section to the contrary, such  
 42 financial assistance may, however, be provided to a project where facil-  
 43 ities or property that are primarily used in making retail sales of  
 44 goods or services to customers who personally visit such facilities to  
 45 obtain such goods or services constitute more than one-third of the  
 46 total project cost, where: (i) the predominant purpose of the project  
 47 would be to make available goods or services which would not, but for  
 48 the project, be reasonably accessible to the residents of the city of  
 49 Troy because of a lack of reasonably accessible retail trade facilities  
 50 offering such goods or services; or (ii) the project is located in a

1 highly distressed area. With respect to projects authorized pursuant to  
2 this paragraph no project shall be approved unless the authority shall  
3 find after the public hearing required by section twenty-three hundred  
4 seven of this chapter that undertaking the project will serve the public  
5 purposes of this article by preserving permanent, private sector jobs or  
6 increasing the overall number of permanent, private sector jobs in the  
7 state. Where the authority makes such a finding, prior to providing  
8 financial assistance to the project by the authority, the chief execu-  
9 tive officer of the city of Troy shall confirm the proposed action of  
10 the authority. No funds, financial incentives or subsidies of the  
11 authority shall be used in respect of any project where facilities or  
12 property are used primarily for electronic commerce (e-commerce) storage  
13 and transfers, or the facilitation thereof. To carry out said purposes,  
14 the authority shall have power:

15 § 3. The second undesignated paragraph of section 2306 of the public  
16 authorities law, as amended by chapter 304 of the laws of 2013, is  
17 amended to read as follows:

18 Notwithstanding the provisions of this section to the contrary, such  
19 financial assistance may, however, be provided to a project where facil-  
20 ities or property that are primarily used in making retail sales of  
21 goods or services to customers who personally visit such facilities to  
22 obtain such goods or services constitute more than one-third of the  
23 total project cost, where: (i) the predominant purpose of the project  
24 would be to make available goods or services which would not, but for  
25 the project, be reasonably accessible to the residents of the city of  
26 Auburn because of a lack of reasonably accessible retail trade facili-  
27 ties offering such goods or services; or (ii) the project is located in  
28 a highly distressed area. With respect to projects authorized pursuant  
29 to this paragraph no project shall be approved unless the authority  
30 shall find after the public hearing required by section twenty-three  
31 hundred seven of this title that undertaking the project will serve the  
32 public purposes of this article by preserving permanent, private sector  
33 jobs or increasing the overall number of permanent, private sector jobs  
34 in the state. Where the authority makes such a finding, prior to provid-  
35 ing financial assistance to the project by the authority, the chief  
36 executive officer of the city of Auburn shall confirm the proposed  
37 action of the authority. No funds, financial incentives or subsidies of  
38 the authority shall be used in respect of any project where facilities  
39 or property are used primarily for electronic commerce (e-commerce)  
40 storage and transfers, or the facilitation thereof. To carry out said  
41 purpose, the authority shall have power:

42 § 4. This act shall take effect immediately.

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

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